EXTENSIONS OF REMARKS

SENATOR MUSKIE DELIVERS CHALLENGING ADDRESS BEFORE NATIONAL ACADEMY OF SCIENCES SYMPOSIUM

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 3, 1973

Mr. RANDOLPH. Mr. President, 3 years ago the Congress enacted the Clean Air Act of 1970, the most comprehensive effort ever undertaken by the Federal Government to end the pollution of the air we breathe. We are now well along on the road to implementing the provisions of that act and we are increasingly aware of the impact on our way of life of a strong new program of air pollution abatement.

Experiences with the new act have raised many questions. Related issues, such as the energy shortage, complicate the situation. Under these circumstances, the Committee on Public Works, where the Clean Air Act of 1970 originated, decided earlier this year to review the implementation and consequences of the act.

As part of this review the committee in July contracted with the National Academy of Sciences to study in depth the health effects of the various pollutants which the Clean Air Act amendments seeks to control with economic implications of this control. With the new information which the academy will provide, the committee will evaluate the validity of our approach and the success of our efforts.

Mr. President, the National Academy of Sciences today began a 3-day symposium to discuss the health standards of the Clean Air Act. To set the tone for this discussion, the Academy chose an appropriate keynote speaker in Senator EDMUND S. MUSKIE, the able chairman of our Subcommittee on Air and Water Pollution.

For more than a decade, Senator MUSKIE has been actively involved in fashioning the environmental protection legislation that is today stimulating a reversal of historic practice of growing pollution levels in our country. Senator MUSKIE delivered a challenge to the National Academy of Sciences. He clearly stated the commitment of the Congress to environmental enhancement, and he was explicit in defining the kind of study the committee expects from the Academy.

The continuing issues of environmental protection are of great importance to every Member of the Congress, and I ask unanimous consent that the text of Senator MUSKIE's address be printed in the RECORD.

There being no objection, the address was ordered printed in the RECORD, as follows:

MUSKIE SPEECH AT NATIONAL ACADEMY OF SCIENCE SYMPOSIUM

I appreciate the opportunity to speak to you briefly about the need for evaluation and review of the basis for Federal air pollution control requirements. You are here at the request of the U.S. Senate Committee on Public Works. The Clean Air Act of 1970 was a product of that Committee.

Many questions have been raised about the adequacy of the health data on which the Clean Air Act regulatory actions have been based. And those regulations have begun to shape the way we will live—the way we will move about—the way we will grow.

The air quality standards now in effect are the basis for transportation control programs in many of the nation's major cities. The plans, when implemented, will alter life styles; transportation patterns; and growth directions. These requirements will be imposed because the health of people must be protected from the dangers of air pollution. But we must make sure that the costs imposed are related to public health needs.

The penalties for being wrong are serious.

If we are too harsh, literally millions of dollars could be wasted by consumers, taxpayers and industry in the effort to meet those standards.

If we are too lenient, or if Congress unnecessarily weakens the standards at the urging of those who now charge that we have asked too much, the health costs to our society will be immeasurable. We could, by action or inaction, cause tremendous personal suffering, even death.

For those who do doubt the public perception of the threat of air pollution, I would like to share with you a letter I received recently from the son of a man who immigrated from Russia as a boy in 1905, and rose to become a corporate executive in New York:

"On September 6, 1973, during the thermal inversion that hung over New York City, my father, George Holmes died. A victim of emphysema, the stagnant filthy air of his beloved city was a proximate cause of his death . . .

"George's appetite for life was insatiable; his love was without limit; his loyalty and integrity twin fortresses forever unvanquished . . .

"Senator, over the weeks and months ahead as you contemplate proposals to dilute or sacrifice existing and projected clean air standards, I ask you to think of George, whose life was cut short, whose liberty was circumscribed and whose pursuit of happiness is forever stilled for want of clean air.

"I ask you only to think of George."

Because the penalties for being wrong are so great, we have commissioned the study in which you are participating, and we will carefully consider your conclusions.

To help you in your work, I would like to spend a few minutes discussing the reasons why Congress chose in 1970 to concentrate on the health of the people in writing the Clean Air Act.

As early as 1923, an article in the *Journal of the American Medical Association* warned that:

"The contamination of the air in the more congested streets of American cities during hours of heavy traffic reaches the upper limit, and for shorter periods, even exceeds the upper limit, of a well-founded health standard."

Despite this early warning signal—and despite increasing recognition during the 1950's of the threat to the nation's health posed by the automobile and by stationary sources of pollution—little was done until the last decade to "define" the health costs of air pollution, or to clean up our air.

Then, in 1963, Congress acted to require better identification of pollution-related health problems.

In 1965, Congress initiated legislation to authorize the national auto emission standards. In 1967, Congress provided authority for the Federal Government to work on a regional basis to find and clean up pollution sources. This legislation marked the first major Federal involvement in controlling sources of pollution other than the automobile and it reflected a growing public awareness that environmental problems require more than local solutions.

Partly at the urging of the auto industry, the 1967 law also made auto pollution standards uniform nationwide by pre-empting state authority to set auto standards, with an exception of California. And it emphasized that Federal action be directed at cleaning up the air in areas of the country where pollution was the worst.

These early laws took an economic approach to cleaning up pollution. They required industry only to use the technology which was available at a cost industry was willing to pay and they relied heavily on the states and communities to take the lead in pollution control. Industry opposed stricter controls, arguing that the costs were too high, that the benefits could neither be measured nor justified in terms of costs, and that, in time, better and cheaper technology would come along to do the job.

But by 1970, it was clear that our efforts were failing. The air was getting dirtier at a rapid rate. The first documentation of just how dirty the air was and how levels of air pollution related to health was published.

So in 1970, we drastically changed our approach. We recognized that the concept of economic feasibility had become an excuse for doing nothing. And we agreed that the dangers to health from dirty air were sufficiently great that regulations should be based on the degree of control needed to protect health.

The new law, therefore, established the goal of protecting public health as the basis for regulatory policy. Under the 1970 Act, states were required to develop programs to improve air quality—to levels consistent with public health by 1975—or by 1977 at the latest, if conditions made the 1975 deadline unattainable.

Further, because auto pollution was a national problem of increasing concern, Congress adopted specific controls on cars which required a 90% reduction in their emissions from the 1970 levels. The required 90% reductions were calculated on the basis of the estimated relationship of ambient concentrations of automotive-related air pollution, the degree to which automobiles contributed to the general air pollution problem, and the projected increase in automobiles and population. They were based on the best data available from the Public Health Service and the National Air Pollution Control Administration.

The 1970 Act required control of stationary as well as moving sources of pollution. And the levels at which health effects of pollution from stationary sources occur is also being debated. I trust this conference will apply the same degree of scientific scrutiny to those pollutants as will be applied to those from automobiles. I would, however, like to stress the principles which underlie the 1970 law as that Act relates to the latter—the area of greatest current controversy.

First: Protection of public health could no longer be subservient to considerations of economic or technical feasibility, particularly when those factors were controlled by industry. As the Senate Committee Report stated: "The health of people is more important than the question of whether the early achievement of ambient air quality standards protective of health is technically

feasible. The growth of pollution load in many areas, even with the application of available technology, would still be deleterious to public health."

Second: The public health was so important that no agency or court should be given the opportunity to compromise the law. Thus, the statute provides that the 1975 and 1976 auto emission standards could be extended for only one year. This extension could only be granted if the Administrator of the Environmental Protection Agency determined: (1) that meeting the cleanup deadline is not technologically feasible; (2) that the companies have made a good faith effort to meet the standards; (3) that the public interest will be served by an extension; and (4) that the National Academy of Sciences' study has not indicated that alternatives are available to meet the standards.

The third important principle was that the Congress and the Administration should have the benefit of continuous, independent monitoring of the manufacturers' efforts and the state of the developing technology. In short, the Congress determined that the auto companies could no longer be the sole source of public information on available technology. Both EPA and the National Academy of Sciences were instructed to monitor the auto manufacturers' progress, and provide information to the public and the Congress on the availability of technology.

Finally, with regard to the auto industry, the principle was established that so long as the auto industry insisted that America could not live without the automobile, the industry had to shoulder the burden of producing a car with which America could live. And so long as the industry insisted that the spark-piston engine should not be abandoned, that car or engine size need not be restricted, and that no specific fuel economy should be required—the burden then was on the industry to develop the necessary control systems to comply with national standards.

These were the bases upon which the 1970 law was enacted. The law was stringent but it was based on a careful evaluation and interpretation of the facts available at that time.

With that perspective, let us ask ourselves where we are today—just a month after the East Coast experienced its most serious and pervasive air pollution episode.

We have not and we will not waiver from our basic commitment. The health of the American people must be protected against environmental hazards. We must design our environmental health standards so as to assure protection of the health of all people and not just the normal average healthy adult. We must base environmental standards on the best evidence the scientific community can develop. And we must not allow those standards to be compromised because they are difficult to achieve, or because of cost.

The scientific community, therefore, has a great responsibility. It is you who must show what levels of air quality are needed to protect the health of the people. It is you who must show how your experimental conclusions can be the basis for public policy decisions. You must show who is endangered by dirty air, and what pollutants, in what combinations and concentrations pose the dangers.

Public policy makers need this guidance in order to assure that adequate protection is provided for all of our people without creating costs and dislocations which are not justified by the needs of public health. As scientists you are in the first line of defense for national environmental policy and in air pollution you are the most significant line of defense. It is people—not plants, not fish—whose health and welfare may be affected, either positively or adversely by your findings, your doubts and your questions.

I had faith in the scientific community when the Senate passed its version of the Clean Air Act, and I continue to have faith. I assume that many of you here participated in the development or review of the air quality criteria on which many regulatory procedures have subsequently been based.

I assume that your work and your research are in part the basis for our present standards and therefore it is appropriate that you should participate in this effort to ask and, if possible, answer questions about public health-related air quality standards.

In order to fulfill your responsibility, I think it is important to articulate the kinds of questions which are being asked about the Clean Air Act and related standards.

Congress and the people want to know whose health is being protected. We want to know how valid is the data base for existing standards. We want to know whether the standards are designed to protect one theoretical individual from the impact of known or anticipated exposure to one or more air pollutants or whether in fact those standards relate to protection of actual people who live in and around areas that experience excessive levels of those pollutants. We want to know the extent to which we can identify people within the population who are affected by varying pollutant concentrations and the kinds of effects we can expect to see in those people.

In a very real sense, the Congress is seeking a better understanding of what public health-related air quality standards are as well as their validity.

I venture to speculate that few Members of Congress have any idea how many people suffer from asthma, bronchitis, or cardiovascular disease. Few know the distribution of these ailments among age groups or income groups in the population.

I realize that I have interjected a concept which is outside of pure science. But income grouping is important. In urban areas, lower income groups tend to live and work in areas of highest exposure to the dangers of environmental pollutants. At the same time the heaviest cost impact of effective environmental regulation may fall on people who can least afford to pay the cost of pollution control. Yet it is the same people who will be least able to respond to the failure of effective controls by finding new jobs in new places for their families.

Many of you are fully familiar with the policies of the government regarding radiation. Those policies have been controversial. But one aspect which has not been challenged is the authority to limit environmental exposure to radioactive materials even though the cost of that control has been high, sometimes very high. We have made the nuclear industry pay what, by any reckoning, has to be considered an overwhelming price to reduce the discharge of radioactive materials to orders of magnitude below levels known to affect man. This has been done despite the lack of scientific certainty as to threshold levels but with an absolute determination that public health could not be compromised by that uncertainty.

Nuclear industry is a new industry created largely by government and researched and financed by government, and therefore, it can be argued that the public should be protected at all cost against the uncertainty of our knowledge.

But whether a threat is now or old, government financed or not, is irrelevant. We have an equal responsibility to regulate man's other activities at least to the degree that we are certain of the impact of pollutants on health, with an adequate margin of safety. To do less than that is to announce to the American public that this nation cannot afford to protect the health of all of its citizens.

So we have asked the National Academy of Sciences to gather the best minds that it can find to attempt to validate the information we have, to identify areas of certainty and uncertainty, to review the adequacy of margins of safety, to show areas where most research is needed, to show us what is known and what is not, to identify the population groups we are protecting, to point out errors as well as doubts in data, and come back to the Congress with your best judgment in a preliminary form from this meeting and in a final form ten months from now.

My colleagues and I will have high regard for the judgments you make and the information you provide.

We know that the Clean Air Act and other environmental statutes are demanding from the American public investments of time and money—changes in life styles and patterns of living and in some cases major dislocations. We know that these demands must be justified with sufficient certainty if future environmental regulation is to be credible and effective.

We ask you to provide us with the information we need to make wise decisions—for now and for the future. And I, too, ask you to think of George Holmes and thousands like him "whose life was cut short, whose liberty was circumscribed and whose pursuit of happiness is forever stilled for want of clean air."

NELSEN SUBSTITUTE LEAVES CONGRESS IN THE ROLE OF A CITY COUNCIL

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FRASER. Mr. Speaker, the Nelsen substitute—H.R. 10692—which was surfaced today for the first time, just 2 legislative days from floor action in the House on H.R. 9682, the District of Columbia Self Government Act, is certainly a big disappointment.

Congress would still be saddled with the task of legislating on minor local matters that would be handled in any other city by the local aldermen and mayor.

KITE FLYING REQUIRED ACTION BY CONGRESS

The American people had a good laugh at us in 1970 when we had to enact a special law to allow kite flying in Washington, D.C., because Congress had given the City Council so little authority it did not have the power to permit kite flying by a simple municipal ordinance.

The very mild language of the Nelsen substitute will only give the City Council the power to set tax rates, but not to amend tax laws. The Council will be able to set the fee for dog tags, for example, but not change the law on dog tags, dog pounds, or liability for damage by dogs or to dogs. Only Congress will have the power to legislate on these purely local questions if H.R. 10692 is adopted by the House as a substitute to the committee bill, H.R. 9682.

LOCAL LAWS SHOULD NOT BE BUSINESS OF CONGRESS

Here is a list of local laws which the City Council could not enact but had to be voted by Congress during 1971 and 1972. The Nelsen substitute would continue that unfortunate situation. The committee bill would give the power to legislate on such matters to the City

Council of Washington, D.C., where it belongs.

The list follows:

Public Law 91–530 Police wear flag patches on uniforms.

Public Law 92–94 Testing of utility meters.

Public Law 92–124 Authorize D.C. fire department members (etc.) to participate in the Police Department band.

Public Law 92–93 Incorporate Paralyzed Veterans of America in D.C.

Public Law 92–491 Convey D.C. land for National Firefighting Museum.

Public Law 92–88 Transfer of motor vehicles in decedent's estates.

Public Law 92–351 Medical benefits for retired policemen, etc.

Public Law 92–281 Purchase of annuity contracts by teachers.

Public Law 92–515 Permitting seeing eye dogs in restaurants.

Public Law 92–543 Personnel records of policemen.

Public Law 92–410 Compensation of police helicopter pilots.

Public Law 92–294 D.C. programs to combat sickle cell anemia.

Public Law 92–410 setting police and firemen's salaries.

Public Law 92–518 increasing salaries of teachers.

I trust that the House will adopt a bill on self-government for Washington, D.C., that sets up a genuine local government with the power to act on local matters, and will reject the Nelsen substitute as more shadow than substance.

MURDER BY HANDGUN: THE CASE FOR GUN CONTROL

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HARRINGTON. Mr. Speaker, when Ronald Young has finished serving his 15-year sentence for shooting a man to death, he will be 31 years old; the year will be 1988; and if the current trend continues, approximately 270,000 more people will have been killed by handguns.

Congress can prevent this useless slaughter of human lives by immediate gun control legislation.

At this time I would like to insert an article from the Baltimore Sun:

YOUTH, 16, GETS 15 YEARS FOR KILLING PENNILESS MAN

(By George J. Hiltner)

A 16-year-old youth yesterday received a 15-year prison sentence for the murder and attempted robbery of a penniless man.

The September 28 slaying resulted in an outpouring of cash donations for the victim's wife and two young children.

Judge James A. Perrott imposed the sentence in Criminal Court on Ronald Young, of the 200 block Herring Court, who pleaded guilty to second-degree murder in the fatal shooting of Mason E. Lucas, a sign company employee.

The judge commented after imposing sentence that he was "circumscribed by plea negotiations" which resulted in 3-year terms being given to two juvenile co-defendants. They had pleaded guilty to robbery counts and escaped trial for murder.

A fourth juvenile participant is awaiting sentencing after pleading guilty in the attempted robbery, according to Joseph Lyons, an assistant state's attorney.

Mr. Mason, of the first block North Bradford Street, was penniless when he was approached by four juvenile boys in the 1500 block Gough Street. He died at Church Home and Hospital of bullet wounds in the abdomen two hours later.

The Mason family was destitute and barely had enough money to bury him.

The 3-year terms were given previously to Howard Lee Williams and Jonathan I. Hamlet, both 15 and both of the 200 block South Dallas Court.

Among contributors toward a Christmas fund for the wife and children of the victim were residents of the Perkins Homes projects in East Baltimore. The shooting occurred on the grounds of that project and three of the four youths charged lived there.

In addition over 40 individuals sent checks totaling more than $800 to the *Sunpapers* office for the Lucas family, and contributions of food and toys also were received.

Over $400 additional was donated by airmen of the 135th Tactical Air Support Group of the Maryland National Guard.

THE 3M CO.

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FRENZEL. Mr. Speaker, earlier this year I inserted in the RECORD a newspaper article about the way a company in my district, Control Data Corp., was operating in South Africa. Today I am inserting some excerpts from a booklet produced by the 3M Co., another fine Minnesota corporation, detailing its operations and personnel policies in South Africa.

The efforts made by companies such as 3M and Control Data in South Africa are noteworthy. It is my hope that such efforts will lead the way to eventual equal opportunity. Obviously such a goal is a distant one. Even so, the achievement of any worthy goal has to have a beginning, and these companies will help to provide a good start.

3M COMPANY IN SOUTH AFRICA

The Republic of South Africa is one of 36 countries outside of the United States where 3M has operations. It is one of 16 non-U.S. countries where, in order to serve overseas markets, 3M operations include manufacturing as well as sales.

The 3M Company, incorporated as Minnesota Mining and Manufacturing Company, is a high-technology, diversified industrial manufacturing firm which, in spite of its name, is not engaged in mining or extracting natural resources in South Africa.

In 1972, 3M worldwide consolidated sales were $2.1 billion, and net income was $244 million. Of these worldwide totals, the sales and earnings of 3M in the Republic of South Africa during 1972 accounted for less than one per cent. The ratio of earnings to sales in South Africa was roughly the same as it was for all of 3M, and payment of corporate income tax to the Republic of South Africa is currently at the statutory rate of 41 per cent. In the past 11 years, such tax payments have exceeded $5 million.

HISTORY

Until 1959, 3M activity in South Africa consisted only of selling products there through agents on an export basis from the U.S. or other countries with a 3M manufacturing subsidiary.

In 1959, 3M established wholly owned manufacturing facilities in South Africa to produce adhesives, coatings, sealers and pressure-sensitive tapes for South African industrial markets. Since then, the manufacturing plant has been expanded to include production of coated abrasives and printing industry chemicals, assembling of copying machines, a microfilm processing laboratory, a sign shop for traffic control products and facilities for the installation of recreational surfacing products. This business is conducted by 3M South Africa (Pty) Ltd.

During 1970, a film processing and photofinishing firm was acquired. It operates as a subsidiary of 3M South Africa under the name of Africolor (South Africa) (Pty) Ltd. Also in 1970, a small pharmaceutical company there, Riker Laboratories Africa (Pty) Ltd., was acquired by 3M as part of the Riker Laboratories ethical drug group of Dart Industries, Inc. The Riker South Africa company remains a subsidiary of Riker Laboratories, itself now a wholly owned subsidiary of 3M.

Consolidated sales in 1972 for these three operations of 3M Company in South Africa were $16.8 million. This sales total includes other 3M products sold to customers in South Africa after being imported into that country from the United States or other countries where 3M manufactures.

Factors involved in 3M's decision to enter South Africa were the same as those considered when entering any other country: a favorable business climate, a desire to serve new markets with 3M products and the need for a local base in order to serve customers, in order to be competitive and to surmount various tariff and other trade barriers.

From an original investment of about a quarter of a million dollars in 1959, the South African business of 3M has grown largely from within to an investment of approximately $8.6 million. Nearly 60 per cent of 3M's present investment there represents the reinvested earnings of 3M South Africa (Pty) Ltd. Parent company capital includes, in addition to the initial investment, cash advanced for the acquisition of Africolor.

The Company has no investments in the so-called border areas of the Bantustans nor in the Bantustans proper.

EMPLOYEE COMPENSATION

Total 3M employment in the Republic of South Africa at the beginning of 1973 was 935, of which only three persons were expatriates or "foreign service employees" from abroad.

Today, all employees of 3M in South Africa are classified according to a single salary schedule. The 16 standard position classifications apply to all except 44 management employees.

In administering 3M compensation programs, the determination of salary and wage rates for given jobs is influenced in South Africa as in other countries, including the United States, by two factors: 1) the prevailing rate as shown in wage surveys in a community for similar work and 2) the rate established for similar work in other 3M operations.

However, dependence on local industry surveys is less of a factor in South Africa than elsewhere when determining 3M compensation levels for non-whites because reliable, independent surveys there show wide differences in the rates for whites and nonwhites in a similar job classification.

As a result, 3M in South Africa has a compensation plan which is paying competitive wages to whites, and wages to Africans that are above the average industry rates prevailing for Africans in comparable job classifications as determined by independent wage surveys.

The average basic monthly wage of the African, Asian and Colored employees at 3M South Africa (Pty) Ltd. in March, 1973, was $130.14. All except nine of the employees covered in the most recent average monthly wage figure are Africans.

If all employees of recently acquired operations are considered, the 1973 average monthly wages (converted to dollars) are $139.39 for 325 Africans, $207.00 for 39 Asians and $199.81 for 101 Colored employees of 3M operations in South Africa. Job classification, ability and seniority are factors which determine a given employee's wage rate.

BENEFITS

Beyond the salaries and wages based on this uniform position classification schedule, 3M South Africa (Pty) Ltd. and its subsidiary Africolor (South Africa) (Pty) Ltd. offer employee benefits which are the same for all employees regardless of race, except for a contributory medical aid society program which is compulsory for whites and optional for non-whites who have access to low-cost medical service in government hospitals.

New employees in the latter group are informed when hired of their option to join the 50 per cent contributory medical aid program. None has exercised this option. All employees are allowed time off with full pay to obtain medical treatment, and 3M management on occasion has arranged medical treatment for non-whites at Company expense when a situation required specialized attention.

Other benefits uniformly available to all employees of 3M South Africa (Pty) Ltd. and its subsidiary, Africolor (South Africa) (Pty) Ltd., include a contributory pension plan, a non-contributory plan for group life insurance and widows' and orphans' pensions, long-term disability retirement provisions, recognition of long service, sick leave, educational assistance, and reimbursement of moving costs when an employee is transferred by the Company.

The present pension plan, announced in March of 1971, has been used as a model by other multinational firms operating in South Africa. Under the non-contributory group insurance, every employee is covered for an amount of 18 times monthly earnings from the first day of employment. In addition, dependents of married men are also covered by a widows' and orphans' pension. To date, two whites and five persons of other racial origin have died while in the employe of 3M in South Africa, and payouts have been and are being processed under this plan.

Under a long-term disability retirement plan introduced in 1971 for all employees, a disability pension is provided of full pay for six months and thereafter one-half pay for life. Sick leave provisions offer up to six months on full pay and six months on half pay, depending on length of service.

While 3M provides no home ownership assistance to any employees, the Company by virtue of its approaches to government and local authorities has frequently been able to assist African employees in obtaining suitable housing.

Transfer expenses (the reimbursement of moving costs when an employee is transferred), while available to all, have not traditionally been a meaningful benefit to Africans because of legal prohibitions against their working outside of a specific area where they are registered. But new legislation has expanded the prescribed areas, and this will increase the mobility of Africans.

The Company also provides loans and tuition refunds to any employee for approved off-the-job courses of study. Applications for this form of educational assistance are approved when management determines that the course of study is job-related. Funds advanced are deducted on a monthly basis until successful completion of the course, when full refunds are made to the employee. Maximum total benefit under this plan is $572 per employee.

The interest of 3M management in employees extends beyond the formalized employee benefit programs in South Africa and has been demonstrated through additional personnel services.

For example, counseling, assistance and guidance in legal matters are provided if an employee is unable to handle a situation himself. For resolving minor offense problems, the Company is prepared to send (and has sent) observers to the court to provide assistance.

TRAINING

By far the greatest amount of 3M employee training is offered on the job. This form of technical training, in the absence of a general education program as such, is offered to all employees of 3M in South Africa. Every employee undergoes on-the-job training to ensure that he or she can perform satisfactorily. When an employee is trained, for example, to be a quality control inspector or a file clerk, there is no difference by race in the nature of the job training.

Company training is routinely provided in safety and security procedures to all employees whose jobs require it. In addition, eight non-white employees at 3M South Africa (Pty) Ltd. have received special sales or supervisory training.

GRANTS AND GIFTS

Because 3M operations in South Africa have grown and prospered, it has been possible for 3M to contribute there in a modest way to various civic, social, health and educational agencies. Ten of the more substantial formal grants and charitable gifts of the past decade are described in a listing of pages 16 and 17.

As indicated in that list, educational and medical organizations serving all races are the chief beneficiaries of 3M contributions. Other recipients of 3M contributions of cash or merchandise in the past ten years include the Orthopedic Association of South Africa, the South African Red Cross, Coronation Hospital for Non-Whites, Moede Cabrini Hospital for Coloureds, the University of Natal, Lesotho Drought Relief Fund, Boland Disaster Relief Fund, the Cape Department of Colored Education, the Natal Operating Room Nurses' Study Course, the Johannesburg Children's Hospital, and the King Edward VII Hospital ANBV Medical School for Non-Whites.

GOVERNMENT AND EMPLOYEE RELATIONS

The government in its various forms is a very large customer in South Africa for many types of 3M products, especially so inasmuch as the government operates the airlines, railways, harbors, most schools, the highway department and communication systems, as well as the military and various services of municipal and provincial units. These and other large undertakings of the government are served by 3M products and services for industry, health, education, communication and traffic safety. The broad 3M product line includes such items as adhesive tapes, coated abrasives, surgical supplies, overhead projectors, magnetic tape, copying equipment and reflective sign materials.

While 3M as a business in South Africa pursues a non-partisan and law-abiding course of action in relation to the government, members of 3M management there do participate in professional and employee organizations working to improve conditions and opportunities for all and, through such participation, they do make recommendations to government bodies as well as to commerce and industry on improving matters of interest to employees.

3M in South Africa has no trade union contracts, but the operations are covered by two industry-wide wage agreements, the Commercial and Distributive Wage Agreement and the Printing Workers Wage Agreement. These agreements which lay down minimum wage levels, do not restrict opportunities for 3M employees of any race. Wage and salary scales at 3M, as well as working conditions, are significantly above the minimum levels demanded by the wage agreements.

It is 3M policy to hire, train, promote and pay employees without regard for race, and this policy governs Company personnel practice to the extent possible in every country where 3M has operations.

Among the laws and regulations which cover 3M operations in South Africa are two which are concerned with the adequacy of facilities for workers of different races and sexes: the Shops and Offices Act, and the Factories, Machinery and Building Work Act. There are also the Industrial Conciliation Act, which controls membership in registered trade unions, and the Bantu Urban Areas Act, which regulates the mobility and residency options of some workers.

At present, there are three regular employee committees with multi-racial membership at 3M South Africa (Pty) Ltd. One is a Works Committee. It meets monthly to encourage two-way communication between employees and management and to facilitate discussion of subjects relating to the operation of the Company.

The 3M Safety Committee meets monthly and discusses safety matters. Production Control/Production Meetings, held weekly, are also occasions through which employees of different racial origin meet around the same table to discuss matters that influence the overall performance of the Company.

Complaint procedures at 3M South Africa (Pty) Ltd. is the same for all employees, regardless of race: via the supervisor through other levels of management and, if necessary, to the managing director. Non-white personnel are aware of the procedure and make use of it.

3M South Africa (Pty) Ltd. has in it employ no non-whites who are non-South African citizens. The Company's total employment includes 43 whites who were not born in South Africa, but all of these with the exception of the three foreign service employees were South African residents when they joined the Company. In one case two years ago, the Company attempted without success a recruiting program in England, Germany and Switzerland. Two white applicants who accepted job offers as a result of this effort are no longer employed by 3M.

SUMMARY

The attitude of 3M management toward its employees in South Africa is stated as follows in a welcoming letter by the Managing Director to all new employees:

". . . 3M Company's basic principle is respect for the individual and for his rights and dignity . . . You will find that in our organisation you are not simply regarded as a number, but as a valued employee and as a human being . . .

"Our success depends on intelligent and aggressive management which is sensitive to the need for making an interested partner of every individual in the organization . . . 3M is widely recognised as a firm with outstanding possibilities. This means that in the future, as in the past, a career with 3M offers many opportunities for advancement, especially as it is the Company's policy to promote from within whenever possible. By the same token, it is up to you to develop your talents and accept the challenge to grow with us. . ."

PROTECTING THE CONSUMER

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. PEYSER. Mr. Speaker, in the face of rising prices for food and other con-

sumer products today, it is more important than ever that the consumer have protection in the marketplace. It was with this concern in mind that Ed Vetrano, the Westchester County clerk, sent me a telegram the other day asking me to investigate the possibility of getting Federal support for the creation of a full-time Consumer Protection Agency in Westchester County, N.Y. I am currently investigating these possibilities through a number of channels in Washington.

Up to this time, I have found that there are a number of Federal agencies and departments which had not previously funded such an office but are now favorably disposed to Mr. Vetrano's idea. These agencies and departments tell me that although they had not funded such an office previously, perhaps they could find money in their budgets to fund a proposal such as Mr. Vetrano's because it represents a grassroots approach to the problems of the consumer.

I shall continue my efforts to get Federal support for a consumer office such as Mr. Vetrano suggests. But in the meantime, I thought my colleagues in the House would want to know of our efforts in Westchester, so they can begin such an effort on behalf of their county governments.

NANCY MAY JANNARONE AND DAVID J. STOCKDALE EARN RED CROSS CERTIFICATE OF MERIT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. GILMAN. Mr. Speaker, the American National Red Cross recently brought to my attention the heroic acts of two of my constituents which saved the life of an 8-year-old boy and earned them the Red Cross Certificate of Merit.

The certificate alone is but a small token of appreciation and recognition for Nancy May Jannarone and David J. Stockdale, both of West Point, N.Y., for their spontaneous reaction to a life and death situation, utilizing their Red Cross skills and knowledge of first aid and water safety. To them, of course, there is no greater reward than the knowledge that their acts saved a human life.

In the words of Red Cross President, George M. Elsey:

These meritorious actions exemplify the highest ideal of the concern of one human being for another who is in disaster.

Mr. Speaker, I commend the following text of Mr. Elsey's letter to all my colleagues to afford the full public recognition to Miss Jannarone and Mr. Stockdale which they so richly deserve:

SEPTEMBER 27, 1973.

DEAR MR. GILMAN: I wish to bring to your attention noteworthy acts of mercy undertaken by two of your constituents, Miss Nancy May Jannarone, 102 Washington Road, West Point, New York 10996, and David J. Stockdale, Quarters 28 Thayer Road, West Point, New York 10996, who have been named to receive the Red Cross Certificate of Merit. This is the highest award given by the American Red Cross to a person who saves a life by using skills learned in a Red Cross first aid, small craft, or water safety course. The Certificate bears the original signatures of the President of the United States, Honorary Chairman, and Frank Stanton, Chairman of the American National Red Cross. Presentations will be made by the American Red Cross Field Director, West Point.

On July 3, 1973 Miss Jannarone and Mr. Stockdale, both trained in Red Cross senior lifesaving, were on guard duty at a pond when an eight-year-old boy failed to surface after jumping into 16 feet of water. Immediately Miss Jannarone dived into the pond to look for the victim, calling for assistance as she did so. When she surfaced she directed a rescue party to search sections of the pond which had been cleared of other swimmers. Mr. Stockdale joined in the search. When the child was found Mr. Stockdale immediately began mouth-to-mouth resuscitation while he was still in the water and continued until the victim's breathing was restored. The boy was taken to a hospital and later recovered completely. By using their skills and knowledge Miss Jannarone and Mr. Stockdale saved the victim's life.

These meritorious actions exemplify the highest ideal of the concern of one human being for another who is in distress.

Sincerely,

GEORGE M. ELSEY.

IN SUPPORT OF ABOLISHING THE EXCLUSIONARY RULE

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. STEIGER of Arizona. Mr. Speaker, on September 13, I introduced a bill in the House of Representatives which, if passed, would bring increased justice into our judicial process. My bill would abolish the "exclusionary rule"—a rule which has seriously marred the American criminal justice system.

In this regard I would like to include in the RECORD an article written by the Honorable Jack L. Ogg of the Arizona State Court of Appeals. Judge Ogg believes the exclusionary rule has done more harm to the criminal justice system than all the other pronouncements of the Warren Court.

The article in its entirety follows:

LET'S RETURN COMMONSENSE TO ARIZONA CRIMINAL JUSTICE

(By Hon. Jack L. Ogg)

It is always pleasant around the time of the State Bar Convention to sit with other trial judges and in a state of nostalgia discuss how swift and easy it was to try criminal cases back in the good old days.

We have all slowly learned to live with Gideon and Miranda realizing that the delays and added costs carried certain off-setting benefits to our system of criminal justice. The one case we haven't completely learned to adjust to is Mapp v. Ohio. Our old Arizona rule that all relevant evidence no matter how obtained was admissible was replaced by the Federal rule where only those items of evidence obtained by certain prescribed methods were admissible. The Federal rule places a duty on the trial judge to suppress all evidence obtained in violation of a myriad of do's and don'ts.

From that date in 1961 when the United States Supreme Court in Mapp v. Ohio overruled Wolf v. Colorado and imposed the Federal exclusionary rule on the state trial courts we started our entire legal system in a tailspin of ever diminishing public support and respect. We completely lost sight of the goal of criminal justice which is the determination of the defendant's guilt or innocence and went out to regulate the manner in which our law enforcement officers handle their duties. Under the completely naive theory that by rewarding the criminal and punishing the officer we could stop high-handed police methods, the trial courts have been directed to suppress evidence at the trial when such evidence was taken by law enforcement officers who failed to follow the tractless maze of fine distinctions in the law of search and seizure.

The typical fact situation went like this: police enter a house without proper warrant; police find the bloody knife used in the murder; the trial judge under Mapp v. Ohio suppresses the evidence; the murderer goes free; the people and press in the community go ape; the trial judge and prosecutor lose the next election.

The offending law enforcement officer is not punished—he in fact becomes a martyr sacrified to the stupidity of the courts. All who call themselves lawyers and all men who respect the rule of law are the ones who are punished, for the general public does not understand the fine niceties of the suppression of evidence and the entire legal system slips another cog in the respect of the people. The lawyer who represents the defendant is branded a crook. The county attorney who failed to get the knife in evidence is labeled incompetent. The trial judge who keeps it out of evidence is in league with the devil, and the appellate judge who upholds the trial court decision must be impeached.

Another important side effect of Mapp v. Ohio is to steal the time of over-loaded courts. Prior to Mapp, motions to suppress were as rare as Writs of Ne Exeat and never delayed the trial of the cases. Now it is indeed rare that there isn't a motion to suppress on at least one item of evidence and we must all be sickened by the spectacle of a jury sitting in the hallway for hours waiting for the hocus-pocus of a suppression hearing to be completed so they can go on with hearing the evidence in the case. In one recent murder case I ruled on motions to suppress involving over thirty separate items which included among them the body of the alleged victim. Twelve years ago no trial judge would have believed such a story; however; these motions were not frivolous under the state of our criminal law and were presented by very competent counsel. I didn't suppress the body but can't you imagine the situation where the facts would force such a suppression. As a lawyer, try explaining to the press or for that matter to your barber how it is that the alleged murder never come to trial because the trial judge suppressed the body. No body. No corpus delecti. No crime. This would be especially difficult when your barber tells you he went to the victim's funeral and saw Joe stretched out with a bullet hole between his eyes. We, who are on the criminal trial bench have been stripped of part of our comon sense and placed some where in Alice's Wonderland.

No doubt there have been instances of police abuse and excesses in their zeal to collect evidence in some parts of our country, although in my personal experience in Arizona, these instances are exceedingly rare.

It is one thing to abstractly sit as a scholar and extoll the virtues of the 4th Amendment (freedom from illegal search and seizure) when you are dealing with FBI highly trained personnel with limited jurisdic-

tion and quite another practical problem when you are placing the complicated niceties of search and seizure on the Deputy Sheriff at Bumble Bee, Arizona.

Realizing the inadequacy of the remedy, but also aware that it is the lesser of two evils. I believe we should attempt to control illegal search and seizure under our civil and criminal trespass statutes rather than make our trial courts abandon the search for truth to go on a police witch hunt.

The sooner our United States Supreme Court or Congress modifies Mapp v. Ohio the sooner we on the firing line can return sanity to the trial of criimnal cases in Arizona.

SDR-AID LINK

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. GONZALEZ. Mr. Speaker, I would like to call attention to an issue of international monetary reform which I think will be of interest to the Congress and the American people—the linking of special drawing rights and development aid. The Subcommittee on International Finance, of which I am chairman, has been monitoring the progress in the international monetary reform talks with keen interest, as we will be called on to review any legislation required to implement the reform measures.

International monetary reform and special drawing rights are extremely complex topics which do not seem to have much relevance to our everyday lives. Yet we must pay close attention to monetary reform, for the economic peace and progress of the world depends on it.

I think that now is a good time to look more closely at some of the specific monetary reform issues.

It has been proposed that there be established a link between reserve asset creation and development assistance, in other words to use the IMF special drawing right mechanism as a means of granting aid to developing countries. Numerous schemes have been offered for the creation of this SDR-aid link. Most of the developing countries feel that monetary reform should give them more development assistance through such a link.

I am opposed to an SDR-aid link, and I do not think that this Congress will approve such a link. I do not think that the SDR can bear the burden of both development assistance and international reserve creation—it is mixing apples and oranges. The SDR-aid link would be a form of general aid, not aid to specific, approved development projects and programs. I do not think that this body would ever support such general aid, and I would not like to see the vital issue of international monetary reform running into difficulty in the Congress as a result of the addition of an extraneous issue.

I understand why the developing countries want more aid; they have a big job to do in building the economies of their countries and may indeed need more development assistance in some form. But tieing in development aid with monetary reform and the special drawing right is just not the way to do it.

The means of allocating SDR's must be rational and must be fair to all countries; the officials working on monetary reform must take into consideration the needs of all sections of the world. But the reformers must keep their eyes fixed on the principal task: developing a monetary system which permits a prosperous and growing world economy with an effective and equitable system of exchange adjustment. The developing nations have as much to gain from a prosperous world economy as the industrialized countries.

SDR's, or "paper gold" as they are sometimes called, are a form of international money. They were created to supplement international reserve assets, as there is not a sufficient amount of gold, and foreign exchange cannot bear the entire burden of reserve expansion. All member countries of the IMF have been allocated SDR's; but they have been allocated proportionally, not for an extraneous purpose such as development aid.

It has been said that the value of any money or currency is a matter of confidence. It is no different with the special drawing right. Whether the SDR mechanism works is largely a question of confidence. If people think that SDR's are good assets, then they are. Hence, the SDR must be kept as pure as possible; that is, we must not dilute it mechanically or psychologically with extraneous tasks, especially tasks such as development assistance for which other institutions have already been established. I do not think that there is a way of linking development aid and reserve asset creation and maintain the necessary confidence.

I urge the developing nations and the industrialized nations to keep moving toward monetary reform. I also urge the continuing progress toward the development of the poorer nations. But I must insist that these two vital tasks not be considered in the same forum. If they are, they will both suffer.

CALL FOR ENERGY CONSERVATION

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RAILSBACK. Mr. Speaker, we are all concerned about the energy crisis. We remember the adverse effects the fuel shortage had last year on businesses and industrial plants, agriculture, schools, and private homes. Now as we are approaching another cold season, our fuel supplies are only slightly higher than at this time a year ago, but the demand for fuel supplies is expected to rise by over 6 percent.

In addition, unless we rethink our everyday practices, waste—unnecessary consumption of what resources are available—will squander anywhere from 25 percent to 40 percent of our basic energy resources. I am convinced that energy conservation measures are desperately needed at this time.

As a spokesman for the Interior Department's Office of Energy Conservation recently stated:

> If this were a dictatorship and we could somehow control how people waste energy, we could save from two to three million barrels of oil a day.

This would be at least a savings of 20 percent of the 15 million barrels which Americans consume each day.

A recent study prepared for the Treasury Department pointed out several easy and uncostly measures which could result in immediate energy conservation. Among the recommendations was: "Setting home thermostats 2 degrees lower than average." I have supported such action for a long time.

An interesting fact is that, if all citizens would reduce indoor temperatures by 2 degrees during the coming cold season, there will be a reduction of almost 7 percent in the total supply of fuel consumed. Contrast this figure with the increase in consumption of fuel supplies by over 6 percent, and one realizes how significant this conservation measure can be.

Therefore, last week, I introduced a concurrent resolution which states in part:

> It is the sense of Congress that all citizens of the United States are urged to conserve energy by reducing the temperature of their homes and places of work by two degrees for the duration of the coming cold season.

Today I am reintroducing this legislation with the following cosponsors: Mr. BERGLAND, Mr. FOUNTAIN, Mr. GUNTER, Mr. HANSEN of Idaho, Mr. KETCHUM, Mr. MAYNE, Ms. SCHROEDER, Mr. SEIBERLING, Mr. WHITEHURST, Mr. WINN, and Mr. WYATT.

I am hopeful that immediate and favorable action will be taken on this resolution. Action is necessary if the American citizen is to be encouraged to do his part in averting a nationwide fuel shortage this winter.

THE GREENING OF YOGI BERRA

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ROSENTHAL. Mr. Speaker, Monday was a joyous day for the Borough of Queens and the city of New York; the New York Mets, whose home, Shea Stadium, is in the district that I am proud to represent, had again performed the impossible, rising from the depths of the National League Eastern Division cellar to the lofty heights of first place in less than a month, and capturing the National League Eastern Division title.

I would like to take this opportunity to congratulate manager Yogi Berra, his coaching staff and the players who have again accomplished the "Miracle of 1969."

The Mets and their die-hard fans never lost faith in their team's ability to win the pennant despite a rash of early and mid-season injuries to key players, the overwhelming odds against them,

and the forecasts of doom by the baseball seers. The Mets fantastic drive to the pennant was preordained when, at midseason, Mets manager Yogi Berra said, "We'd be all right if only we could get all our men on the field." And then, with all the regulars playing for the first time since early 1972, the Mets won an amazing 70 percent of their remaining games.

The Mets spirit and desire should serve as an inspiration for all. This spirit can be characterized by their battle cry coined by relief pitcher Tug McGraw, "You've got to believe." We may not always be able to get the snow plows into Queens, but we believe in the Mets and their ability to bring the National League pennant and the World Championship back to New York.

Now it is on to Cincinnati and the National League Crown.

Let's go Mets.

WALL NO BARRIER TO MEMORIES

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BLACKBURN. Mr. Speaker, in an era that is said to reflect "entente, détente, and cooperation" among the globe's major powers it is all too easy to misinterpret a potential adversary's intentions and to allow judgment to become clouded by wishful thinking. The Soviet Union's continued domestic stranglehold and crackdown on dissenters, Moscow's recent treatment of the Israelis at the World University Games, as well as the Soviets' refusal to allow South Korean journalists to cover these games, I believe raise serious questions about the intent and purposes of the Soviet Union.

In a recent article in the Alternative, Mr. Peter Hughes reminds us that yet another monument to the cold war still stands—the Berlin wall. It is an irony of paradox that untold numbers of people still give their lives in the hope of gaining freedom and that we can do nothing to help them. I am inserting this article in the CONGRESSIONAL RECORD so that my colleagues will have the opportunity to read this article which should serve as a somber reminder to us all:

WALL NO BARRIER TO MEMORIES

(By Peter Hughes)

"The times they are a-changing," go the words of a Bob Dylan song. And indeed they are. It is said that we are in the midst of an era of entente, detente, and cooperation among the world's major powers, a period which is expected to bear the threshold of a new era.

What indications do we have that there is more hospitable sentiment between the powers of East and West? Well, for one thing, when East German refugees recently attempted to scale the Berlin Wall and escape to the West, there was an uproar of public opinion in West Berlin over the "alleged" shootings. East Germany's Pankow regime promptly responded by putting the "criminals" (those attempting to escape) on national television to refute the insidious capitalistic slurs. Not to let events stand with that, they then expelled one of the "criminals."

The times they are indeed a-changing if the East German government found it necessary to justify its actions on national television. (The television waves in both countries are strong enough to be received on either side of the border.) But the continued shootings at the Berlin Wall; the barbed wire and brick walls; the wachtowers and concrete dugouts with armed guards, dogs, and military vehicles; the field mines and miles of no man's land between East and West Germany; these are hardly monuments to peace, cooperation, and freedom of travel and thought between East and West.

I lived in Berlin for many years, and I was there on that fateful August 13, 1961, when the Berlin Wall was first erected. It is a travesty of politics that the lives of individual persons are so often overshadowed by the general course of history. But on that night of August 13 the erection of the Berlin Wall became a very real and personal experience for me when a young woman arrived at our doorstep with the proverbial child in arms.

Like so many other people living in the city of West Berlin (one-fourth of the city's 2.2 million population came as refugees from the Soviet occupied territory) this young friend of the family lived and worked in West Berlin while her daughter lived with her parents in the East. This young women happened to be at the border separating the Russian and American sectors that night and saw that it was unusually active for 4 a.m. Light armored trucks and East German troops were guarding workers busily erecting wire fences and fortifications. Although she was unable to grasp the situation fully, it was with increasingly apprehension that our friend realized that if she were to act and bring her daughter to the West, her last opportunity had arrived. At eight o'clock that morning she and her daughter arrived at our apartment. As the family later learned, this couple had been two of the last people to gain access to the West, two of the fortunate few who had been able to analyze the situation, weigh its alternatives, and act decisively.

Today that access is sealed more than ever. Where once tens of thousands fled, now only hundreds succeed and many more die or get caught in the attempt. The Wall has accomplished its end. The East German regime, carefully manipulated from Moscow, in an attempt to forestall the further depletion of its population (one-fifth of East Germany's population had fled the country before the Wall was erected), has created an almost insurmountable barrier which runs through the heart of Berlin and which isolates the country from its western borders. The Wall separates Germans from Germans, parents from children, lovers from lovers, and friends from friends. The attraction of freedom has been countered by imprisonment. What prevents a more humane solution to the problem of Berlin is the unfortunate fact that the city's crisis remains the core and symbol of the East-West confrontation. Whereas East Berlin is claimed as the capital of the German Democratic Republic, West Berlin has become "inextricably" linked with the Federal Republic of Germany; the city has, consequently, become a pawn for great power endeavors.

Federal Republic Chancellor Willy Brandt's *Ostpolitik* has made numerous concessions to the Pankow regime in an attempt to promote conciliation between the two Germanies. The West German government has recognized the concept of two German states within one nation. Both Germanies are expected to be admitted to the United Nations shortly and a flurry of diplomatic recognitions can be expected to follow. But the integrity of West Berlin is no more secure. To the contrary, the Soviets and East Germans have painstakingly avoided any formal recognition of West Berlin's ties to the Federal Republic. And, for the Berliners at least, a general conciliation appears to be as far away as ever.

The present calm in Germany is often mistaken for apathy, it is not. It is rather a helpless acceptance of reality. *Letters From the German Democratic Republic*, edited by the reputable philologian Hildegard Baumgard, reveals no great enthusiasm for the prevailing Pankow regime in East Germany, nor does it reveal disfavor. East German attitudes toward West Germany often seem balanced between admiration and dogmatic opposition. However, when West German Chancellor Brandt visited East Germany a couple of years ago the spontaneous and enthusiastic response he received (which proved an embarrassment to the East German government) proved that emotion and fervor are not far below the surface. In any event, the Wall remains and as one young East Berliner said, "perhaps Ulbricht [who was then East Germany's head of state] will realize that the Wall by virtue of its existence has become a fascinating lure to what is beyond."

Berlin is a city of great vitality—not at all because it has become a focus for global political tensions—but because culture blossoms and industry grows. No city has the greenery and waterways of Berlin, nor its memorable night life. Still, Berlin's future is closely linked to its political expectations, and so unfortunately all activities in the city are associated with politics. Isolation of course, means insecurity. A sudden glance at the Wall always brings back the presence of the unrelieved East-West struggle.

No great change can be seen within the immediate future. The question of this city is not being settled as part of the German problem and within the general East-West "rapprochement". Some fear, therefore, that the ultimate solution for West Berlin will have to transcend historical ties to the West. Its fate arouses a sadness in all those who cherish the aura of the city. Indeed, the Wall may have severed with irretrievable finality those last threads joining together the two Germanys. But the memories of what was, remain—and so do the reality of what is and the longing for what could be. It is with no slight effort that the Berliner can still say:

Berlin bleibt doch Berlin (Berlin will always remain Berlin).

THE 50TH ANNIVERSARY OF TORRINGTON'S INCORPORATION AS A CITY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mrs. GRASSO. Mr. Speaker, this week the residents of Torrington, Conn., celebrate the 50th anniversary of Torrington's incorporation as a city.

This "Golden Anniversary" is a milestone to which the citizens of Torrington and their friends look with pride. A true benchmark of history, it represents a half century of progress as a vital center of living in northwest Connecticut.

Torrington takes its name from Great Torrington, Devonshire, England. It was originally settled in 1737, incorporated as a town in 1740, as a borough in 1887, and as a city in 1923.

Torrington's most valuable asset is its people. Reflecting the rich values of colonial heritage and old world cultures, Torrington's citizens have made important contributions to the growth of the

community. Determination and spirit, cooperation and an abiding concern for one another are all measures of the place Torrington citizens are proud to call home.

Torrington is the birthplace of John Brown, the famous abolitionist, and of the Reverend Samuel Mills, the congregationalist minister known as the father of foreign missions. The city is also a home of the brass industry in America.

Over the years, Torrington has grown in commerce, business, and industry. The largest city in Litchfield County, it has been and remains a place where county residents come for needed services.

City and country seem to merge in Torrington. Busy factories or bustling shops are short distances from rolling grass-covered hillsides and cool, clear lakes.

The weeklong celebration planned to commemorate Torrington's 50th anniversary is a reflection of the creative energy, enthusiasm, and well-deserved civic pride of Torrington's citizenry. The celebration includes an opening ceremony Monday night; exhibits on Torrington industry, agriculture, schools, and religious history; and a 50th anniversary ball on Saturday night.

Mr. Speaker, earlier as Connecticut's Secretary of State and during the years I have served as U.S. Representative for the Sixth Congressional District which includes Torrington, it has been my special pleasure to work with city officials and concerned citizens in so many important areas. Always evident is a spirit of cooperation, a dedication to hard work, and a sense of purpose founded in time-proven values and ideals that comprise the firm foundation upon which Torrington's record of achievement will grow even greater in the years to come.

It is with great pride and pleasure that I offer warm wishes to the people of Torrington on this splendid occasion.

ANNOUNCEMENT OF HEARINGS ON BUDGETARY CUTS IN THE 1974 FISCAL YEAR BUDGET OF THE COMMUNITY RELATIONS SERVICE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. EDWARDS of California. Mr. Speaker, I would like to announce that the Subcommittee on Civil Rights and Constitutional Rights of the House Committee on the Judiciary will continue its hearings on budgetary cuts in the 1974 fiscal year budget of the Community Relations Service.

The hearing will be held on Wednesday, October 10, 1973, at 10 a.m. in room 2237, Rayburn House Office Building. The subcommittee will hear testimony from Mr. Benjamin Holman, Director of the Community Relations Service, U.S. Department of Justice.

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

CONFIDENTIALITY OF AGNEW FACTS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FINDLEY. Mr. Speaker, the resolution of inquiry which I introduced and is now pending before the Judiciary Committee has just one purpose—to force the House to begin an investigation into whether Vice President AGNEW has committed impeachable offenses and, if so, to begin impeachment proceedings.

If the House passes my resolution, it will mean that a majority of the Members feel that the House should consider the evidence which the Attorney General has in order to determine whether an investigation leading to possible impeachment should not be undertaken.

It is unthinkable that the House would request such information and then refuse to do anything with it. By requesting the information, the House is saying it is ready to conduct an investigation. The information would serve no purpose otherwise, and it would not be sensible for the House to request it unless Members intended to act upon it.

Here is what I believe will happen if the House adopts my resolution of inquiry.

First, the Attorney General will be required to review the information possessed by the Department of Justice to determine which facts must be forwarded to the Speaker of the House. There can be no question but that the Attorney General is required to turn over all such facts within his possession. The precedents of the House of Representatives are clear. For example, as early as 1842, the House asserted its right to require an executive agency to supply it with certain facts. In that year, the House passed a resolution of inquiry directing President Tyler to turn over information regarding frauds perpetrated upon the Cherokee Indians and the Secretary of War's investigation of those frauds. At first, President Tyler resisted.

The House Committee on Indian Affairs then issued a detailed report asserting the right of the House to the information requested and discussing the essential role of the House in the impeachment process. The President yielded up the information sought.

In its report, the committee stated:

By the Constitution of the United States the President, Vice-President, and all civil officers of the Government are liable to impeachment for treason, bribery, or other high crimes and misdemeanors, and the sole power to impeach is vested in the House of Representatives. If the Houses possess the power to impeach it must likewise possess all the incident of that power—the power to compel the attendance of witnesses and the production of all such papers as may be considered necessary to prove the charges on which the impeachment is founded. If it did not the power of impeachment conferred on it by the Constitution would be nugatory It could not exercise it with effect.

* * * * *

The information referred to in the resolution is the official information spread upon the records of the Departments or contained in their archives or on their files. This information is not the private property of the Executive or heads of Departments nor is there any rule of law which would exclude it from being given in evidence in the impeachment of the President or any of the heads of Departments or other persons. It is not privileged in the sense spoken of by the President.

After the Attorney General has yielded up the information requested to the Speaker of the House, such information would doubtlessly be referred to the Committee on the Judiciary or a select committee appointed to receive and consider it. Such information could be handled by the committee as discreetly and confidentially as the situation warranted. House committees have a long tradition of receiving sensitive information and holding it closely. In the case mentioned above, President Tyler objected that some of the information sought should not be made public. The House committee responded:

By claiming for the House "the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberation of the House and within the sphere of its legitimate powers," the committee does not mean to assert that there may not be at some times information and papers in their possession which should not be made public. Such there no doubt are; but the House has the right to inspect them, and it, and not the Executive, is to be the judge of the propriety of making them public. The President has all along assumed in his message that the publication of all information and papers is a necessary consequence of their communication to the House. In this he is mistaken. It does not follow that all information communicated to the House must be made public. Confidential communications are almost daily made by the Executive to the Senate and secrecy is always observed in regard to them as long as the public interest requires it. There is nothing in the constitution of the House to prevent it from doing the same thing. Information transmitted to it by the Executive, on his suggestion that it is of confidential character, may be referred to a committee under the charge of secrecy until an examination of it can be made, when, if the committee concur in opinion with the Executive, its publication will be dispensed with. This is the true parliamentary course. It furnishes at once a security against secret abuses and the irresponsibility of the public offices and agents which would follow the denial of the right of the House to demand information, and at the same time protect the state against the discovery of facts important for the time to be concealed. In the present case on the suggestion of the President, the report and other papers were referred to the committee under at least an implied injunction of secrecy, and if the committee had concurred with the President in opinion nothing would have been easier than to have returned them to the Executive department, their contents remaining unknown excepting to the committee. Thus it will be seen that the resolution protested against by the President requires nothing from the Executive which can ever prove detrimental to the interest of the State, unless it be presumed that those interests would be more safe in his keeping than in that of the House—a presumption which finds no warrant in the Constitution and as little in the executive history of the Government.

After the House committee has reviewed all of the information submitted

by the Attorney General, it will be able to determine whether a full investigation seems warranted by the facts. If bribery or other violations of law may have been committed by the Vice President, no doubt the committee will want to hear testimony from witnesses, including Mr. AGNEW, and permit their cross-examination.

After a full investigation by the committee, its members would be in a position to recommend to the House whether the Vice President should be impeached before the bar of the Senate. If their recommendation was in the affirmative, the House would vote on a motion to impeach Vice President AGNEW. If that motion prevailed, the Senate would hear the facts presented to it by the House and render its decision as to whether Mr. AGNEW should remain Vice President of the United States.

Let me make one thing abundantly clear. There is no reason why action by the House requesting this information from the Attorney General should delay the grand jury proceedings in Baltimore. I see no reason why the House cannot determine whether to impeach the Vice President at the same time the grand jury determines whether to indict him. Again, the precedents of the House confirm the view that Vice President AGNEW cannot escape or delay investigation and prosecution by the Justice Department by being impeached by the House of Representatives. In the case discussed previously, the Indian Affairs Committee specifically told President Tyler that—

The exercise of this right by the House is not in design and cannot be in effect "to arrest inquiry by the Executive and enable officers whose conduct demands investigation to elude and defeat it."

The committee stated:

The House of Representatives has the sole power of impeachment. The President himself, in the discharge of his most independent functions, is subject to the exercise of this power—a power which implies the right of inquiry on the part of the House to the fullest and most unlimited extent. The committee need not say that the right of inquiry without the right to produce evidence would be nugatory. They will presently look further into this subject, but before proceeding to do so they will remark that the exercise of this right does not in any wise abridge the independent discharge of the Executive functions. In the exercise of the right, claimed by the House in its resolutions, to demand from the Executive such information as may be in his possession relative to subjects of its deliberations and within the sphere of its legitimate power, is not, as the President alleges, "equivalent to the denial" of a right of inquiry by him into the same matter. The exercise of this right by the House is not in design and can not be in effect "to arrest inquiry by the Executive and enable officers whose conduct demands investigation to elude and defeat it."

The Nation cannot be without a President. The Vice President is next in the line of Presidential succession. If something should happen to President Nixon, SPIRO T. AGNEW would become President of the United States.

Given those facts, the House should determine at the earliest possible moment whether Mr. AGNEW has committed impeachable offenses. If he has, he should be impeached and removed from office and a new Vice President should be appointed—one who is fully capable of carrying on for the President in time of need.

THE GREAT PROTEIN ROBBERY: NO. 3

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. STUDDS. Mr. Speaker, on June 13, I introduced a bill, H.R. 8665, to extend U.S. fisheries jurisdiction to 200 miles from our coasts. I took this action in direct response to the critical situation occurring right now in our New England waters—the very real threat that awesome foreign fishing fleets may totally deplete our dwindling marine resources in the Northwest Atlantic.

Haddock and herring have already been virtually eliminated as viable commercial species by the relentless foreign fishing, and all our fish stocks are threatened with the same fate if we do not act immediately to protect this extremely valuable source of protein for all people.

On February 15, 1972, the Public Broadcasting Service's "The Advocates" had as its debate topic: "Should the United States Claim Jurisdiction of Fishing to a Limit of 200 Miles?" On March 15, 1972, they released the results of the viewer response to the debate showing strong support across the Nation for such extension of fisheries jurisdiction—extension that would allow our country to stop the great protein robbery occurring right now off our shores.

The results follow:

THE NATION RESPONDS TO "THE ADVOCATES"

Should the U.S. Claim Jurisdiction Over Fishing to a Limit of 200 Miles From Its Shores?

VIEWERS STRONGLY FAVOR FISHING RIGHTS EXTENSION TO 200 MILES OFF U.S. COAST

An emphatic majority of ADVOCATES viewers responded in favor of a proposal, debated on the Public Broadcasting Service (PBS) February 15, which would extend United States jurisdiction over fishing rights to 200 miles from its shores.

By a ratio of over four-to-one, 80.4 per cent of the 2,268 votes agreed with former Secretary of the Interior Walter J. Hickel that foreign fishing fleets should be kept outside waters up to 200 miles off the U.S. coast. The proposal was also supported by Joseph S. Gaziano, president of the Prelude Lobster Corp., in Westport, Mass., the world's largest lobster fishing company.

Approximately one-fifth of the total vote came from organized group responses in the states of Massachusetts, New Jersey, Oregon, Pennsylvania and New York.

State breakdown of mail response:

State	Pro	Con	Other
Alabama	6	1	0
Alaska	57	2	1
Arizona	14	5	1
Arkansas	1	3	0
California	225	111	8
Colorado	18	5	0
Connecticut	23	4	0
Delaware	4	1	0
District of Columbia	5	11	1
Florida	65	18	0
Georgia	6	2	0
Hawaii	1	3	1
Idaho	2	0	0
Illinois	31	8	1
Indiana	8	3	0
Iowa	7	1	0
Kansas	4	6	0
Kentucky	0	3	0
Louisiana	13	5	0
Maine	28	1	2
Maryland	8	4	0
Massachusetts	302	20	1
Michigan	16	8	0
Minnesota	17	5	0
Mississippi	5	2	0
Missouri	2	2	0
Montana	2	1	0
Nebraska	6	2	0
Nevada	0	0	0
New Hampshire	10	1	1
New Jersey	215	19	3
New Mexico	13	6	1
New York	177	33	0
North Carolina	19	7	1
North Dakota	0	0	0
Ohio	59	3	0
Oklahoma	12	5	0
Oregon	41	7	4
Pennsylvania	111	18	0
Rhode Island	73	3	0
South Carolina	5	1	0
South Dakota	0	0	0
Tennessee	5	1	1
Texas	25	16	0
Utah	3	0	0
Vermont	6	5	0
Virginia	9	8	0
Washington	98	23	3
West Virginia	2	1	0
Wisconsin	17	6	2
Wyoming	1	0	1
Unknown	42	12	0

PENSIONERS AND MEDICARE CLAIMS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mrs. GRIFFITHS. Mr. Speaker, the following letter points to some of the real problems and frustrations confronting pensioners in seeking settlement of medicare claims. It is exactly as Mr. John McEwan of Fort Bragg, Calif., states, an "intolerable condition" when processing takes 9 months or more, if not longer. How many doctors would wait that long for payment on their bills? But, how many retirees are forced to wait, having to bide this time with cutbacks in food and other vital staples, all at the risk of getting sicker and building up even more medical expenses. We need to do something about it.

The letter follows:

SEPTEMBER 20, 1973.

The Honorable MARTHA GRIFFITHS:
House Office Building,
Washington, D.C.

DEAR MADAM REPRESENTATIVE: The Wall Street Journal reported recently that you are chairing a joint congressional committee which currently is conducting hearings inquiring into the administration of Social Security. I respectfully invite the committee's attention to intolerable conditions existing in the administration of the Medicare program by Blue Shield in San Francisco.

Customarily I have filed Medicare claims for my wife and myself on an annual basis at the end of the calendar year. Our claims for 1972 were filed on January 5, 1973. As of September 20, 1973 settlements have not yet been finalized.

The chronologies of these claims read like something out of a fairy tale. We have been faced with incorrect, incomplete, inconclu-

sive and unintelligible processing of our claims not to speak of no processing at all. The result has been of course, a never-ending flow of correspondence. One day in desperation, I tried twice to communicate with Blue Shield in San Francisco by long distance telephone in an effort to clarify a point. I received no answer. The telephone was not answered.

In August, I wrote my former employer (a large Pacific Coast firm) asking for his intercession. I quote from its reply:

"Approximately four years ago, we undertook the function of submitting and following up Medicare claims for some of our retirees, particularly those who were feeble or terrified by the thought of filling out forms. Following several challenges of Medicare decisions by one of our insurance clerks, the Social Security Administration informed the Company that Social Security and Medicare processing were business matters between the Social Security pensioner and Social Security—the Company was not recognized as an agent for the retirees." "At that time" the letter continues, "we were directed to desist from our Medicare involvement."

In the interest of brevity I am not including chronologies of our current claims. I shall be pleased to furnish them on request however, if you feel this may be a proper subject for legislative inquiry.

With all best wishes I am

Very truly yours,

JOHN I. MCEWAN.

CITY-COUNTY COUNCIL OF INDIANAPOLIS-MARION COUNTY PETITIONS CONGRESS TO ACT ON LEGISLATION TO PROHIBIT FORCED BUSING OF SCHOOLCHILDREN

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HUDNUT. Mr. Speaker, on several previous occasions I have spoken before the House to express my concern about the issue of forced busing of schoolchildren to achieve racial balance in the public school systems of America. The vast majority of the people in central Indiana and throughout our Nation believe that action must be taken in this regard. According to a recent Gallup poll, only 1 person in 20—5 percent—indicated they approved of forced busing as a means of achieving racial integration of public schools.

Legislation is pending before both the House and Senate Judiciary Committees to remove education from the jurisdiction of the Federal courts and proposing a constitutional amendment to prohibit forced busing of schoolchildren. I have introduced such proposals myself.

The City-County Council of Indianapolis-Marion County, Ind., a body representing all citizens of Marion County, has expressed its concern on this issue by passing a special resolution petitioning the Congress to act without further delay on the bills now pending to remove education from the jurisdiction of the Federal courts and to prohibit, by constitutional amendment, the assigning of children to schools on the basis of race.

I hope the Congress will take due note of this petition which I have officially dropped in the hopper today. Its text is as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1973

A PROPOSAL FOR A SPECIAL RESOLUTION CONCERNING PUBLIC SCHOOL MATTERS

Whereas, the City-County Council of Indianapolis-Marion County, a legislative body representing all citizens of Marion County, is vitally concerned with the safety, health and welfare of the citizens; and

Whereas, the Federal Courts have acted in a manner considered by some legal authorities as unconstitutional and abhorrent to the vast majority of the citizens, creating a climate of great unrest and alarm among the citizens; and

Whereas, elected local officials are being overruled by the Federal Courts now, therefore:

Be it resolved by the City-County Council of the City of Indianapolis and of Marion County, Indiana:

Section 1. The City-County Council petitions the Congress of the United States to act withouh further delay on pending legislation to remove education from the jurisdiction of the Federal Courts and to prohibit, by constitutional amendment, the assigning of children to schools on the basis of race.

Section 2. The Clerk of the City-County Council is instructed to send copies of this resolution to all of the Indiana-United States Congressmen.

ANNOUNCEMENT OF HEARINGS ON H.R. 9175

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. CONYERS. Mr. Speaker, I would like to announce that the Subcommittee on Crime of the House Judiciary Committee will hold its third hearing on the Community Anticrime Assistance Act of 1973, H.R. 9175, a bill which I introduced together with the ranking minority member of the subcommittee, HAMILTON FISH, JR., and reintroduced with 11 additional cosponsors as H.R. 10602, and H.R. 9809, a companion bill introduced by the distinguished chairman of the House Judiciary Committee, PETER W. RODINO, JR. This legislation provides Federal grants to assist cities, public agencies, and nonprofit private organizations in efforts to increase the level of citizen involvement and cooperation with the various components of the criminal justice system.

The hearing will be held on Wednesday, October 10, 1973, at 10 a.m., in 2141 Rayburn House Office Building. The subcommittee will hear testimony from Deputy U.S. Attorney General William D. Ruckelshaus; former Congressman James H. Scheuer, president of the National Alliance for Safer Cities; and Mr. Ronald Brown, director of the Washington Bureau of the National Urban League.

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

DREAM COME TRUE

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mrs. GRASSO. Mr. Speaker, the recently dedicated Saint Gregory Confraternity of Christian Doctrine Center—CCD—affiliated with Saint Gregory the Great Roman Catholic Parish in Bristol, Conn., is a dream come true for the parish's pastor and our dear family friend, the Reverend Charles W. McNerney.

Dedicated by Archbishop John F. Whealon of the Hartford archdiocese on Sunday, September 21, the center, which will also serve as a parish hall for Saint Gregory's, is the result of hard work and sacrifice on the part of parishioners, priests, and friends. This fine facility is a place where the family of Saint Gregory's parish can further nourish spiritual growth and celebrate a life of love and concern for one another.

Pastor of Saint Gregory's parish since its inception in 1957, Father McNerney understood the need for a CCD center to enable the priests of the parish to work more closely with the people, and provided the guidance and encouragement for the realization of this goal.

The new CCD center is a tribute to Father McNerney, to his fellow priests, and, of course, to the people of Saint Gregory's parish.

For the interest of my colleagues, I am including in the RECORD an article from the Bristol Press, by Molly Broderick, which describes the CCD center and speaks of the dedication and concern of a truly outstanding man of God—the Reverend Charles W. McNerney:

FATHER MCNERNEY'S DREAM COMES TRUE—ARCHBISHOP WILL DEDICATE ST. GREGORY CCD CENTER SUNDAY

(By Molly Broderick)

It took a "little bit of doing" by a whole lot of people, especially The Rev. Charles W. McNerney, but another of his "dreams" will be realized on Sunday, when the newly completed St. Gregory Confraternity of Christian Doctrine Center will be officially dedicated by Archbishop John F. Whealon of the Hartford Archdiocese. The ceremonies will begin at 3 p.m. at the center, which fronts on Stafford Avenue opposite Sonstrom Road.

St. Gregory the Great Roman Catholic parish has come a long way since the November 1957 date of its beginning. Sunday Mass was then celebrated at Stafford School on Louisiana Avenue and weekday Masses took place at a chapel in a garage on Farmington Avenue. The present modern and beautiful church building was dedicated on Nov. 5, 1960.

The first and only pastor of St. Gregory's to date, Father McNerney arrived three days after the parish was officially created by Archbishop Henry J. O'Brien, then leader of the Hartford Archdiocese. Father McNerney has been faithful "instigator," pusher, promoter as well as pastor. And now, something new has been added to the forward-moving parish, the long-awaited Confraternity of Christian Doctrine Center, "so necessary for the life and growth of our parish since it will enable the priests to work so much more closely with all—from

the pre-school children to the adults," according to Father McNerney.

Father McNerney contends there is a greater need than ever before for religious adult education, too, due to the many changes which have been taking place in the Church itself.

The new facility will accommodate all of the religious doctrine classes and the new parish hall will also serve as a focal point for many of the social functions "so necessary to keep the spirit of the family of the parish united." Some of its facilities will also be available for community and private use.

Modern in every detail, the new center is a one-story building of red brick and glass, clean lined, set back from the road and offering a large parking area. The interior contains 12 classrooms tastefully decorated in muted shades of green and gold and each set up to accommodate a maximum of 25 children at a time. Two of the rooms are provided with small chairs and tables scaled to size for the younger students. A spacious auditorium seating some 500 and which may be divided into three separate sections for visual education, a foyer, ample cloak, lavatory, kitchen and storage facilities, an office for Religious Education Director Donald Sisson, and a conference room make up the rest of the building.

Wall-to-wall carpeting covers the floor of the foyer, office, hall and classroom areas. A floor-to-ceiling expandable gate may be used to close off the classroom area when the building is being used for other than classes.

The CCD had its canonical beginning at St. Gregory Parish on Dec. 10, 1963 when it was established by The Rev. Augustine H. Giusani, Archdiocesan director, with Father McNerney as parish director, assisted by a confraternity president and a long list of dedicated aides. In addition to teachers, who had been functioning since the parish's beginning, fishers, parent-educators and helpers subsequently were activated. It had been the aim of Father McNerney and the executive board to have all parishoners in some way, become active or associate members of the confraternity.

In the beginning, three training classes given by qualified CCD members of other parishes were set up for instructing local participants devoted to the religious education of parish children and youth not enrolled in Catholic schools, and to discussion groups for adults. Until now, Sunday School classes were held at public schools located within parish boundaries, and CYO classes took place in the evening, using the church facilities. New arrangements have been made whereby daily after-school classes for primary grades are being held at the CCD Center and CYO classes are slated there for evenings.

For the convenience of all, classes are scheduled whenever public schools are in session. Should there be no public school on a particular day, CCD classes will also be cancelled on that day. A kindergarden story hour is slated for Saturday mornings, beginning Oct. 6.

Father McNerney, a native of Danbury, attended Stony Hill School and Danbury High School and studied for the priesthood at St. Thomas Seminary in Bloomfield and St. Mary Seminary in Baltimore, Md. His ordination took place on May 11, 1936, at St. Joseph Cathedral in Hartford with Bishop Maurice F. McAuliffe officiating. For nine years he was assistant at St. Mary Church in Windsor Locks and in 1945 transferred to St. Joseph's in Meriden where he served in the same capacity. While there, he was area Cana Conference director and also district director of the Meriden CYO. His next move was to Bristol in 1957. He is currently the elected dean of the Bristol Deanery and is being assisted at St. Gregory by the Rev. Richard P. McGann and the Rev. William F. Carroll.

Father McNerney has extended an invitation to all members of the parish and friends to attend the CCD Center dedication on Sunday. A concelebrated Mass of thanksgiving will be said at the church at 11 a.m. Sunday.

REMARKS BY THE HONORABLE THURGOOD MARSHALL AT THE WORLD CONFERENCE ON WORLD PEACE THROUGH LAW AT ABIDJAN, IVORY COAST, AFRICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RANGEL. Mr. Speaker, in late August distinguished lawyers and jurists from throughout the world met in the city of Abidjan in the Ivory Coast at the World Conference on World Peace Through Law.

I have just read a speech delivered to the conference on August 28, 1973, by the Honorable Thurgood Marshall, Associate Justice of the U.S. Supreme Court. Justice Marshall's speech was so thought-provoking and rich in ideas that I place it in the RECORD for the attention and benefit of us all:

SPEECH DELIVERED BY THE HONORABLE THURGOOD MARSHALL

I consider it a unique honor and privilege to address this Conference today. It is a task I approach with great humility for I know that I stand before my peers from every corner of the globe. This meeting has about it a sense of urgency—a call for rededication—a determination to succeed in our quest for "Peace Through Law". It demands of each of us that we ask ourselves: "Have we done all we can toward that goal? Of course, the answer is that we have not. Well then, what more can we do? What more must we do? Obviously, I do not have all the answers. But, I do have a few suggestions for your consideration.

I submit that the bench and the bar of all nations have a joint responsibility for promoting World Peace. It is that "joint" responsibility which brings us together here in Abidjan. Through meetings such as this, we have and we shall continue to exchange views and formulate plans to effectuate our common goal. But, in our zeal to achieve world peace through law, we cannot blind ourselves to the needs of our individual homelands. I am convinced that a good part of world unrest reflects local problems rather than issues of global dimensions. Peace must start at home.

Much of what I have to say concerns the responsibilities of the Judiciary in our several nations. But, because the Judiciary and the bar are so entwined, my remarks are directed towards our joint responsibility. I firmly believe that one of the greatest bulwarks against aggression is the establishment and maintenance of a "good society" in each nation—a society at peace with itself. A good society is not apt to become an aggressor against others. The internal strength of a good society is apt to be a strong deterrent to the would-be aggressor. What, then, is a good society.

Certainly, one of the most essential qualities of the good society is that it is a just society. And, what binds us all together is our common charge—to dispense justice. Much of the responsibility for having a just and good society necessarily falls upon the shoulders of the bench and bar. It is sometimes an onerous burden, but a crucial one.

One cannot define with any precision what makes a just legal system. The peoples of the world are separated by their varied cultures, and the judiciary, whenever it is, must be responsive to the particular needs of the people whom it serves. It requires a particular arrogance to single out one legal tradition and insist that it is the only means by which men can justly organize their affairs. There are as many legal systems as there are countries. And, while each has advantages and disadvantages, experience has shown that many of them work perfectly well.

Still, despite the difference, I do think that one can isolate a few characteristics which any successful and equitable court system will exhibit. The first and most important of these is that the courts be devoted to preserving the kind of society which assures that all men are equal before the law and have an equal opportunity for themselves and for their children. I spend a good deal of my time attempting to parse some of the more obscure provisions of the United States Constitution. My country's Constitution is, in my judgment, a remarkable work—remarkable in its complexity, in the grandeur of its design, in the nobility of its purpose. Yet, sometimes, I think that the whole thrust of the document can be summarized in one, short sentence: "People are people."

People are people—strike them, and they will cry; cut them, and they will bleed; starve them, and they will wither away and die. But treat them with respect and decency, give them equal access to the levers of power, attend to their aspirations and grievances, and they will flourish and grow and, if you will excuse an ungrammatical phrase, join together "to form a more perfect union."

These are the goals of any just social system, regardless of the race, culture, or language of its people. I suppose all of us realize that. But we may tend to forget, amidst the welter of legal argumentation, that I have long believed that the courts have a special responsibility to preserve and enforce the moral pillars upon which society is built. The other branches of government are, by necessity, preoccupied with the needs of the moment. They have the task of assuring that the economy functions, that the fisc is preserved, that the state is protected from external foe. It is in the nature of these tasks that they be performed expeditiously and in a manner that maximizes short-term advantage. Moreover, it is essential to the preservation of the state that such day-to-day decisions be the product of compromise between contending political forces.

There is nothing wrong with this process. Indeed, it is vitally important that it be permitted to go on. A nation which totally ignores its short-term needs for the sake of long-run principle is unlikely to survive. A government which is insulated from political pressure and which refuses to compromise will unravel at the seams.

But at the same time, it is also vitally important that there be some organ of the body politic whose task it is to take the longer view. There must be someone who is continually reminding us of the purpose of the whole endeavor, who has the time to reflect on the kind of society we ultimately want to have, who is responsive to principle rather than power. There is nothing in the nature of things that requires the court system bear this burden. In many countries, the task is shared by the great universities, by the churches, or by an ombudsman. But the fact remains that in most parts of the world, the job has fallen primarily upon the judiciary. Moreover, I think it clear that courts are uniquely qualified to perform the task well. Judges are—or should be—care-

fully schooled in the legal principles by which society is organized. They are given time to reflect on their judgments and ponder the long-range consequences.

Unlike the other branches, the judiciary is traditionally required to give reasons—oral or written—for its decisions and to justify them by reference to some broader principle. Judges are usually more or less insulated from political pressure. As John Marshall, the third Chief Justice of the United States said more than a century ago, a judge must be "completely independent with nothing to influence or control him but God and his conscience." In addition, and perhaps most important of all, judges sit astride the crucial nexus where the citizen meets his government. The legislature generally passes laws in the abstract, and the executive oversees their enforcement as they apply at large. But courts deal with people and their individual problems on a case-by-case, day-to-day basis. If the system is working inequitably, then judges are likely to be the first to know, since they are the ones called upon to send innocent defendants to prison or to deny legal claims which, in justice, should be granted. Indeed, the very existence of courts confirms the axiom that "people are people," since judges invariably deal with people as people who have individual problems to solve and individual claims to vindicate.

It is not surprising, then, that wherever totalitarianism has reared its ugly head, dictators have acted quickly to silence the courts. Tyrants cannot tolerate a branch of government which answers power with truth. Tyranny cannot flourish where government recognizes the worth of every individual, as the courts do every time they resolve a lawsuit.

In recent history, courts around the world have compiled a record of resistance to authoritarian intrusion of which we, as judges, can be justly proud. To be sure, when the army tanks roll down the streets and the opposition is rounded up in a political dragnet, there is little that judges can do. Our power does not derive from force of arms, and in the ultimate confrontation between moral suasion and military force, the military is likely to be at least the short-term victor. But not all authoritarian regimes are established by a sudden coup d'etat. At least as often dictatorship begins with a subtle erosion of individual liberty.

We judges may be impotent on the day of ultimate battle, but we are powerful indeed when it comes to confronting injustice in the scores of individual cases which, in the aggregate, make the difference between a humanitarian democracy and a ruthless dictatorship.

I, for one, am not overly concerned about attacks on the judiciary from without. Those in power have always found the restraints of law inconvenient, and we judges are used to holding our own against them. What is more worrisome, in my judgment at least, is the internal subversion of the judicial system. If courts are to perform their role as the guardian of the long-term ideals of the society, then it is essential that they remain independent of the other branches of government. In a healthy society, the forces of expedience and those of idealism are in constant tension. The demands of politics and the demands of principle are naturally antagonistic. The courts, to the extent they are aligned with principle, should maintain an adversary relationship with the political branches of government.

Unfortunately, however, there seems to be an inevitable dynamic which erodes this relationship. I'm afraid that for every case where a tyrant snatches the judicial power from the courts, there are three or four where judges of their own volition yield their moral authority. There are, I submit, several reasons for this. First, there is something subtly seductive about the wheeler-dealer world of politics. In contrast, life as a judge requires an almost monastic existence. There are few who are temperamentally suited to renouncing the political world in which they have spent much of their adult lives. Moreover, many judges are flattered when they are consulted about matters of state. It is satisfying to know that your opinion is valued by those in power or that others in government take an interest in the content of your decisions.

Finally, many judges have a natural and understandable tendency to pay deference to the expertise of those charged with the awesome, day-to-day responsibility for protection of the commonwealth. When a member of the executive or legislative branch comes to a judge and tells him that such-and-such decision will create such-and-such a practical problem, it is hard to say "yes, that may be true, but in the long run, we will be better off adhering to principle." Judges are, after all, human beings, and human beings have a natural desire to compromise and cooperate. All too often, judges are attracted by the fallacious notion that because the various branches of government are all working toward the same end, it is best that they work together instead of pulling against each other.

I believe that that notion must be resisted at all cost. History forcefully demonstrates that the necessary balance between politics and principle is maintained not through cooperation, but through constant tension. A properly functioning government results from a dialectical process which takes into account both the demands of expediency and the demands of principle.

I am not suggesting that there is anything wrong with the political process or that politics is a "dirty business." It is just not our business. We judges must deal in the law, not in votes, for if we too become engulfed in the process of accommodation and compromise, then there will be no one at all to uphold the principled side of the dialectic process. And, while it is true that a society wholly devoted to abstract principle cannot survive in the real world, a society wholly devoted to expediency is not worth saving.

Thus, I am very much in favor of judicial deference to the political process in areas where politics is meant to reign supreme. But when judges decide the individual cases before them, they must scrupulously resist the sirens of power and influence. For, paradoxically, all our power as judges is ultimately derived from our impotence. People obey presidents and kings because they control the instruments of sanctioned violence in society. But judges and magistrates have no guns. Their power rests on their moral authority which remains intact only so long as they deal in reason rather than in force. When judges watch the election returns, they squander the only power they have.

In the chambers of legislatures and the suites of presidents, it may be necessary to accommodate the demands of the rich and powerful. But no such accommodation can be permitted in the courthouse. In the halls of justice, people are just people, and each man's claim against the state rests solely on the strength of his legal argument. At least, that is the ideal, and it is an ideal which we should constantly keep before us as we go about the process of deciding individual cases. And, there is no one who can impose that duty upon us but ourselves. Our obligations are to the law and to justice, and when any one of us ceases to pay allegiance to those masters, the moral force of law is everywhere thereby diminished. For the law is a seamless web in more ways than one, and justice, like peace, is indivisable. A society can be said to be truly lawful only when every lawsuit before every judge is decided in accordance with principle rather than power.

World peace through law is the noble purpose to which we today rededicate ourselves with renewed determination and urgency. But man crawls before he walks. And, before global peace can be achieved, the nation-states of the world must first be at peace with themselves. As injustice breeds intolerance, violence and war, so justice can bring with it the blessings of mutual understanding and peace.

The special responsibility of the bench and bar in achieving justice is self-evident. It is a responsibility that requires of the judiciary a steadfast commitment to its own independence as well as an unyielding allegiance to principle and resistance to the sirens of power and influence. Most important, perhaps, it requires all of us to remember that "people are people" and all stand equal before the law. Only by sowing the seeds of justice in each of our nations, can we hope ultimately to reap the plentiful bounty of peace in the world.

WOMEN SHOULD APPLY TO WHITE HOUSE FELLOWS PROGRAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FRASER. Mr. Speaker, the White House Fellows program is now accepting applications for fellowships for 1974–75. The purpose of the program is "to provide gifted . . . young Americans with some firsthand experience in the process of governing the Nation." These fellowships—funded by tax and foundation moneys—allow stipends up to $28,692 depending on education, experience, and earnings, and are open to all applicants—except civil service employees—who will be 23 but not 36 years old on September 1, 1974.

Successful applicants are assigned to the Executive staff, to Cabinet members, or given high-level assignments in executive departments. The particular assignment depends on background, interest, and what needs to be done. Travel and regular discussions with prominent Government and private figures are also part of the program.

Though the program is open to all women and men, in past years women and other disadvantaged groups have been severely underrepresented. This year's four women out of 18 fellows is a 400 percent increase over 1972–73 and reflects a corresponding increase in the number of women applicants.

In order to bring the number of women and minority fellows up to their proportion in the population, they should be particularly encouraged—by Members of Congress and by employers—to apply to this year's White House Fellowship program. Application forms and additional information can be obtained from the President's Commission on White House Fellows, 1900 E Street NW., Washington, D.C. 20415. Prospective applicants should inquire soon, since all returns must be postmarked by November 15, 1973.

THE SAD SAGA OF DIOCLETIAN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. PICKLE. Mr. Speaker, I believe there is not a body in this Nation which does not wish wholeheartedly for the complete success of the administration's wage and price control programs. But before we place total faith in such methods, a look at history might not only be in order, but wise.

Following is an article from the October 2 Wall Street Journal recounting a past and not-so-successful battle against inflation in a mighty land:

THE SAD SAGA OF DIOCLETIAN

(By William H. Peterson)

Many phases and freezes ago, long before Santayana observed that those who don't know history will be condemned to repeat it, long before Ricardo (and much more recently Milton Friedman) propounded the quantity theory of money—namely, that as the volume of money expands faster than production, prices tend to rise—Rome fought inflation. Not wisely but hard. And long. Finally, in 301 A.D. came the famous price-fixing Edict of Diocletian.

The background of the Edict points to the recurrent patterns of history. In 357 B.C. Rome set the maximum interest rate at 8⅓%. In 342 B.C. interest was abolished to favor debtors. In 90–86 B.C. the currency was devalued and debts were scaled down 75%. In 63–61 B.C. loans were called and there was flight of gold, which was finally stopped by an embargo on gold exports. In 49-44 B.C. Julius Caesar cut the relief rolls from 320,000 to 150,000 by a means test. In 2 B.C. Augustus cut the relief rolls (which had grown again) from 320,000 to 200,000. In 91 A.D. Domitian created the equivalent of a government "soil bank" which wiped out half of the provincial vineyards to check overproduction of wine. In 274 A.D. Aurelian made the right to relief hereditary, with bread substituted for wheat and with free pork, olive oil and salt added.

This pattern of the welfare-interventionist state is perhaps better observed in the deterioration of the purchasing power of the Roman coin of denomination, the denarius. For although good price records and price indexes are not available, we know Rome underwent persistent and cruel inflation and did so through the rapid expansion of the money supply (our old friend, the quantity theory of money.) Pre-Gutenberg and the printing press, the money supply mainly was ballooned via debasement, through alloying base metal into precious. The following table traces the deterioration of the denarius after Augustus whose coin, save for a hardening agent, was practically pure silver:

Issuer	*Per cent silver*
Nero, 54 A.D.	94
Vitellius, 68 A.D.	81
Domitian, 81 A.D.	92
Trajan, 98 A.D.	93
Hadrian, 117 A.D.	87
Antoninus Pius, 138 A.D.	75
Marcus Aurelius, 161 A.D.	68
Septimius Severus 193 A.D.	50
Elagabalus, 218 A.D.	43
Alexander Severus, 222 A.D.	35
Gordian, 238 A.D.	28
Philip, 244 A.D.	0.5
Claudius Victorinus, 268 A.D.	0.02

Into this inflationary, welfare-interventionist milieu came Emperor Diocletian, determined to stop inflation by law, by his Edict of 301 A.D. His Edict complained of such "unprincipled greed" that prices of foodstuffs had recently mounted "fourfold and eightfold."

The preamble continued: "For who is so insensitive and so devoid of human feeling that he cannot know, or rather has not perceived, that in the commerce carried on in the markets or involved in the daily life of cities, immoderate prices are so widespread that the uncurbed passion for gain is lessened neither by abundant supplies nor by fruitful years, so that without a doubt men who are busied in these affairs constantly plan to actually control the very winds and weather."

The Edict "commanded cheapness," covered some 800 different goods and recognized the cost-push side of inflation—spelling out wage limits for teachers, writers, lawyers, doctors, bricklayers, tailors, virtually every calling—but, of course, forgot all about the demand-pull side, stemming from the continuing debasement of the currency. The teeth in the law were very sharp. The penalty for an offense was death. The complexity of the Edict can be seen in the hundreds of wage and price schedules:

Products	*No. of schedules*
Foods	222
Hides and leather	87
Timber and wood products	94
Textiles and clothing	385
Wicker and grass products	32
Cosmetics, ointments, incense	53
Precious metals	17

There are 76 different wage schedules, broken down into skilled and unskilled categories. In the silk-weaving and embroidery trades there were 13 different schedules; wool weavers were broken down into six wage categories and fullers had 26 different authorized pay scales.

The Edict, of course, failed. In 314 A.D. Lactantius, a contemporary historian, wrote of Diocletian and his grand plan as follows:

"After the many oppressions which he put in practice had brought a general dearth upon the empire, he then set himself to regulate the prices of all vendible things. There was much blood shed upon very slight and trifling accounts; and the people brought provisions no more to markets, since they could not get a reasonable price for them; and this increased the dearth so much that at last after many had died by it, the law itself was laid aside."

TOM VAIL

HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mrs. BOGGS. Mr. Speaker, I would like to join my colleagues in expressing my deepest sorrow on the passing of Tom Vail. My husband Hale knew of Tom's dedicated service to the Congress. Although Tom Vail was Chief Counsel to the Senate Finance Committee, his informative and generous advice was always forthcoming to members of the House Ways and Means Committee and the Joint Economic Committee, on which Hale served. His abilities and integrity were known throughout the Congress, and all who called upon him knew his assistance would be expert and enthusiastic.

Tom Vail's passing is a personal loss, and a loss to our country. I join my colleagues in extending my sincere condolences to Mrs. Vail and the family.

BLOOD TEST USE FOR CANCER CHALLENGED BY SURGEON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. DULSKI. Mr. Speaker, in 1965, carcinoembryonic antigen—CEA—was first isolated in the blood of a patient with carcinoma of the colon.

The possible implications of this test for better diagnosis and treatment of malignancy were recognized immediately.

Carefully controlled studies have proceeded, including those at Roswell Park Memorial Institute in Buffalo, N.Y., one of the world's major cancer research centers.

At a weekend meeting of the Bureau of Biologic Standards of the Department of Health, Education, and Welfare, the chief of the department of surgery at Roswell Park outlined his findings.

Dr. Edward D. Holyoke, a graduate of Harvard Medical School who has been at Roswell Park since 1962, raised doubts about some aspects of the test. He spelled out in technical language both the pros and cons.

His conclusion was that the test, in its present state, would not be useful in a mass screening program for the detection of cancer.

Following are his other conclusions:

A. Elevated CEA does correlate with disease extent and is prognostically useful.

B. High recurrence risk groups can be identified in colon malignancy using CEA.

C. CEA can detect better than 85% of progressions or regressions; (1) Two values should be checked, (2) Elevations as a result of surgery per se are ignored.

D. CEA can detect recurrence or residual disease, in some instances at least, months before the disease is clinically apparent.

E. Sequential CEA values are of use in monitoring intra-abdominal colon malignancy which is often difficult to evaluate in a quantitative fashion by other means. This monitoring may be useful in helping to provide effective chemotherapy.

F. CEA measurement is more useful than liver enzyme studies as a diagnostic adjuvant test for the presence of malignancy.

G. The test can be used in patients with bronchogenic malignancy and possibly neuroblastoma.

H. Information as to limitations of the CEA test must be continually recalled when using this diagnostic aid.

Mr. Speaker, as part of my remarks, I include a related news story from the Buffalo Evening News:

BLOOD TEST FOR CANCER CHALLENGED

WASHINGTON, Sept. 28.—A scientist from Roswell Park Memorial Institute in Buffalo said today that widely publicized blood test for cancer "is not as effective in detecting early tumors as originally predicted."

Dr. Edward D. Holyoke, chief of the institute's General Surgery Department, made the report at a meeting on the use of the CEA antigen test.

The test measures the amount of carcinoembryonic antigen in a person's blood. The substance is produced by some cancerous tumors and the higher that level, the greater the chances of cancer.

The test discovered by a Montreal scientist has been used experimentally at Roswell Park since 1971.

Dr. Holyoke said that while an elevated CEA level is "useful" in predicting a patient's chance of recovery—"for small tumors, the detection rate for elevated CEA is something less than 50 percent."

He added that in tests of the procedure, normal volunteers, especially heavy smokers, sometimes show slight to moderate CEA elevations although no disease is present.

"If properly used, the CEA antigen test should detect 85 per cent or more of disease progressions in the case of patients with cancer of the colon, usually before these progressions can be detected clinically," he added.

"The test can detect recurrence or residual disease, in some cases months before the patient's symptoms appear."

Tests at Roswell Park, Dr. Holyoke said, have shown the CEA test in some cases has been effective in monitoring progress of tumor reduction with chemotherapy.

He added that application of the test in its present state would not be useful in mass screening programs for the detection of cancer.

The meeting was called by the U.S. Food & Drug Administration.

BLACKMAIL TRIUMPHANT

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BRASCO. Mr. Speaker, a few days ago a pair of Arab terrorists attacked a train in Austria carrying Jewish emigrants from the Soviet Union, taking three hostages. They then proceeded to make their way to Austria's major airport in Vienna, where they threatened to kill both themselves and their prisoners if they were not allowed to leave the country unharmed. This act of ruthless violence is not in itself surprising. In fact, it is not difficult to predict that such acts will constantly increase in the months and years ahead, presenting us with one horror after another.

In this case, the Austrian Government, headed by Bruno Kreisky, totally capitulated to the demands of the terrorists. Not only did it allow them to have a plane and pilots, but the regime went one better. It announced, as near as news reports allow interpretation, that henceforth Austria's role as a vital processing center for Jews emigrating from Russia would either be halted or severely limited. Some 70,000 Soviet Jews had passed through those strategically located facilities in the past several years on their way to new lives in Israel and the West.

It is also worth noting that the terrorists in this case were using Lebanese passports, indicating that their mission originated in that country. So much for the howls of outraged innocence emanating from that country when Israel mounts a move aimed at curbing the freedom of action and initiative terrorist organizations enjoy there.

What is even more interesting is the fact that Austria contributed to Nazism and its crimes. Eichmann and Hitler were Austrians. So were many thousands in the extermination groups, which roamed occupied Europe, butchering Jews by the thousands. Since that time the press has been replete with stories of this or that Nazi war criminal, found living openly in some Austrian community, seemingly immune from justice. By allowing Jewish refugees from Russia to utilize its facilities on the way to freedom, Austria for perhaps the first time was doing something to expiate in some small way the role she played in World War II.

Today in yet another exquisite irony, the head of state of Austria who is of Jewish descent falls victim to terror and blackmail. Mrs. Meir's speech the other day to the Council of Europe was an eloquent statement of human rights versus terror. Her mission to Vienna the next day seems to have been a failure. Certainly it would be hoped by all concerned that the Austrian Government should reconsider its surrender to these people.

Here are tiny clusters of Jews, fleeing after major travail from the anti-Semitism of Russia. They have managed to leave after world pressure was applied over a lengthly period of time. Now they are going to be denied even a tiny moment in which to gather breath and strength before launching out upon new lives.

Surely here we encounter one of the shabbiest chapters in human history. Israel is condemned for her nasty habit of self defense. The gathered nations of the world believe that terror in the Arab world is nonexistent. Murder becomes excusable and self defense metamorphasizes into imperialistic aggression.

Perhaps the oldest lesson in human history is that surrender to intimidation only breeds fresh, deeper contempt for the weakness exhibited and toward those allowing themselves to be bullied. Giving in to terror virtually guarantees a repetition of this activity on an even bolder scale. Is the world to bend the knee to terror?

History records that whenever the world remains indifferent to injustices visited upon one group of peoples, this has eventually and inevitably been inflicted on the rest of us. If we stand by and watch the cumulative ganging up upon Israel and the Jewish people of those who seek their destruction, then we invite the same fate for everyone else. Around the world, other desperados seeking to work their will are watching with care and interest. Assuming cloaks of nationalism, irredentism, or territorial imperative, they are commencing to strike out wildly and murderously at all who dare to oppose them, rationalizing their behavior as the Arab terrorists are doing.

Actions such as Austria took a few days ago, aids, abets, and encourages worse horrors through the policy of supine capitulation. Terrorism feeds upon itself, as its members become an establishment with a vested interest in continuation of this or that struggle. In the end, those sworn to obtain justice often end up as the main obstacle to compromise, because theirs is an all-or-nothing operation. It is not truly political. It degenerates to a mere exercise in violence.

Today the dead happen once again to be Jews. Tomorrow who will they be? And history tells us there will be a tomorrow. For governments who crawl on their political bellies trading human values for material gain are repeating yesterday's mistakes. Light is receding and darkness grows ever gloomier about us.

One further note is in order. History writes with a merciless, uncompromising pen. Some day what is transpiring now will be studied dispassionately. Then students will note that many governments who, 28 years after we gasped at the unspeakable horrors of the concentration camps, joined in doing their best to make the world untenable for a tiny nation of 2½ million, born from the ashes of holocaust and founded by survivors of that fiery epoch. Then the excuses of third world unity, oil and necessity will sound tinny indeed.

BYRON OPPOSES SIXES BRIDGE DAM

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BYRON. Mr. Speaker, next week the House may have H.R. 10203, the Water Resources Act, on its agenda. H.R. 10203 contains an authorization for the Sixes Bridge Dam in the district I represent. I want to make it clear that I oppose the authorization in this bill for advanced design and engineering and that I am opposed to the construction of this project.

Last year the Corps of Engineers was instructed to reformulate the Sixes Bridge and Verona Dams. This was done with a report issued in May of 1973. Original plans in the early 1960's called for a total of 16 impoundments in the Potomac Basin, and initial planning was done on these 16 dams. The May 1973, report fails to provide valid comparisons with alternate dam sites, and existing comparative data is inaccurate since it does not include reformulation of the other proposed dams with which Sixes Bridge Dam is compared.

There is no doubt that there is a potential water supply problem in the metropolitan Washington area; however, there has been little effort applied to the impact of water pricing and usage, interconnection of various political jurisdictions, and purification of the estuarine waters of the Potomac. The Environmental Protection Agency admits, for instance, that the waters of the free flowing Potomac River may carry as many viral organisms as the estuary; yet, this water from the free flowing river is drunk every day in Washington after treatment.

It is essential that the pilot plant proposed in section 185 of H.R. 10203 be adequately funded and given an honest trial in order to determine the feasibility of utilizing the almost unlimited water of the Potomac estuary. Sixes Bridge Dam would displace over 70 farm families and 11,000 acres of prime dairy land. Almost all the dairy products from the Sixes Bridge area find their way to the markets in the Washington area. The Washington Post of October 3 reported that—

Milk prices in major area supermarkets rose to 74 cents a half-gallon this week—a

5-cent increase that food store executives said was the largest in memory.

It does not take much imagination to gauge the impact of removing 11,000 prime acres of dairy land from production on the price of dairy products in this metropolitan area.

FEDERAL ASSISTANCE TO COLLEGE STUDENTS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. LEHMAN. Mr. Speaker, the Special Education Subcommittee of the Education and Labor Committee deals with the programs and problems of college and university education.

As a member of that subcommittee, I was impressed with a short concise article in the New York Times of September 4, 1973, that provides a layout of those Federal programs that are available to assist those who are contending with the spiraling costs of higher education.

Certain of the programs outlined below may be modified for the 1973–74 school year. For example, the subcommittee will be looking into the proposed family contribution schedule for the basic educational opportunity grants program for the next school year, with an eye to correcting some of the problems that arose this year in the program.

Knowing this information would be of great assistance to the high school students of my district and their parents, as well as those of my colleagues, I am inserting the article in the RECORD below:

[From the New York Times, Sept. 4, 1973]

PROGRAMS HELPING COLLEGE STUDENTS

(Following are the five major programs administered through the United States Office of Education for aiding postsecondary school students and the major state-operated programs in the metropolitan area. In addition to these programs there are other specialized forms of Federal assistance, private loans and a wide variety of scholarships offered by foundations, agencies and the educational institutions themselves.)

BASIC EDUCATIONAL OPPORTUNITY GRANTS

Eligibility: Open to full-time freshmen at colleges, universities and vocational and technical schools who did not attend a postsecondary education institution prior to July 1, 1973.

How to apply: Applications are available from postsecondary institutions, high schools, post offices, state employment offices, county agricultural extension agencies and Box G, Iowa City, Iowa, 52240.

When to apply: As soon as possible for the academic year now beginning.

Criteria: Family income and assets determine who gets a grant, academic achievement having no bearing. Applicant must complete a detailed financial statement that is subject to comparison with the Federal income tax return that parents have filed with the Internal Revenue Service. In general, a student from a family of four with an income of $11,000 or more would not qualify for a grant. However, factors that can offset a higher income and enable a student to get a grant are a large family, brothers and sisters in college, both parents working and unusually large medical expenses.

Size of grant: Ranging from $50 to $452—the top grant going to a student from a family that according to its income and assets cannot afford to contribute anything toward the student's education.

Terms of repayment: This is a grant and there is no repayment involved.

Comments: No eligible student whose certifiable need meets the established criteria will be turned down by this program. Also, the grant will be awarded regardless of any other Federal grants or loans the student may receive. If a sufficient level of funding is authorized by Congress, the program is to be expanded to include all needy undergraduates, full-time and part-time. The top grant would be $1,400.

GUARANTEED STUDENT LOANS

Eligibility: Anyone enrolled as an undergraduate or graduate student in any of 8,200 participating colleges, universities and nursing, vocational, technical, trade, business or home study schools.

How to apply: Applications may be obtained from participating educational institutions, banks, savings and loans, credit unions and the United States Office of Education.

When to apply: At any time.

Criteria: All students are eligible, regardless of how high the family income. Only those with established need, however, can qualify to have the Federal Government pay the interest on the loan; others must pay their own interest. Those seeking interest-subsidized loans must fill out a needs analysis divulging income and assets. Such factors as a large family, brothers and sisters in college, both parents working and unusually large medical expenses are taken into consideration. The financial aid office of the educational institution processes the application, applying a mandated formula, and recommends to the potential lender the amount of the interest-subsidized loan (including a possible zero dollar recommendation) for which the student qualifies. Prior to March 1, a student from a family with an adjusted income of less than $15,000 could qualify for an interest-subsidized loan, but under new regulations many students who formerly qualified are finding themselves ineligible.

Size of loan: In general, loans may be for up to $2,500 a year—not to exceed $7,500 during an entire undergraduate career and $10,000 during the course of undergraduate and graduate education. The annual amounts and cumulative totals vary, though, in some states, including Connecticut and New York.

Terms of repayment: No payment on principal is required until nine to 12 months after the student leaves school or until after service in the military, Peace Corps or VISTA. Once repayment begins, it is to be completed over a period of not more than 10 years and not less than five years, or sooner if the loan can be paid off at a rate of $360 a year. In the event of default, the Federal or State guarantee agency will compensate the private lender and attempt to recover the money from the student.

Comments: While this program appears to be open to all applicants it has not worked out that way. All of the money being loaned belongs to private lenders who participate voluntarily and retain the ultimate decision about who gets a loan. The new needs analysis formula has had the effect of disqualifying many of the students who would have gotten interest-subsidized loans under the old rules. The lending institutions could go ahead and give loans through the program that are not interest-subsidized, but are reluctant to do so. Not only is this a time of tight money, but apparently the lenders do not want to get too much of their money tied up in loans on which payment on the principal is delayed until after the student leaves school.

Moreover, while a lender can bill the Federal Government in one lump sum for the interest on all the subsidized loans, students must be billed individually for interest on unsubsidized loans—making such loans unattractive to the lender because of the greater servicing costs. The March 1 regulations were ostensibly to make it easier for the middle-class to get the guaranteed loans, but the change has had the opposite effect. Congress has had hearings on the problems that have developed and there is a widespread opinion among authorities on the program that the law needs further changes if it is actually meant to be of use to students from a wide range of income groups.

SUPPLEMENTARY EDUCATIONAL OPPORTUNITY GRANTS

Eligibility: For undergraduates in colleges and universities and students in other approved post-secondary schools. Half-time as well as full-time students.

How to apply: Through the financial aid office of the institution in which enrolled.

When to apply: As soon as possible for this year and upon acceptance for next year.

Criteria: For students of "exceptional need," who without the grant would be unable to continue their education. Final determination of need is up to the College's financial aid office. This grant is often given in combination with National Direct Student Loan and College Work-Study aid to form a single assistance package.

Size of grant: Not less than $200 or more than $1,500 a year. Normally, renewed for up to four years—or five years when course of study requires extra time. The total that may be awarded is $4,000 for a four-year course of study and $5,000 for a five-year course.

Terms of repayment: This is a grant and there is no repayment involved.

Comment: In the past, 72.7 per cent of these grants have gone to students whose family income is below $6,000; students from families with incomes in excess of $9,000 have received 4.2 per cent of the grants.

COLLEGE WORK-STUDY

Eligibility: For undergraduates and graduate students in colleges, universities and approved post-secondary schools. Half-time as well as full-time students.

How to apply: Through the financial aid office of the institution in which enrolled.

When to apply: As soon as possible for this year and upon acceptance for next year.

Criteria: The offer of a job is based on need, as determined by the college's financial aid office. The Federal money is used to pay the wages. The job may be for as many as 40 hours a week at a nonprofit on-campus (cafeteria, library, laboratory) or off-campus (hospital, school, government agency) site. Usually awarded as a package in combination with Supplementary Educational Opportunity Grant and National Direct Student Loan.

Amount of pay: From $1.60 to $3.60 an hour. Average annual compensation being $600.

Terms of repayment: These are wages for hours worked and there is no repayment.

Comments: In the past, 56.7 per cent of the work-study jobs have gone to students whose family income is less than $6,000; students from families with incomes in excess of $9,000 have received 17.3 per cent of the jobs.

NATIONAL DIRECT STUDENT LOANS

Eligibility: For undergraduates and graduate students in colleges and universities and approved post-secondary schools. Half-time as well as full-time.

How to apply: Through the financial aid office of the institution in which enrolled.

When to apply: As soon as possible for this year and upon acceptance for next year.

Criteria: The loan is based entirely on need, as determined by the college's finan-

cial aid office. Usually awarded as a package in combination with College Work-Study and Supplementary Educational Opportunity Grant.

Size of loan: Up to a total of $2,500 while enrolled in a vocational school or during the first two years of a degree program. Up to a total of $5,000 while studying toward a bachelor's degree and up to $10,000 during the entire undergraduate and graduate career.

Terms of repayment: Begins after leaving school or service in military, Peace Corps or VISTA. Interest of 3 per cent on unpaid balance of loan is charged when repayment period begins. Maximum length of repayment period is 10 years. Loan is canceled and no repayment necessary for teachers of the handicapped and teachers in inner-city schools and servicemen who spend one year in a combat zone.

Comments: This is the original of the Federal assistance programs for students, which began as the National Defense Student Loans in the late nineteen-fifties in the wake of the panic over the launching of the Soviet Union's first satellite. It was awarded on the basis of academic achievement, largely to students in the sciences and education. Academic achievement no longer figures in the loan and major field of study makes little difference. Students from families with incomes in excess of $12,000 get 10.6 per cent of the loans.

THE OPTIONAL TERMINATION OF SOCIAL SECURITY COVERAGE FOR EMPLOYEES OF THE STATE OF CALIFORNIA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. WALDIE. Mr. Speaker, I am introducing a bill today which would permit all California State employees, except State legislators, to terminate their coverage under social security.

The provisions of this bill do not require that this termination take place. However, in recognition of the different standpoints from which elected State officials and career State employees view the benefits associated with their employment in public service, the bill permits the wishes of career employees with regard to their coverage under social security to be acted upon without affecting elected officials.

Mr. Speaker, I urge that Congress favorably consider this legislation so that career employees of my State of California may be given a greater opportunity to inedependently develop their own benefits program.

H.R. 10726

A bill to permit the State of California to terminate the social security coverage of all members of the State employees retirement system except State legislators

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision to the contrary in section 218 of the Social Security Act, the agreement entered into by the State of California under such section may be modified to the extent necessary to permit all State members of the California Employees Retirement System other than those who are elected members of the State legislature to be treated, for purposes of section 218(g) of such Act, as constituting a separate coverage group with respect to which such agreement has been in effect for not less than five years.

A TIME FOR HUMANE SENTENCING

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RAILSBACK. Mr. Speaker, in an excellent article, "A Time for Humane Sentencing," Senator ROMAN HRUSKA pointed out the need for appellate review of criminal sentences. Because I believe this work will be of some interest to my colleagues, under the leave to extend my remarks in the RECORD, I include the following:

A TIME FOR HUMANE SENTENCING

(By Hon. Roman L. Hruska—R–Neb.)

One of the most striking ironies of current federal criminal law may be found in a comparison of the methods of determining guilt and the methods of determining sentence. The former is replete with a panoply of rules of evidence, rules of procedure and a detailed system of appellate review designed to ferret out the slightest error. The latter process, on the other hand, is one of false simplicity, involving only the unsupervised discretion of the district judge before whom the case is pending, with no provision for review.

As long as a criminal sentence imposed is within the statutory limits provided by law, the sentence is unreviewable by appeal. No matter how excessive or unjust the sentence might be, an appellate court is legally powerless to modify it in any way. This basic shortcoming in our criminal procedure has allowed serious inequities and disparities in many sentences which have been imposed. Hopefully, the Congress will shortly move to correct this problem.

The problem of disparity of sentences has concerned Congress, bar associations and legal societies, students, workers in the field of penology, the Executive Branch of our government and the courts for many years.

Putting aside what may be the ultimate or most desirable goals of a rational and humane sentence, we have in modern times been receding from the practice of enacting statutes calling for a mandatory fixed sentence. A greater number of our criminal laws now provide for a wide range of permissible sentences. The practical effect of this is obvious. As the final determining factor in the sentence to be imposed, the judge's discretionary power becomes increasingly important.

By and large the wisdom of this policy of delegating the function to the trial judge has been clearly demonstrated. Our district judges are exceedingly conscientious, knowledgeable, and experienced. They are best able, informed, and qualified to deal fairly with the convicted defendant. However, they are the first to recognize the inadequacies in the present system. The exercise of judgment in this delicate area is not easy.

The responsibility for determining the proper sentence is so great as to justify and warrant a means of review. There is little wonder that judges have openly commented on the incongruity of a situation where the power to impose a sentence is the only discretionary power vested in the federal trial judge which is not subject to appeal.[1]

A study of the federal statutes and the interpretation given them by the courts shows no authority exists for an appellate review of the sentence imposed by the judge in a criminal case to determine whether the sentence is excessive. A sentence will be modified only when it is not within the limits fixed by a valid statute.

In the 85th Congress the concern about sentence disparities brought about pioneering legislation: the Sentencing Act of 1958, which provided for institutes and joint councils on sentencing. Their value cannot be overestimated. The institutes have been described as giving "the federal judges themselves an opportunity to assume the initiative in eliminating sentences which may appear biased, capricious, or the result of defective judgment." [2]

However, this and other related legislation have not been a complete answer to the problem. The Judicial Conference of the United States rejected appellate review legislation in 1958, reconsidered it in 1961, and then approved it in 1964. It is logical to ask what caused such a substantial shift in judicial opinion. While a redraft of legislative proposals and increased interest in the problem may have played a part in this change, it is clear that the original objection of the Judicial Conference was to the principle of appellate review, and not the language of any particular bill. In retrospect, it seems that a consensus in favor of the principle did not develop until it became manifest that the problem of excessive sentences was not going to be resolved by the extensive use of the facilities provided in the Sentencing Act of 1958 or by other existing legislation.

Fourteen years of experience under the Act has demonstrated that such procedures and techniques are not enough.

Nor has indeterminate sentencing proven to be the answer to the problem. For various reasons, many judges have declined to impose indeterminate sentences, or have imposed them only infrequently.

One unfortunate side effect of the present practice is that harsh and irrational sentences have often led appellate courts to reverse convictions on technical or minor points and on strained interpretations of the law, interpretations which may not serve justice and society in future cases.[3]

The concept of appelate review of sentences is not new to criminal law in the United States. Prior to 1891 the Federal Code provided a right to appeal a case on the basis of disproportionately severe sentence. However, due to an oversight or inadvertence, a revision of the statute in 1891 did not mention sentences, and the courts subsequently held that the power had been withdrawn by Congress.

The situation that presently prevails in the federal courts stands in marked contrast to the practice of 17 states, many foreign nations—including England and Canada—and our military courts. Indeed, the federal jurisdiction is a singular example of an advanced system of jurisprudence that does not allow review of sentences, and the situation is becoming irreconcilable with the standards of due process.

Recent initiatives—on February 1, 1973, I introduced S. 716, a bill to amend Chapter 235 of Title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States.[4]

This legislation is identical to $2228 and S. 1501 which I introduced respectively in the 92nd and 91st Congress and to S. 1540 which was passed unanimously by the Senate in the 90th Congress. It would authorize the appeal of an "excessive" criminal sentence imposed by a U.S. District Court.

Elsewhere in this publication, my colleague, Senator John L. McClellan, discusses the efforts of the Subcommittee on Criminal Laws and Procedures to construct a new Federal Criminal Code. As noted therein, the two primary vehicles for this project will be S. 1, the Criminal Justice Codification Revision and Reform Act of 1973 and S. 1400, the Criminal Code Reform Act of 1973.

Both S. 1 and S. 1400 are built upon the *Final Report of the National Commission on Reform of Federal Criminal Laws.* This Senator was very privileged to have been a member of that Commission, along with Senators McClellan and Ervin.

The Final Report embraced the concept of appellate review of sentencing with this suggested amendment to Title 18:

"Section 1291. The courts of appeal shall

have jurisdiction of appeals from all final decisions of the district courts of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands, except where direct review may be had in the Supreme Court. Such review shall in criminal cases include the power to review the sentence and to modify or set it aside for further proceedings."

This simple amendment reflected the Commission's view that there should be some form of appellate review of sentences. It did not set forth the form that the review should take nor the contours of its jurisdiction. However, the entire sentencing scheme recommended by the Commission was predicated on the idea that appellate review of sentences would be included in the revised Criminal Code.

However, in the context of S. 1, appellate review is recognized only with respect to sentences for dangerous special offenders (*Section* 3–11E3 in accord with current law 18 U.S.C. *Section 3576*, added by Public Law 91–452, the Organized Crime Control Act of 1970). In the context of S. 1400, the concept is not recognized at all.

It is my hope that the provisions of S. 716, authorizing the appellate review of "excessive" criminal sentences, will eventually be engrafted onto S. 1 or S. 1400 as the Congress moves to recodify our federal criminal law.

Possible modifications—Although I am convinced that the concept of appellate review is sound, extensive hearings by the Subcommittee on Criminal Laws and Procedures have revealed that it may be desirable to consider modifying my proposal in several aspects.[5]

First, the Subcommittee will consider whether the prosecution also ought to be able to initiate an appeal and, if so, what procedures should be devised to guarantee the rights of defendants. Such an expansion could be of assistance in developing a jurisprudence of sentencing and also correct any problems of inadequate sentencing which may exist with respect to certain organized crime figures.[6]

Secondly, consideration should be given to the possibility of authorizing pleas to both guilt and sentence to preclude the imposition of a tremendous increase in the work load of our circuit courts. As the overwhelming majority of federal criminal cases are disposed of by pleas, this modification could greatly reduce any potential for frivolous appeals but maintain the integrity of the concept of appellate review.[7]

Finally, there is the question of which tribunal is best equipped to conduct the review process. While some would suggest that the review be conducted by a panel of district judges from within each judicial district, I am of the belief that our circuit courts are better equipped to fulfill this need.[8] Only by authorizing review in our appellate tribunals can we move towards eliminating both intracircuit and intercircuit sentencing disparities.

The need for appellate review of criminal sentences is manifest. Hopefully, in the process of rewriting our federal criminal law, Congress will provide a review process adequate to meet the demands of justice.

(NOTE.—References available upon request.)

THE NATION'S HOUSING NEEDS

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. McKINNEY. Mr. Speaker, on Tuesday, I inserted into the RECORD a statement concerning my reaction to House Banking and Currency Committee approval of legislation setting a ceiling on wild card savings certificate interest rates.

Specifically, I commented on the effect—or lack of—this bill would have on our Nation's housing needs. I said then and I would repeat today that in my opinion, the people of this Nation are not yet well housed and, in fact, when put on a proportional basis with the other nations of the world, very poorly housed.

On a more positive note, I would like to share with my colleagues today the thoughts of a man for whom I have great admiration and who, for the past 21 years, has been involved in housing construction. He is Irwin Silver, vice president of the F. D. Rich Co. and a member of the Mayor's Advisory Council in Stamford, Conn.

Mr. Speaker, Mr. Silver is not just a brick and mortar construction man, but one who carefully scrutinizes the social needs of a community before proceeding with any development. In his endeavors, Mr. Silver has been able to assist Stamford's mayor, Julius Wilensky, in maintaining and improving upon the "Research City's" status as one of the finest communities in America.

In July of this year, Mr. Silver was invited to testify before the Housing Subcommittee of the Senate Banking Committee. His remarks were very informative at the time, but I think especially useful today. I note particularly the accuracy he demonstrated in predicting which course the administration would adopt as it established its priorities for the Nation's housing goals.

I would urge my colleagues to review Mr. Silver's testimony and with your permission, Mr. Speaker, I would like to insert it at this point in the RECORD:

TESTIMONY OF IRWIN SILVER

For almost 4 decades, the Federal Government has been deeply involved in the production of housing. That involvement is now under review, and these hearings by the Senate Housing Sub-Committee are perhaps the most important housing hearings since the 1930's. Unlike previous years, when the Congress has considered legislation to amend existing housing programs, and to initiate new forms of housing production subsidies, this Congress will review and reconsider the basic Federal commitment to housing as set forth in the Housing Act of 1968. After a review of the aims and goals of the 1968 legislation, Congress will chart a course and specify the means to implement such course. Accordingly, as I see it, Congress must consider the following general areas:

I—The need for housing in the United States;

II—The role of the Federal Government in meeting housing needs; and

III—The means by which housing needs can be met through Federal Government activities.

In my remarks, I have brief statements on Items I and II and a detailed statement as to Item III.

In 1968, comprehensive investigations were conducted to determine housing needs. Congress at that time set forth a ten year goal with which we are all familiar. These goals were:

I—26,000,000 new housing units;

II—2,600,000 new housing units annually;

III—Including 6,000,000 subsidized units or 600,000 annually. Since that time the record for housing completions stands as follows as reported by the Department of Commerce Report C–22:

1969	1,436,400
1970	1,452,100
1971	1,740,200
1972	1,999,200
Total	6,627,900
Goal	10,400,000
Shortfall	3,772,100

(Note these figures do not include mobile homes which were not included in the goals established by the 1968 act.)

From these figures it is clearly apparent that we are far off meeting the goals set forth in 1968; however, in the interim period have there been any significant occurrences to modify these goals? While the production for the last several years has been increasing, in 1972 almost two million units—and in 1971 approximately 1¾ million units, there has been no evidence presented that there has been a net increase in the nation's housing stock or any evidence that the housing totals needed for the decade should be decreased. I suggest no hard data exists that would lead to a diminution of these totals. I suggest that budgetary and administrative difficulties are father to the wishful conclusions that the 1968 goals are no longer applicable to current conditions. Accordingly, I would hope this Congress would re-endorse the housing goals set forth in 1968 with due note of the record of accomplishment thus far and with a position as to what should be done to overcome the present enormous short fall in production goals.

Presuming the existence of a housing need vital to the well being of the nation, I should like to comment on the need for and extent of the federal role in meeting this need. For some forty years now, there has been in each and every Congress a searching investigation as to the need for the federal role in meeting the nation's housing requirements. While some Congresses have rendered a less than enthusiastic endorsement of such a role for Federal Government, each and every Congress has concluded the need for federal participation—and in 1968 it was concluded that massive participation was required especially in providing housing for lower income groups. Has the federal role been efficacious? The record speaks for itself in the area of housing for lower income groups.

Since the first legislation was enacted, federal housing programs have created hundreds of thousands of housing units: 2.6 million Americans living in over 750,000 federally supported low rent public housing units; 131,000 units completed under the Section 221 d3 BMIR program by June 30, 1974; and over 500,000 units under the Sections 235 and 236 programs between 1968 and 1972.

In all, approximately one (1) million directly subsidized housing units were created between 1935 and 1967 or an approximate average of 30,000 units per year. From 1968 through 1971, after Congress had determined that a massive effort was necessary, another 1.2 million units were developed in these four (4) years or 300,000 per year. The federal subsidy programs have thus been responsible for the construction of over two and one-half million housing units. These programs also may well have saved the housing construction industry during the difficult 1970–71 period. During those two years, when it was enormously difficult to obtain private capital for new residential construction, there were approximately 865,000 subsidized starts. In 1970, 30% of all starts received federal subsidies. It should also be noted that the FHA and VA programs led to a revolution in home financing: 20, 30 and 40 year mortgage terms and low down payments. These, of course, are conditions of financing

which now are customary throughout the housing and home finance field.

Considering the need and considering the record, there should be no doubt that the federal role has been vital to production of a broad spectrum of the housing needed to meet the nation's requirements for the past four (4) decades. It is not now apparent that there exists any other agency that can now supplant the role of the Federal Government. This Congress should re-endorse the need for a vigorous federal role in providing the means by which lower income Americans can be assured of decent shelter at affordable prices.

If this Congress re-endorses a vigorous federal role in meeting the nation's housing needs, legislation must be especially responsive to our lower income groups. This is the challenge—and this challenge reduces itself to very simple terms as follows: shelter expense should not exceed 25% of family income. This means a family with an income of $6,000 per year can afford a rent of $125 per month—a family with an income of $12,000 per year—$250 per month. Costs of developing and carrying housing exceed these affordable limits. Consider that a 7%—40 year mortgage with a principal of $25,000 has carrying charges of $155.50 per month plus all other expenses incidental to housing which often bring the total monthly rent to $300 and over. How do we close this gap?

Traditionally, Congress has attempted to close this gap by subsidies directed to housing production and operation—those subsidies mainly in the form of lower financing costs for the development and carrying of the project once completed. However, this Committee has been asked to consider shifting federal subsidies from direct production system to a form of housing allowance. In other words, this Committee is not merely considering the methods which are to be utilized to subsidize housing production. Rather you are reviewing the very premises on which the federal housing effort has been founded. To state the issue most directly, it is quite likely that the Administration, later this year, will recommend termination of direct federal support for the production of housing for low and moderate income families. Many have advocated, and this Administration apparently will recommend, shifting federal subsidies from direct production assistance to a form of housing allowances. Before the Congress considers this fundamental shift, it would be well for you to examine the existing subsidy programs and to evaluate their successes and failures.

Given the record of production achievement previously cited, one should be cautious, to say the least, before abandoning the federal direct subsidy programs. It is true that these programs have not eliminated poverty and segregation. They are expensive and there have been scandals. And many Americans oppose them as inefficient "giveaway" programs for the poor. But these direct subsidy programs have produced over 2,000,000 housing units. They have increased the supply of housing and have been important elements in meeting the oft-stated national goal of providing a decent home and a suitable living environment for every American family.

If we are to shift from direct production subsidies to another form of federal housing assistance, we must be certain that the new programs will be as successful as the old ones in meeting the national housing goal. I contend that a housing allowance program alone, will not be as successful as the direct production subsidies. Indeed, I believe this approach could lead to a monumental national failure far more damaging than the FHA scandals.

There is a place in a total national housing strategy for a program of income maintenance, whether that be housing allowances or, perhaps more appropriately, an adequate guaranteed annual income under the family assistance program. Certainly, an income maintenance program such as housing allowances, could effectively combat the social problem of inadequate income and poverty. Moreover, an income maintenance program would allow the poor to pay higher rents in public housing and to look elsewhere than in public housing projects for their shelter. A housing allowance might end the role of public housing projects as "housing of last resort" or as "warehouses" for the poor and the socially dislocated. Further, an adequate income floor could assure that every American family had sufficient resources to acquire a minimum level of housing, food, clothing and other necessities. It would importantly increase the purchasing power of low income families and provide them with a wider range of housing alternatives. However, it has not been demonstrated that a housing allowance or income approach alone, will increase the housing stock—and increasing the supply of housing remains our most important need. The facts do not allow us to be optimistic that increased purchasing power of, and increased demand by, housing consumers will lead to an acceleration of production of low, moderate and middle income housing.

In the Northeast, where I live and work, there is an inadequate supply of housing for middle income, as well as low and moderate income, persons. As a result, virtually all families at middle income or below are paying far more than the desired 25% of income for shelter. Often families are paying as much as 40 to 50% of income for housing. The poor and the old are often unable to find any housing that they can afford. The City of Stamford, Conn., has a 0.3% vacancy rate, which is not unusual for cities in the Northeastern United States. These conditions will not be alleviated unless and until the housing stock has been dramatically increased and the production of housing accelerated. Will a housing allowance alone meet that need?

In metropolitan areas—the scarcity and high cost of land, the increasing costs of construction and of money, all have made it impossible to build market rate housing at rents and sales prices that middle income Americans, let alone the poor and near poor, can afford. Development costs are now at levels so high that the developers of multi-family projects, merely to break even, must charge rents which middle income families cannot afford. For example, in a medium size city such as Stamford, Connecticut, the owner-developer of an apartment project must now charge $100 per month a room rent merely to break even on the project. I think it is obvious that merely increasing the financial resources of low and moderate income families through housing allowances or a similar income approach, will not necessarily lead to increased housing production. Presumably, a housing allowance or income maintenance approach would merely give those families the opportunity to operate in the marketplace as middle income families do now. And yet, as we know, not enough middle income housing is now being built. Accordingly, I strongly recommend against the substitution of housing allowances for direct production. To do so, will invite disaster.

As a corollary to my recommendation against housing allowances, I emphatically endorse and recommend the continuation of direct production subsidies. Federal production subsidies aimed towards a continuing increase in the supply of housing for middle and moderate income families must be maintained and expanded as a critical element in the achievement of a reaffirmed national housing goal. As a precise goal, we must assure a sufficient rate of production of housing and an adequate stock of decent and affordable housing for working Americans, those with incomes from $6,000 to $12,000 per year. In many sections of the country, such as the Northeast, these families cannot find housing that they can afford. While they are occupying decent housing, they are spending much too high a proportion of their income on shelter. These families do not need programs of income maintenance, nor would they be eligible for housing allowances. Their incomes are adequate and the demand is sufficient, but the supply of housing remains inadequate.

At this point, let us examine the areas in which direct production subsidies can be utilized to reduce consumer shelter costs. Production subsidies operate in two general areas:

A. Reduction of development costs. Development costs can be reduced by lower financing costs during construction and by land acquisition writedowns.

B. Reduction of carrying charges after the project has been completed. This reduction results from low interest rates and long amortization periods and from local real estate tax adjustments or abatements.

In the Housing Act of 1968, Sections 235 and 236 provided interest subsidies for permanent mortgages so that the owner, in the case of Section 235, or the tenant in the case of Section 236, paid only 1% interest charges plus amortization of the 40 year mortgage guaranteed by FHA. This is a deep and effective subsidy and has, on the whole, been a successful program; Section 235 and 236, however, do not decrease any of the costs of development such as financing charges during construction nor do they provide for land acquisition write downs. Neither do Sections 235 and 236 help in decreasing real estate taxes when the residential units are completed and occupied. Accordingly, I would suggest that the present direct production subsidies as embodied in Sections 235 and 236 are too narrow and do only part of the job. Moreover, I further suggest that Sections 235 and 236 provide interest subsidies on an unnecessarily expensive basis. By processing loans through the private banking system and by basing interest subsidy payments upon market interest rates, the cost of development is materially increased by the "points" paid for to banks to take the construction and permanent loans and the annual federal interest subsidy is considerably larger than need be.

Accordingly, we should recognize that the Sections 235 and 236 program may be neither the most direct nor the most efficient manner to reduce those costs. Over the 40 year life of the Section 236 mortgages, the costs of housing production are enormously increased. Every time mortgage rates are increased, the costs of the program increase. The fact of the matter is that the Section 236 program was adopted as a way to minimize the budget impact in the early years of the program.

However, we now see that program is a far more expensive way to produce housing than the old direct loan programs. The Federal Government is paying a premium, not to produce housing but to hide the budget impact of its housing programs. Housing should be dealt with as other national programs. Each year Congress should make a decision as to the amount of national resources which are to be devoted to housing production; housing should compete for the budget dollar, as any other need, and both Congress and the Executive Branch should be more open and honest in establishing the housing priority.

Many of the criticisms of the Sections 235 and 236 programs, as well as of the low rent

public housing program, are well taken. But those criticisms are reasons for reform and improvement in production programs, not a cause for elimination of direct production subsidies.

There are, of course, a range of alternatives which Congress might consider for more efficient production subsidies. In many states, we already have established state housing development and/or housing finance corporations. I recommend that Congress encourage the formation and further activity of such state corporations and that all federal direct production subsidies be channelled through these corporations. The purpose of these state corporations would be to make construction and permanent construction loans for housing responding to the public benefit. These loans would be funded by bonds which would have a blanket federal guarantee. This system would produce residential development money at much lower federal bond rates rather than at market interest rates with "points" and mortgage insurance premiums added on. Funding housing on this basis would materially reduce the cost of shelter for lower income groups.

In addition, the state corporations should be permitted to "skew" loan rates; that is, these corporations would be permitted to make loans at rates lower than their breakeven rate for projects otherwise unfeasible and, of course, for easily feasible projects loan rates would be commensurately increased so that the average of a loan would be at or near the corporation's bond rate. Such flexibility on a broad scale would provide enormous acceleration to the production of housing for lower income groups. Such an arrangement would, in effect, cause the state corporation to act as a joint venturer with responsible developers.

In addition to the non-cash subsidy involved in the guarantee of state development corporation bonds, the Federal Government should make cash grants to these corporations for the purpose of land acquisition writedowns and for real estate adjustments. Reductions of both these costs could have a material impact on ultimate shelter costs. Land acquisition grants, I believe, need little explanation. These grants would be used for acquiring property in high cost areas. HUD grants for urban renewal now provide some land for residential units at nominal acquisition costs. I would recommend that a structured program with direct grants to state development corporations should be established for housing site acquisitions.

Real estate tax adjustments are long overdue for rent paying residents. Often the stiffest opposition to housing subsidization arises from homeowners who claim to carry the burden of taxes needed to fund these subsidies. This position, of course, is not valid; for, we all know that homeowners receive subsidization in the form of tax advantages flowing from homeowner deductions made for interest and real estate tax payments on owned property. The renter pays for interest and real estate taxes but receives no tax advantages. Moreover, on account of the usual method of tax assessment, this burden falls most heavily upon lower income renters. The usual method of tax assessment is based upon an appraisal of the bricks and mortar value of a property and without regard to its income producing value. Since the appraised bricks and mortar value of new residential housing for all income groups usually varies relatively little, that portion of rent payments from lower income groups allocated to real estate tax is usually a much larger percentage of total rent payments than is the case for higher income rent payers. For instance, apartments in Stamford, Connecticut without tax adjustmens are, regardless of tenant income status or rent rates, required to pay approximately $50 per month per dwelling unit in real estate taxes. This means for the $200 per month rent payer, 25% of rent is allocable to real estate taxes; for the $400 per month rent payer, only 12½% is allocable to real estate taxes. Obviously, a more equitable taxing basis would be to assess gross shelter income for each property. To do so means a change and potential loss of real estate tax revenues to municipalities.

In order to induce municipalities to make equitable adjustments in tax assessments, a grant program, possibly shared with the states, should be established to partially reimburse the municipalities through state development corporations for loss of real estate tax revenue when such loss arises from housing activities authorized by the state development corporations. Accordingly, I recommend that direct grants to state development corporations be included in the housing act now under consideration.

Before concluding, a statement is appropriate regarding pending tax legislation. The emasculation of so called real estate tax shelters has been proposed as a tax reform measure. In the Tax Reform Act of 1969, accelerated depreciation was permitted for all new residential construction and certain residential rehabilitation projects. This provision was expressly designed for the socially beneficial purpose of increasing the nation's housing stock and it has operated as designed. We must recognize that there is competition for private capital, for the investment dollar, and it is unlikely that the return or the yield on investment in housing will ever be competitive with other forms of investment.

The simple fact is that the production of housing and the supply of housing units will not respond to increased demand unless housing remains a competitively attractive investment. We will continue to need tax incentives along with maintenance of attractive and efficient forms of direct production subsidies. It now would be disastrous for the moderate and middle income housing market if Congress were now to eliminate the existing incentives. The real estate tax shelter has attracted private investment capital to housing production.

On the basis of present costs of construction, it is not conceivable that housing developers would ever realize enough profit from such projects to maintain production without incentives. It is critical that the real estate tax shelter (and this includes both the accelerated depreciation and the attractive recapture rules) be maintained. From tax savings, private investors can realize sufficient yield from investment in housing as to assure their continued involvement. While these incentives have often been criticized as "tax loopholes", a more intelligent analysis would indicate that these provisions are among the most innovative and most important aspects of the federal housing effort and are the prime reason for the high rate of housing production over the last several years.

In addition to the aim of attracting private investment to increase the pool of funds available for housing for lower income groups, private developers with an interest in maintaining and enhancing their investment are needed as managers of subsidized projects. Section 236 projects in default or in trouble socially are not generally those with private investment under the Limited Dividend programs—mostly they are those projects sponsored by non profit groups with no investment. I cannot too strongly state that we need experienced private development organizations for the successful management of subsidized projects. We can only get this by tax incentives. Therefore, I urge that the present tax incentive be maintained.

OPPOSITION TO H.R. 8570 AND H.R. 9367

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ESCH. Mr. Speaker, on September 18, I placed in the RECORD a statement expressing my deep concern with legislation now pending before the Congress which in my view would do great harm to the scheduled airline service which exists in this great Nation.

S. 1739 is now on the Senate Calendar and H.R. 8570 and H.R. 9367 are now pending before the House Interstate and Foreign Commerce Committee. I have been receiving many expressions of opposition to these bills from my constituents. Mr. Speaker, I am astounded by the vitriolic attacks which are being made upon the integrity not only of the scheduled airlines but upon honest citizens who are availing themselves of their constitutional right to express their opinions to their duly elected Members of Congress.

Mr. Speaker, I have received many publications, well-prepared and obviously well-financed, from supplemental airline representatives. I defend their right to express their point of view.

It occurs to me that airline employees who are the most likely to suffer by the passage of this proposed legislation would be the exact people we in Congress would be expecting to hear from. The insinuation is made that no one else opposes these bills except airline employees. This simply is not true; they affect the entire traveling public.

I am inserting herewith a partial list of organizations who oppose this legislation. I do not believe these organizations or their members lack credibility:

ORGANIZATIONS OPPOSED TO ITC LEGISLATION

AFL–CIO.
Brotherhood of Railway, Airline & Steamship Clerks—Air Transport Division.
International Association of Machinists and Aerospace Workers.
Transport Workers Union.
Airline Passengers Association.
Alaska Dept. of Economic Development.
American Associatiton of Travel Agents.
American Automobile Association.
American Trucking Association.
Arkansas Chamber of Commerce.
Atlanta Chamber of Commerce.
Birmingham (Ala.) Area Chamber of Commerce.
Buffalo Area Chamber of Commerce.
Chamber of Commerce of Clayton County, Ga.
Chamber of Commerce of Greater Augusta, Ga.
Chamber of Commerce of Hawaii.
Chicago Association of Commerce and Industry.
City of Macon, Ga.
City of Oklahoma City.
City of Philadelphia.
Detroit Chamber of Commerce.
Fort Wayne (Ind.) Chamber of Commerce.
Georgia Chamber of Commerce.
Grand Rapids (Mich.) Chamber of Commerce.
Greater Miami Traffic Association.

Greater Minneapolis Chamber of Commerce.
Greater Philadelphia Chamber of Commerce.
Greater Portland (Maine) Chamber of Commerce.
Greater Providence Chamber of Commerce.
Illinois State Chamber of Commerce.
Indiana State Chamber of Commerce.
Jackson, Mississippi, Chamber of Commerce.
Kansas City, Mo., Chamber of Commerce.
Kansas Economic Development Commission.
Lansing (Mich.) Chamber of Commerce.
Los Angeles Chamber of Commerce.
Louisville Chamber of Commerce.
Maine Association of Chamber of Commerce Executives.
Maine State Chamber of Commerce.
Memphis Area Chamber of Commerce.
Michigan State Chamber of Commerce.
National Association of State Aviation Officials.
National Passenger Traffic Association.
New Jersey State Chamber of Commerce.
New York City Chamber of Commerce.
Ohio Chamber of Commerce.
Pittsburgh Chamber of Commerce.
Salt Lake City Chamber of Commerce.
Society of American Florists.
South Bend (Ind.) Chamber of Commerce.
Springfield (Mass.) Chamber of Commerce.
Toledo Chamber of Commerce.
Utah Agencies (Representing City & State Chambers of Commerce).
Warner Robins, Ga., Chamber of Commerce.
Worcester (Mass.) Chamber of Commerce.
American Federation of Labor and Congress of Industrial Organization.
Air Transport Lodge 1736.
Flight Engineers Association.
Air Cargo, Inc.
Air Freight Forwarders, Inc.
Doric Corporation.
Emory Air Freight.
The Express Company (N.Y.).
Fidelity Bank.
Florida Tropical Fish Industries.
Lowe Runkle Company.
Railway Express Company.
International Northwest Aviation Council.
United States Limousine Operators.
Montgomery Airport Authority.
Arizona Department of Aeronautics.
Tucson Airport Authority.
Little Rock, Arkansas, Airport Commission.
John Burns, Governor Hawaii.
San Francisco Chamber of Commerce.
Illinois Department of Aeronautics.
Illinois Public Airport Association.
Illinois Department of Transportation.
Brunswick, Ga., Chamber of Commerce.
Director of Aviation, Macon, Ga.
Greater Macon (Ga.) Chamber of Commerce.
Indiana Transit Service, Inc.
Maine Publicity Bureau.
Kingsford (Mich.) City Council.
Mississippi Aeronautics Commission.
Mayor of Kansas City, Missouri.
Gallatin Field (Bozeman, Mont.).
Montana Airport Management Association.
Bert Mooney—Silver Bow County Airport.
Manchester, N.H. Chamber of Commerce.
Director, New Jersey Division of Aeronautics.
Mercer County Airport Board (N.J.).
Summit County Board of Commissioners—Ohio Quad City Airport.
Mayor of Akron (Ohio).
Mayor of Canton (Ohio).
Port of Portland, Oregon.
Allegheny Country Director of Aviation (Pa.).
Rhode Island Department of Aeronautics.
Columbus (S.C.) Chamber of Commerce.
Greenville-Spartanburg (S.C.) Airport Commission.
Mayor of Charleston (S.C.).
South Carolina Aeronautics Commission.
Governor Richard F. Kneip (S.D.).
Chattanooga (Tenn.) Airport.
Texas Tourist Council.
West Virginia Chamber of Commerce.
Airline Ground Transportation Association.
American Ground Transportation Association.
Griffith Travel Service, Inc.
Larry Diana's Wonderful World of Travel.
Philadelphia National Bank Travel Agency.
National Innkeeping Association.
Decker House of Travel.
Montclair Travel Agency, Inc.
Joyce Gardner Travel Consultant, Fort Lauderdale, Fla.
NOTO Travel Service, New Rochelle, N.Y.
Helft World (Travel Consultants), Vienna, Va.
Leisure Travel (Travel Consultants), Atlanta, Ga.
Embassy Travel Bureau, Inc., Palm Beach, Fla.
Blue Bell Travel Service, Inc., Blue Bell, Pa.
China Travel Bureau, Inc., Akron, Ohio.
National City Bank of Marion, Ohio, Travel Department.
National Air Transportation Conferences, Inc.
Seymour Travel Agency, Bayonne, N.J.
Vermont Transit Company.
A Rhode Island Tourist/Travel Association.
MAST (Midwest Agents Selling Travel).
World Travel Bureau, Inc. (Minnesota).
Rich's Travel Agency (Atlanta, Ga.).

PUBLIC SECTOR UNIONS AND THE PREVENTION OF STRIFE AND UNREST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ASHBROOK. Mr. Speaker, the Special Subcommittee on Labor will be holding hearings this Thursday, October 4, on H.R. 8677 and H.R. 9730. These bills extend collective bargaining privileges to the public sector. In the October 2 CONGRESSIONAL RECORD I raised the question of whether public sector unions are in the public interest. Today I want to discuss whether the unionization of public employees will lessen strife and unrest.

According to the Declaration of Purpose and Policy set forth in H.R. 8677:

> Experience in both private and public employment indicates that the statutory protection of the right of employees to organize and bargain collectively safeguards the public interest and promotes the free and unobstructed flow of commerce among the states by removing certain recognized sources of strife and unrest.

Is it true, however, that extension of collective bargaining privileges to the public sector will diminish strife and unrest? As S. Rayburn Watkins documents in the position paper entitled "Public Sector Unions: The New 'Private Government,'" the experience of States having their own public employee bargaining laws proves otherwise.

For example, in 1965 the State of Michigan passed a statute for its non-State public employees, which was modeled after the National Labor Relations Act. In the 8 years prior to the law's enactment, non-State public employees had been on strike only twice in the 8 years prior to enactment. Within 3 years after passage, this segment of public employees went on strike 103 times. Within the ranks of municipal employees there were 12 strikes the first year, whereas the same group had been on strike only 13 times in the previous 12 years.

Pennsylvania provides a further refutation of the theory that passage of a collective-bargaining law would lessen strife and unrest. Adoption of public employee collective-bargaining legislation in 1970—including the right to strike—was followed in 1971 by a series of teacher strikes that brought the entire Pennsylvania educational system to a near standstill.

As Watkins concludes:

> The removal of certain recognized sources of strife and unrest by a law giving public employees the right to bargain collectively and to strike is therefore a dubious assumption. (This is particularly true since establishing employer-employee relationships by law insures that an adversary relationship is created in which the union must justify its existence by getting "more" from a public employer who may already be on the verge of bankruptcy.)

SMALL BUSINESS COMMITTEE REVIEWS SBA PROGRAMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the House Permanent Select Committee on Small Business recently conducted its annual, extensive review of the programs, practices, and policies of the Small Business Administration.

A healthy and vigorous small business sector of our economy is vital and essential to a continued competitive economy.

Our committee is acting to strengthen small business pursuant to provisions of the Small Business Act (Public Law 85–536), which states in part:

> It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect . . . the interests of small business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts or subcontracts for property and service for the Government be placed with small business enterprises, to maintain and strengthen the overall economy of the Nation.

Testimony indicated the number of small businesses in the Nation has grown in recent years from 5 to 8 million. These small firms produce 40 percent of our gross national product and employ approximately 50 percent of our labor force. Collectively, small business is a major segment in our economy; individually, however, many small businesses have limited resources and require assistance to survive among the giants of commerce and industry with their virtually unlimited resources.

As chairman of the Small Business Committee, I was pleased to hear the report of the able and genial Administrator Thomas Kleppe of the SBA that the agency achieved new high records of assistance to small business in fiscal year 1973 with 33,948 loans totaling $2.2 billion made with SBA assistance.

In addition to the increase in loan activity, the committee was advised by SBA officials that the small business share of Federal defense procurement has increased from 18.2 percent to 20.5 percent in some categories—a crucial area of involvement for small business. Our current goal and objective is 25 percent participation by small business in total defense procurement.

Progress in other areas of assistance to small business was also reported to our committee, and I want to commend Administrator Kleppe and SBA for their continuing strong programs of assistance to American small business which assure a viable, healthy, and strong small business sector for this Nation.

DR KISSINGER'S "WORLD COMMUNITY"

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. GAYDOS. Mr. Speaker, not only the smaller nations of the world, but the American public too, can take comfort from the declaration of Secretary of State Henry Kissinger that this country will not seek to dominate the affairs of others in concert with the Soviet Union or any other big power.

The need for such an assurance had been apparent ever since the Nixon administration reached its détente with Russia and with the Chinese leadership. The specter of a combination of any two of these major nations throwing their weight around together was enough to worry statesmen everywhere. Dr. Kissinger obviously was aware of this when he made his soothing statement from the rostrum of the United Nations as one of his first officials acts in his new position.

"My country," he said on that occasion, "remains committed to the goal of a world community."

In other words, we will approach the global problems only as one of many interested in them. This should be gratifying to an American generation which has been compelled by its Government to endure the heavy burdens of past unilateral adventures by our country in the affairs of others, regularly since the close of World War II. The Vietnam lesson, it appears, has been well learned by the new Secretary.

Nevertheless, we need some clarification of Dr. Kissinger's notions of a "world community." Does he see this as a real community with each member of it contributing its part and doing its share for the common good? Or does he look upon it still in the light of our past and present experiences in which the biggest load always has fallen disproportionately upon us?

Dr. Kissinger proposed, in his U.N. speech, that a world conference be called next year to "harness the efforts of all nations" to meet any food emergencies which might occur around the globe. He reportedly suggested this as part of his world community concept and noticeably stressed the word "all." We hope these were signals of his intention to rescue us from our patsy role in world affairs and to bring about a general sharing of the global responsibilities.

MULTICULTURALIZATION—A PATTERN FOR ETHNIC AMERICA

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. DULSKI. Mr. Speaker, I recently read in the AM–POL Eagle a thought-provoking article about Canada's assistance to multiculturalism. We made great strides toward government recognition of the United States' great ethnic diversity last year when Public Law 92–318 authorized grants for the creation of ethnic heritage studies programs, established a National Advisory Council on Ethnic Heritage Studies, and authorized $15 million for fiscal 1973.

It is unfortunate that budgetary considerations have prevented the program's funding. Cultural traditions are enrichments worthy of preservation, and sometimes even a small grant can make the difference.

We should most certainly be wary of setting up another bureaucracy where the major portion of funds is funneled into staffing and administrative costs while too little filters down to the intended recipients, but Government money to boost existing projects and financial assistance to carry out the plans of voluntary organizations can be the sparks to keep ethnic traditions alive.

In Buffalo we have seen the gratifying results of Federal and local cooperation in the example of the Wilcox Home. The scene of Theodore Roosevelt's swearing-in as President, the mansion was saved from demolition, declared a National Historical Site, and is still being refurbished by private groups.

In our wonderful Nation, we can draw on a vast array of riches from heritages around the world. I think a modest government investment in preservation would give priceless dividends to future generations. I would like to share the newspaper column with you at this time:

MULTICULTURALISM—A PATTERN FOR ETHNIC AMERICA

(By Robert Strybel)

Recently the Canadian government provided a grant of $100,000 for the construction of a "Dom Polski" in Toronto. Thanks to the assistance of federal and provincial authorities, Polish old-age homes exist or are being built in all major Polonian communities. They include the Wawel Villa of Toronto, the Canadian-Polish Manor of Winnipeg, the Mikolaj Kopernik Lodge of Vancouver and many others. And to name just one, the "Orleta" dance ensemble, under the auspices of Montreal's Polish-Canadian Mutual Aid Society, has received a subsidy of $6,740, to further its cultural activities.

These and many more examples point to the benefits derived by Polonia from Canada's official policy of multiculturalism. For the government at Ottawa not only recognizes the right of ethnic groups to cultivate their heritage, but actually helps to underwrite the costs of such undertakings. The ministry of multiculturalism, headed by Polish-Canadian Dr. Stanislaw Haidasz, finances the performances, exhibits, festivals, culture courses, publications and other cultural ventures of Polonia and the other nationalities that make up Canada's rich cultural mosaic.

Does it not seem strange that the U.S. government fails to provide similar assistance to America's ethnic groups? That Polonia and other ethnic communities have to waste much of their time and effort on fundraising campaigns, holding collections at church entrances, selling greeting cards and cookies door-to-door, and staging often quite amateurish and makeshift doings to acquire the monies needed for worthwhile cultural projects? And lastly that many undertakings are ultimately flops precisely because of a lack of funds?

This is not to say that multiculturalism in Canada, by its very existence, has automatically resolved all problems. The important thing, however, is that this policy has created an official forum, on which Canadians of diverse backgrounds may assert their rights and strive for assistance commensurate to their needs. In the Canadian parliament, for example, an M.P. of Ukrainian ancestry called for the creation of a government-sponsored ethnic information agency which would provide the foreign language press with ready-to-use materials. But I should also point out that, aside from the concrete, material advantages involved, multiculturalism also plays a significant psychological role. For it treats ethnicity not as a marginal phenomenon, but rather as a problem deserving of high, cabinet-level concern and consideration.

Shouldn't the Polish-American Congress, as one of its principal aims, begin pressing for multiculturalism here in the U.S.? After all, the Canadian experiment has clearly indicated that cultural pluralism need not cause ethnic antagonisms and the divisiveness which many Americans fear. For it has been shown that everything that instills in citizens personal dignity and a sense of cultural worth—deepens their love and respect for their country of residence. These days, such love and respect are sorely lacking in the U.S.

WLWI–TV OF INDIANAPOLIS INITIATES "DRIVE ALIVE" TRAFFIC SAFETY PROGRAM

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HUDNUT. Mr. Speaker, WLWI–TV, channel 13, of Indianapolis, Ind., has responded to the plea put forth by traffic safety interests for the broadcast media to "humanize and dramatize" highway accident statistics, with an innovative news approach designed to stress in graphic fashion the urgency of safe driving.

In announcing details of the project,

Avco Broadcasting president John T. Murphy said:

Avco Broadcasting shares the increasing alarm regarding the number of traffic fatalities with state and local officials. We believe there is a need for broadcast news reporting which will emphasize the needless waste of highway slaughter.

WLWI–TV will regularly designate a section within our television news programs dealing with highway carnage and safety, labeling that special report with a common "umbrella" title on the screen to identify it to viewers. These reports will occur consistently each week for at least an entire year. Our intent is to illustrate for the viewer, over and over again, the need for their personal attention to highway safety to save their own lives.

Under the title "Drive Alive," editorials during the year will urge motorists to take seriously their responsibilities to themselves and to the rest of us as they take control of their deadly weapon—the automobile. Other editorial comments will seek passage of important traffic safety legislation and recognize hard working individuals in the traffic safety field.

"Drive Alive" is an exciting and dramatic attempt to raise the concern of the Indianapolis community toward the problem of traffic accidents. I am impressed by the wide variety of programing which WLWI will devote to this message and am glad to have this opportunity to bring the project to the attention of my colleagues in the Congress. WLWI's "Drive Alive" commitment is dedicated to the 76,542 Indiana residents who have lost their lives since the invention of the motor car.

JOHN D. M. HAMILTON

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. SHRIVER. Mr. Speaker, a distinguished Kansan and respected Republican leader, John D. M. Hamilton died on September 27, 1973, in Clearwater, Fla. Mr. Hamilton was active in Kansas politics for many years and served as speaker of the Kansas House of Representatives before making an unsuccessful effort for the governorship in 1928.

He came to national prominence as Republican National Committeeman for Kansas, and later as national chairman of the party. He was active in the campaign of another distinguished Kansan, Alf M. Landon, in the 1936 Presidential race.

Mr. Hamilton contributed significantly to the American political scene. He did much to further Republicanism in Kansas, and the Nation. We are saddened at his passing.

Under the leave to extend my remarks in the RECORD, I include the following editorial from the Topeka, Kans., Sunday Capital-Journal of September 30, 1973, which discusses the achievements and disappointments of this great American. The editorial follows:

JOHN D. M. HAMILTON

John D. M. Hamilton, first of only three Kansans to serve the Republican party as its national chairman, will be remembered best by Kansans for his part in the 1936 presidential bid by Alf M. Landon, former Kansas governor.

Known as a fighter and a man who got things going, Mr. Hamilton practiced law in Topeka with Ralph T. O'Neil, former national commander of the American Legion, and was active in state and local politics for 30 years.

Born in Fort Madison, Iowa, Mr. Hamilton came to Kansas when he was 6 years old. His first venture into political service was as assistant city attorney under Mayor Jay House. He was then elected twice as Shawnee County probate judge, and to two terms as a member of the Kansas House of Representatives. He was elected speaker of the House in 1927.

Mr. Hamilton, who died in Clearwater, Fla., Thursday at the age of 81, lost a GOP governorship bid in 1928 to Clyde M. Reed, who went on to win the November election. Mr. Hamilton evened the score two years later by managing Chief Haucke's campaign against Reed in the primary. Haucke won, but lost in 1930 to Harry H. Woodring, a Democrat.

To heal party wounds, Landon, who had led the Reed campaigns, joined forces with Mr. Hamilton and won the governorship in 1932 and 1934. At the death of Dave Mulvane, Republican national committeeman from Kansas, in 1932, Landon successfully backed Mr. Hamilton as his successor.

When Landon won the GOP presidential nomination in 1936, it was Mr. Hamilton who delivered the main nominating speech. Despite his efforts as Landon's campaign manager, President Roosevelt, seeking re-election, defeated Landon.

Mr. Hamilton, who joined the Philadelphia law firm of Pepper, Hamilton and Scheetz, was in semi-retirement, but maintained his Philadelphia law office while residing in Florida. He was counselor for Sun Oil Co. and a trustee of the Robert A. Taft Memorial Foundation.

In later years, one of Mr. Hamilton's unfulfilled dreams was the hope that Robert A. Taft, Republican leader from Ohio and co-author of the Taft-Hartley Labor Relations Act, could be nominated for the presidency and win it.

That and the election of Landon to the presidency were two of his great frustrations.

SULLIVAN COUNTY GROUP ENDORSES DELAWARE RIVER BILL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BINGHAM. Mr. Speaker, on September 5, 1973, the Sullivan County Environmental Management Council passed a resolution endorsing the bill (H.R. 9951) I introduced along with Mr. SAYLOR, Mr. MCDADE, Mr. TAYLOR, and Mr. GILMAN, to include a portion of the upper Delaware River in the National Wild and Scenic Rivers System.

While a thorough study to determine the best way to manage the included area is not complete, I commend this resolution to my colleagues as an example of the local support for the passage of H.R. 9951. The text of the resolution follows:

POSITION STATEMENT, WILD AND SCENIC RIVERS ACT, UPPER DELAWARE RIVER

Whereas the Wild and Scenic Rivers Act, Public Law 90–542, was passed in 1968 providing for a National Wild and Scenic Rivers System to provide preservation of selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers, and

Whereas this law made it national policy to protect for the benefit and enjoyment of present and future generations certain selected rivers which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, and

Whereas in May of 1969 a cooperative Interagency Task Force was established to conduct a detailed study of the Delaware River between Hancock, New York, and Matamoras, Pennsylvania, and

Whereas said Task Force found the section of river between the confluence of East and West Branches to Sparrow Bush, a total distance of 72.7 river miles, to meet the criteria for inclusion in the National Wild and Scenic Rivers System, classified partly as scenic and partly as recreational, and

Whereas a bill has been introduced in the House of Representatives (H.R. 9951) by Representatives Bingham, McDade, Saylor, and Gilman, calling for inclusion of this section of the Delaware River in the National Wild and Scenic Rivers System, to be administered by the Secretary of the Interior as a part of the National Park System, and

Whereas the Sullivan County Environmental Management Council recognizes a definite need for controls to be placed upon the use of the river and its adjacent lands, such controls necessarily being uniform on both sides of the river along the entire length of the section in question, therefore be it

Resolved that the Sullivan County Environmental Management Coucil hereby recommends that Congress include the said portion of the Delaware River, from the confluence of East and West Branches to Sparrow Bush, a total of 72.7 river miles, in the National Wild and Scenic Rivers System, and be it further

Resolved that the Sullivan County Environmental Management Council also recommends that the Bureau of Outdoor Recreation's proposed development alternative Number 2, "Total Management," be the form of control instituted for the protection of the river, with the qualification that the National Park Service be designated as the Managing Agency, and that the National Park Service be given the necessary amount of funds to provide proper support facilities for the park, and be it further

Resolved that the Sullivan County Environmental Management Council requests that the Bureau of Outdoor Recreation give priority to providing towns and villages along the river with zoning guidelines for the interim period until the inclusion of the river in the National Wild and Scenic Rivers System.

IS SOLZHENITSYN OUR BUSINESS?

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ROSENTHAL. Mr. Speaker, we have seen the way the Soviet Union treats dissidents. Intellectuals who speak their mind are shunted away to mental institutions or sentenced to labor camps.

Jews and other minorities who wish to emigrate are fired from their jobs and harassed by the state. Dissent is viewed by the Kremlin as treason.

"Americans have every reason to be outraged by the Soviet regime's blatant contempt for freedom," states a recent issue of the New Republic, adding "our self-respect as individuals, if nothing else, commands us to speak out."

But beyond our moral obligation as individuals, what right or responsibility do we have as a nation to adopt policies designed to influence another country's conduct within its own borders? Are these matters, as the Soviets contend, strictly internal and none of our business?

"The United States demeans itself and diminishes its international prestige when it turns its back on the norms of civility that are its tradition," says the New Republic, pointing out the leverage this country has with Soviet leaders. "It is not implausible to suppose that strong talk combined with shrewd bargaining would also improve the situation of the Soviet intellectuals."

Mr. Speaker, this article eloquently points out why the Congress must approve the Mills-Vanik amendment, why we must use our influence to protect human rights and human dignity. As exiled Soviet physicist Valery Chalidze said:

You will never save anyone by silence.

I am inserting in the RECORD at this point the lead article from the September 29, 1973 issue of the New Republic:

IS SOLZHENITSYN OUR BUSINESS?

Americans have every reason to be outraged by the Soviet regime's blatant contempt for freedom as reflected in its persecution of Andrei Sakharov, Zhores Medvedev, Alexander Solzhenitsyn and numbers of other intellectuals who, like the many martyrs of the McCarthy rampage in this country, reject the proposition that dissent and disloyalty to the nation are identical. As the National Academy of Sciences pointed out in its recent protest statement, the Soviet intellectuals are not merely servants of the Kremlin or its creatures, but world figures whose values and achievements are shared by all. Hence their welfare is a concern of all mankind, and it is everyone's right and duty to express anxiety over their fate.

But personal concern is complicated by the fact that the United States and the Soviet Union are slowly, belatedly, moving to lay the foundations for a more normal and stable relationship. The hard question, therefore, is not whether American citizens should express their indignation at the intimidation of Soviet citizens—or remain mute; our self-respect as individuals, if nothing else, commands us to speak out. The hard question is whether the United States government ought to tie cooperation with Moscow to internal changes within the USSR. Should the US, for example, suspend or threaten to suspend the strategic arms limitation talks until Sakharov is permitted to speak freely? Should Washington put the brakes on trade as long as Solzhenitsyn or Soviet Jews are harassed? Should the US hint at the possibility of closing the Soviet consulate in San Francisco unless dissident Russian writers are released from the insane asylums that serve as their prisons? In short to what extent should US policies toward a foreign country be influenced by that country's conduct at home? Can we do business with a police state? If so what business? The question reacnes far beyond the immediate one of American attitudes and behavior toward the Soviet Union.

We can now perceive in retrospect the consequences of our self-delusion that the honor and perhaps the security of the United States are bound up with the fate of this or that society. That conceit, mirroring as it did the dreamier, evangelical side of our national character, became the rationale for America's attempt to play world savior. The US pushed the war in Korea beyond prudent limits, built bases from Japan to Morocco, tried to overthrow Castro, and sank into the mire of Vietnam—all in the name of defending freedom against communist intriguers and aggressors. But the grandiose plans for a Pax Americana went awry, leaving the US with monetary headaches abroad and disenchantment at home with the whole notion of taking any responsibility for what happens in far-off places.

Of course American actions did not always match the rhetoric of America's leaders, and it was never clear to peoples under fire whether we were weeping real or crocodile tears. Thus, the US encouraged the rebellion in Hungary but did nothing useful for the Hungarian liberals, and it effectively recognized a Soviet sphere of influence in Eastern Europe when, in August, 1968, it tolerated the Soviet invasion of Czechoslovakia. American administrators have made deals with police states on every continent, with Franco and the Greek colonels and Thieu, and our concern for freedom and decency did not prevent official applause for an anti-communist coup in Indonesia in which several hundred thousand innocent men, women and children were slaughtered. The administration espouses democracy for Latin America, but it greeted its demise in Chile with silence. In sum our fidelity to freedom has been intermittent, inconsistent and frequently futile. Looking back one is inclined to wince at President Kennedy's pledge that "we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

And yet . . . hypocrisy is the homage that vice pays to virtue, and we cannot therefore subscribe entirely to Henry Kissinger's implication that foreign relations ought to be guided by realpolitik alone. The other day, addressing himself to congressional opposition to most-favored-nation treatment for the Soviet Union as long as Moscow represses its intellectuals and curbs Jewish emigration, Kissinger said that "we will find ourselves massively involved in every country in the world" if the United States tries to transform the "domestic structure" of nations. So "we must proceed on the course on which we are" despite the Soviet crackdown on intellectuals, because a return to the Cold War confrontation with the Kremlin would be far worse than the present détente.

Is that the real choice? Or is Kissinger's hard calculation as flawed as Kennedy's summons to "bear any burden"? As fervently as we wish for reconciliation with adversaries, we also submit that the United States demeans itself and diminishes its international prestige when it turns its back on the norms of civility that are its tradition.

Moreover it may not be as difficult or hazardous as the Nixon administration suggests to put pressure on the Kremlin. The Soviet Union depends significantly on the United States for food, which gives the administration some leverage with which to extract at least some concessions from the Russian leaders. That leverage could have been used in last year's wheat deal which amounted to a US giveaway, essentially because the President seemed persuaded that a rapproachement with Moscow was politically beneficial to him, as indeed it was. And economic leverage is not all the US has. Soviet leaders are not insensitive to world opinion. Repeated official as well as private American expressions of disapproval do affect them over a period of time. The administration was successful earlier this year in getting the Russians to ease their restrictions on Jews seeking to emigrate, and it is not implausible to suppose that strong talk combined with shrewd bargaining would also improve the situation of the Soviet intellectuals. In any case as the exiled Soviet physicist Valery Chalidze told Newsweek columnist Kermit Lansner, "You will never save anyone by silence." That appears to be Mr. Brezhnev's view as well. For the prospect that he might be accused of meddling in other people's business did not prevent him last week from attacking "the bloody crimes committed by Chilean reactionaries."

This is no call for a revival of the Cold War or a new crusade to shape the world in the American image, and bargaining for human rights will not always be effective. But at the least, making clear what America represents will serve to remind us of what we are at our best, and that is a gain.

THE BOOM IN PROTESTANT SCHOOLS

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. CONLAN. Mr. Speaker, yesterday I joined several of my colleagues to discuss the Federal role in public education.

It was the consensus during that debate that Federal funds, controls, and planning have done much to steer the emphasis in schools away from teaching basic skills and values, and that public schools would be much better off if Federal involvement was significantly curtailed.

What was not brought out in our discussion, however, is that thousands of parents throughout the country are taking their children out of the government schools and enrolling them in private schools.

According to an article in the latest issue of U.S. News & World Report about the boom in Christian schools:

What these parents are seeking . . . is a learning environment for their youngsters that is more disciplined and more religious than can be found in any public school.

I am delighted to see this growth in private education. And I am optimistic for the future of private, church-related schools. If this boom continues at its current rate, as Jack Buttram of the American Association of Christian Schools noted in the U.S. News & World Report article, the government schools may one day "be like charity hospitals—you go there when you cannot go anywhere else."

Mr. Speaker, private education has a proud tradition in America. And this sudden growth in private schools throughout the Nation is a hopeful sign for improved educational opportunities for our young people.

I commend this article from U.S. News & World Report to my colleagues, and would like to insert it in the RECORD at this point:

[From U.S. News & World Report, Oct. 8, 1973]

BOOM IN PROTESTANT SCHOOLS: REASONS FOR A SUDDEN, NATIONWIDE RISE

At a time when thousands of Roman Catholic parochial schools have been closing their doors, Protestant church schools are in the midst of unprecedented growth.

These schools are spreading across more than 30 States—ranging in size from 100 to 200 students, with tuition running from $400 to $1,000 a year.

Busing and the racial issue are not the only elements contributing to this amazing growth.

The big impetus, churchmen say, is coming from rising alarm of parents over what they see as academic laxity in the public schools, along with rampant misbehavior—robbery, drug abuse and classroom disruption.

SEARCH FOR DISCIPLINE

What these parents are seeking, it is said, is a learning environment for their youngsters that is more disciplined and more religious than can be found in any public school.

Public-school men are becoming disturbed by the growth of church-run schools. Their worry: Community support of public education may decline seriously if the switch of white pupils into private schools continues.

In Memphis, where there is massive busing for integration this year, public-school enrollment was down by 16,500. Memphis now has 85 private schools in operation. Twenty of them, many church-run, were opened this year.

"The potential exists for a private system the size of the public system," warned the NAACP Legal Defense and Educational Fund. "The involvement of the churches in the private-school system is extensive and alarming."

Still another sign of concern: A coalition of civic leaders and teachers in Memphis is distributing bumper stickers reading, "Keep Our Public Schools Strong."

All the new church schools are appearing, paradoxically, at a time when private education generally is recording a decline.

Since 1963, enrollment in all types of nonpublic elementary and secondary schools has fallen from 6.3 million to an estimated 4.9 million, a drop of more than 22 per cent.

DOWNS AND UPS

Most of this decline results from large reduction in the number of Roman Catholic parochial schools. Plagued by money problems, 2,778 of these schools have closed their doors in the last eight years.

At the same time, according to figures gathered by the U.S. Office of Education, there has been an extraordinary increase of 66 per cent in the number of nonpublic schools other than Catholic parochial institutions.

This increase was measured from 1961 to 1971, when large numbers of segregated "white academies" were opening up in the South, and it appears to be continuing.

In California alone, 180 new private schools have opened in the last two years. Georgia is now reported to have about 340 privately run grade and high schools.

Adding to the already large system of Lutheran teaching institutions, at least 10 new elementary day schools were started this autumn by the Wisconsin Evangelical Lutheran Synod.

Congregations of the 2.8 million-member Lutheran Church-Missouri Synod opened three new high schools in California and Florida, as well as a number of elementary schools.

The Kansas City Christian schools have a five-unit system in operation, and there are several smaller private systems for children in Indianapolis.

BUILDING BIG

In Memphis, the East Park Baptist Church is investing an estimated 5 million dollars in a new building that will house a fully equipped private high school for up to 2,000 students.

This high school is planned as the top of the Briarcrest Baptist school system, which opened this fall at the elementary level with 2,400 pupils in classrooms at 11 co-operating churches.

The new church schools differ markedly from the earlier white academies which were set up primarily for segregattion, but, in the opinion of some civil-rights leaders, they could result in dual school systems separating black and white youngsters.

For one thing, the church schools have stronger financial support than most of the academies, and more of a sense of permanency.

Although some are "lily white," the majority of them admit black children, thus preserving their tax-exempt status. This is important, because persons making contributions to tax-exempt institutions can list them as deductions on their income-tax returns.

Open-admission policies, however, often mean only token integration because of economic factors. Relatively few Negro families, particularly in the South, can afford a private education for their children.

FACTORS IN CHANGE

Sponsors of the new church schools acknowledge that many parents are attracted to them because they are predominantly white.

But the main reason parents are switching, sponsors contend, is that they are dissatisfied with the kind of education provided in public schools today.

"Many people are turning to church schools because of the 'horror stories' they hear about violence, crimes and drugs in public-school systems," said Steve Shoe, administrative assistant of the National Association of Christian Schools.

"They also want a total education where Christ is in the classroom—and of course that's impossible in public schools because prayer there is forbidden by law."

Richard G. Bryant, director of missions for the Miami Baptist Association, estimated 95 per cent of those turning to church schools do so because of disillusionment with public education.

"I don't encourage this trend," Mr. Bryant said, "because if the Baptists bail out in Miami, public education will be hurt a lot more than it is already.

"But the church is very unsettled about public education, and I can't blame our brothers for turning to private schools.

"Our public-school system in Miami has been involved in a social revolution and has lost its educational concept. I'm referring to the race problem and busing and all that. The schools have let the social planners take over. The social engineers have got the school system over a barrel."

A LAST RESORT?

Even blunter in his criticism of public schools was Jack Buttram, Washington, D.C., representative of the American Association of Christian Schools, who said:

"Personally, I feel that public schools are going to be like charity hospitals—you go there when you can't go anywhere else. I don't say all public schools are bad, but—well, I've switched all of my five children into private schools."

Mr. Buttram's association has its headquarters in Miami. Like similar organizations, it provides services for member schools, reporting on legislation, advising on school start-ups and operations, counseling on textbooks and curricula.

In the spring of 1972, the American Association of Christian Schools had a membership of 40 schools. Now it has about 120 schools, and by the end of the year hopes to pass the 200 mark. Current enrollment is between 50,000 and 60,000, distributed over 30 States.

Mr. Buttram said most of the schools are paying their own way and breaking even at the end of the year. He described them as mostly fundamentalist or evangelical institutions, with a traditionalist approach to education. Some, he said, still use the old-fashioned McGuffey reader.

ALL THE WAY THROUGH

Another Miami group, the Baptist association with which Richard Bryant is associated, has 45 of its churches involved in private education. They offer training from kindergarten through high school, and tuition ranges from $600 to $700.

"Our schools are not segregated," Mr. Bryant said. "We admit qualified black youngsters without any reservations, although there are not many black children enrolled at present.

"As for financing, the churches furnish the buildings, and the schools try to make it on their own the rest of the way. Our salary scale for teachers is not very high, but we have many dedicated people who are willing to teach for what we can afford to pay."

A Midwestern group, the National Association of Christian Schools, reports a membership of 311 schools enrolling more than 60,000 students.

"Our membership covers a wide range of churches," said Mr. Shoe, who is in charge of the association's headquarters in Wheaton, Ill. Among participating denominations are Baptists, Presbyterians, Free Methodists and Mennonites.

MEETING THE BILLS

Mr. Shoe described the financial condition of the schools as "so-so," adding:

"When you talk with administrators, they will tell you times are tough. They're right, but I'm happy to report that only one of our schools had to go out of business for financial reasons last year."

Mr. Shoe said tuition averages about $400 a year for the association's elementary schools and between $800 and $1,000 for high schools.

"This doesn't always cover operating costs," he said, "and the difference has to come from the sponsoring churches and the generosity of church members and parents."

Another Midwestern group expanding its system of private schools is the National Union of Christian Schools in Grand Rapids, Mich.

Director John A. Vander Ark said the union now has about 300 "parental" schools of "the Presbyterian and Reformed Calvinistic stamp." Enrollment is about 650,000, spread through 26 States and four Canadian Provinces.

"I would describe the financial condition of the schools as fair to good," Mr. Vander Ark said. "But, generally speaking, they all require sacrificial giving on the part of parents."

Money looms large in the future of the new church schools. At present, there is not much prospect of financial help from government. But if parents and churches can continue to pay the bills, sponsors say, these private teaching establishments could be around for a long time.

PENSION PLANS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. LEHMAN. Mr. Speaker, today I have joined in cosponsoring the clean pension bill recently reported by the Education and Labor Committee. I am proud to be a cosponsor of this bill, and I hope it will receive favorable consideration by all my colleagues when it reaches the House floor.

The number of persons covered by private pension plans has increased dramatically since 1940, when an estimated 4 million employees were covered by such plans. Today, over 30 million employees, or about half the private, nonfarm workforce, are covered by private plans. The sum of $150 billion is being held in reserve to pay benefit credits to plan participants. The assets of these private plans constitute the only large, private accumulation of funds to have escaped effective Federal regulation.

The lack of effective Federal regulation has resulted in often tragic loss of pension benefits to many persons. Courts have been reluctant to apply concepts of equitable relief to those persons who have lost their benefits. Many of us know where a person was fired a few months before scheduled retirement, and consequently lost whatever pension benefits had been accrued. Another common situation is the case where the company closes down, and workers with many years of service find the pension benefits they were depending upon for retirement have gone down with the company.

The bill which will be coming to the House floor in the near future contains a termination insurance provision, which will require the employer to reimburse the plan termination insurance program for the total amount of insurance paid, but not more than 50 percent of the employer's net worth at the time of plan termination. Employees whose plans are terminated will receive 50 percent of their highest average monthly wage earned over a 5-year period, or $500 per month, whichever is less.

The bill also offers three choices of vesting to employers, but in no case can a pension plan require a period of service longer than 1 year, or an age greater than 25, as a condition for eligibility to participate. The three choices are: First, the 10-year rule—100 percent vested at 10 years of covered service; second, graded 15-year service rule—30 percent vested at 8 years of covered service, such percentage increasing by 10 percent each year until 100 percent is reached after 15 years of covered service; or third, the rule of 45—50 percent vested when age plus covered service equals 45, such percentage increasing by 10 percent each year until 100 percent is reached.

All three alternatives provide that a person would be 100 percent vested after 15 years of covered service.

Pension reform is long overdue. Too many hardworking Americans have found themselves without any security in their retirement years because of the lack of effective Federal regulation of private pension plans. To wait any longer is only to allow these abuses to continue unchecked.

AMERICAN CONSUMERS TAKE A BACK SEAT TO FOREIGN INTERESTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RARICK. Mr. Speaker, the American consumer and financier is becoming more and more aware of the "credit crunch." The American consumer may be happy to learn that in the interest of continuing to take care of foreigners around the world, export-import loans are to stay at 6 percent interest which is far below the rate at which the average American can obtain credit.

In short, our international commitments to subsidize cheap foreign loans are given priority over commitments to our own people.

The situation can never reverse itself until those in positions of leadership decide to run our country for the benefit of Americans, rather than foreigners.

Related newsclippings follow:

[From the Washington Star-News, Sept. 30, 1973]

U.S. LOANS TO EXPORTERS STAY AT 6 PERCENT

(By Josh Fitzhugh)

NEW YORK.—While Americans have found it costly and sometimes impossible to borrow money recently, their tax money has helped provide relatively cheap and easy loans for U.S. exporters and foreign companies seeking American goods.

The loans—some $2.4 billion worth in fiscal 1973—are made below domestic rates to boost exports, to improve a country's balance of payments or for international political reasons.

They are made by the government-backed U.S. Export-Import Bank, the American contender in a worldwide credit "war" in which countries offer prospective overseas buyers loans at low, subsidized rates.

Eximbank loans, which also draw on commercial bank funds, have financed exports of nuclear power plants, jet aircraft and military equipment.

Last year, the bank loaned $157 million for an Algerian gas facility, $86 million for a Russian truck factory and $21.6 million for an oil refinery in Iran, its biggest customer.

Today no major domestic company, without a government subsidy, can borrow money at less than the current prime lending rate of 10 percent.

But a foreign firm wishing to buy American goods, or a U.S. exporter wishing to finance a foreign order, can get a 6 percent long-term loan from the Eximbank.

"Call it a subsidy to help U.S. exporters," said John Petty, a partner in the international investment banking firm of Lehman Brothers and a former assistant secretary of the Treasury.

Observers note that Eximbank loans can sometimes have undesirable domestic side effects, however. In April the bank lent $75 million to the Bank of Tokyo to finance raw cotton purchases from the United States.

The loan, for purchases from the 1973–74 crop, comes at a time when short supplies of cotton in the domestic market have already contributed to higher prices for cotton clothes.

Warren Glick, Eximbank's senior vice president for financing, said: "At the time we made the loan it was not clear the cotton market was that tight. We would take a much closer look if we considered the loan today."

Since 1969 the Eximbank, established in 1934 to expand trade between the United States and Russia, has enlarged its direct grant loans from $1.1 billion to $2.4 billion for fiscal 1973. The loans are approved by the bank's board of directors, which is appointed by the President and confirmed by the Senate, and then matched by private commitments from U.S. commercial banks. Eximbank guarantees the private loans.

The Eximbank has granted 6 percent loans since the mid-60s, despite wide fluctuations in domestic money market rates. Petty and Glick said the 6 percent rate is necessary for "planning and consistency" and to remain competitive in world markets, where Germany, France and Japan finance exporters at 6 to 7½ percent. Recently the bank and the Nixon administration have resisted attempts to raise the rate.

"If we charged the prime rate we would make the American exporter grossly uncompetitive," Glick said.

A staff aide to the Senate Banking Committee said there was a "dubious need for the bank" and low rates were "simply a hidden subsidy to U.S. exporters."

A recent study by the General Accounting Office, an investigatory arm of Congress, criticized the bank for not making "a concerted effort to maximize private financing."

"Although Eximbank sees its role as a lender of last resort, because its interest rate has been lower and its repayment terms longer than comparable commercial financing, borrowers tend to seek Eximbank financing as a first resort," the GAO said.

"Prestige, patented materials and a preference for U.S. products by borrowers suggest that purchases would have been made from the United States without Eximbank financing," the GAO concluded, summarizing a study of loans to Japan.

How can Eximbank lend at 6 percent when commercial banks charge 10 percent?

The principal reason is a $1 billion grant from the Treasury in 1945 and $1.3 billion in retained earnings, said Lehman's Petty. For the use of this capital the bank pays the Treasury a yearly dividend of $50 million, or roughly 2.2 percent. Other funds to cover 1973's total authorization of $8.5 billion come from loan repayment, sales of Eximbank bonds and 180-day Treasury borrowing.

Despite the Treasury capital, the bank's reliance on private borrowing may cause "a problem in funding the institution if the prime rate stays high much longer," Glick acknowledged. The Treasury dividend may be dropped, he said.

Dr. Peter Beter, a former counsel for Eximbank and author of a new book, "The Conspiracy Against the Dollar," said the low interest rate and "bad loans made at the insistence of President Nixon and adviser Henry Kissinger" have caused bank directors to dip into reserves.

"They have absolutely plundered the bank," Beter said, noting that both Eximbank chairman Henry Kearns and executive vice president Don Bostwick have resigned recently.

Glick said both men are leaving for personal reasons.

U.S. exporters, in concert with American banks and investment houses, arrange most Eximbank loans for foreign buyers. The usual practice is for Eximbank to establish a credit at a commercial bank, which in turn pays the exporter and is reimbursed by Eximbank. Eventually the borrower repays Eximbank in dollars.

Devaluations of the dollar have made loans easier to repay, Glick concedes, thereby further reducing the real interest. Officials agree another result of the subsidized loans is increased inflation.

"But one must remember that the purpose is to stimulate U.S. exports."

[From the Washington Star-News, Sept. 28, 1973]

CHINA IMF SEAT EXPECTED

(By Lee M. Cohn)

NAIROBI.—The People's Republic of China, followed by the Soviet Union and the other Communist countries, probably will join the International Monetary Fund and the World Bank soon, informed sources indicated today.

As the world financial organizations adjourned their annual joint meeting here, little or no opposition was evident to China's preliminary bid for membership, which was disclosed yesterday.

Delegates took it for granted that the Soviet Union and other Communist nations will join soon after China is admitted.

China's membership feeler, which requested that the Peking (rather than Taiwan) regime be recognized as the representative of China, excited the finance ministers and central bank governors from 126 countries attending the meeting. They viewed it as a significant further step toward ending China's isolation and restoring normal relations between the Communist and non-Communist worlds.

Membership in the IMF would imply acceptance by the Communists of some capitalistic rules—notably openness in economic dealings. Trade and investment between East and West would be given a big boost.

Some of China's and the Soviet Union's foreign aid expenditures, which have been used for political purposes, might be diverted to the less political development programs of the World Bank and its affiliates.

Despite the positive factors, some sources said Chinese and Soviet membership in the IMF might complicate the slow-moving negotiations on rebuilding the international monetary system.

U.S. officials suspect that the Soviet Union, which is a major gold producer, might side with France in trying to maintain a central monetary role for gold. A diminished role for gold is a key element in U.S. monetary reform strategy.

Meanwhile, the meeting adjourned in a mood of skepticism about prospects for agreement on monetary reform by the July 31 deadline, and bitterness about the U.S. stand against using the monetary system to increase aid to poor countries.

European and U.S. officials accused each other of impeding the reform negotiations.

American sources said one reason for the slow pace is that the Europeans have made Jeremy Morse of Britain, the man in charge of the negotiations, timid about attempting any bold moves.

Morse has been gun-shy since the Europeans earlier this month accused him of "selling out" to the United States on a key issue, the sources said.

Nevertheless U.S. Treasury Secretary George P. Shultz said the negotiating disputes are "quite manageable," and delegates from other leading countries expressed varying degrees of optimism.

A spokesman for Nationalist China here opposed admission of the People's Republic, as expected, and said a two-China solution—with membership by both regimes—would be "not acceptable."

The U.S. delegation refused to comment.

Only two Communist countries, Yugoslavia and Romania, now are members of the IMF and the World Bank. Some sources said it is difficult for Communist nations to accept the obligations of membership.

However, a key IMF official said "there are no priori legal or economic complications involved in membership by Socialist countries." It is simply a matter of whether they are willing to "cooperate as members," he said.

A potential obstacle to membership is the requirement that IMF members submit for publication a wide range of financial, economic, trade and other statistics, which Communist countries generally keep secret.

Members also are obligated to "consult" with the IMF on their economic policies, and under the new monetary system being negotiated the IMF will have substantial authority to enforce its advice. Communist governments might object more than some others to yielding autonomy.

If Communist China applies as a new member, the decision will be up to the IMF's and World Bank's boards of governors, consisting of top financial officials of the member governments, which is meeting here.

In the more likely event that the issue is presented as one of who represents China, the question could be handled by the 20-member executive boards of each organization, although they might refer it to the governors.

In other developments as the meeting drew to a close, the committee negotiating monetary reform established four technical subcommittees to work on specific issues before the next full meeting in January.

As Shultz said at a news conference yesterday, there will be an attempt to "stop being so philosophical" about the issues and to see how the contending proposals would work in practice.

When the operational effects of various approaches become clearer, he said, some of the opposition may melt.

Regardless of what formal rules are adopted, he said, a key to success of the new monetary system may be moves to strengthen the IMF's authority. Finance ministers and other top officials should participate in applying the rules at least during the "shakedown" period, because that is when precedents will be established, he said.

Shultz said he expects the value of the dollar to rise as the U.S. balance of payments improves. When the dollar rises to the parities against other currencies set early this year and then abandoned, foreign central banks probably will sell dollars to keep it from rising further, he said.

In this way, he said, the troublesome "overhang" of dollars will be reduced, and it will be possible to work out arrangements for handling it without undermining the new monetary system.

[From the Washington Star-News, Sept. 28, 1973]

OPIC STAKES IN CHILE HIGH

(By Ron Snider)

The government corporation which insures private investments overseas said it will have "very little loss" in Chile if the new government there honors its obligations.

The Overseas Private Investment Corp. (OPIC) has paid $25.4 million to U.S. companies whose properties have been expropriated in Chile, and could be held liable for claims of $327.9 million more.

In its annual report to Congress, OPIC reported that its net income for fiscal 1973, ended June 30, was a record $31.5 million, compared to $28.9 million in fiscal 1972.

Marshall T. Mays, who was confirmed by the Senate last week to succeed Bradford Mills as president of OPIC, said the agency's insurance reserve as of June 30 stood at $142.6 million, an increase of $28.3 million over last year.

Mays said the increases were made despite "a period of severe testing, especially in dealing with inherited problems in Chile."

OPIC was created by Congress in 1969 to consolidate overseas investment programs administered a series of agencies. It began operations in January 1971 and was immediately faced with mass expropriations of U.S. private property in Chile.

OPIC has settled 24 claims worldwide since 1971 totaling $116 million. This is almost three times the number paid by predecessor agencies during the first 23 years of investment insurance programs.

Approximately 75 percent of the $327.9 million for which OPIC could be held liable in the Chile expropriations involves two claims which the agency has rejected. A claim by Anaconda Co. for $154 million for two mines in Chile was rejected on grounds that "included the failure of the company to maintain current insurance coverage."

A claim by International Telephone & Telegraph Corp. for $92.5 million was rejected for "violation of the insurance contract."

Both companies have submitted the cases to arbitration.

In his annual report to Congress, Mays said the concept of "striving to achieve developmental goals while maintaining a self-sustaining operation . . . can and does work."

However, a spokesman for OPIC said that if the agency lost the two Chile claims in arbitration it would have to request funds from Congress.

In another arbitration case, International Bank's lumbering interest that was expropriated in the Dominican Republic, OPIC's denial was upheld.

WE NEED A NEW MINIMUM WAGE BILL

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ERLENBORN. Mr. Speaker, in the heat of a debate, humans have a facility for making at least one statement which, on reflection, we might like to have phrased differently.

For example, 2 weeks ago, during the debate on the motion to override the veto of the minimum wage bill, in speaking of our general Subcommittee on Labor chairman (Mr. DENT), I said:

> Every week on this floor, from now until November of next year, I am going to call on him to report a minimum wage bill out of Committee. We need a minimum wage increase, and the gentleman from Pennsylvania will not be allowed to stop that.

Afterward, I realized there may have been a certain amount of bravado in that last clause. He knows, and I know, that he has the majority; that, if he wants a minimum wage bill, we can have a minimum wage bill. So, for the sake of accuracy, I probably should have said, "only the gentleman from Pennsylvania can stop that."

That was 2 weeks ago. I hope the gentleman from Pennsylvania has taken time since then to reflect on his response: That he will not bring out any kind of bill which—and these are his words—"does not meet the responsibilities of this Congress."

One of the responsibilities of Congress for over 35 years now has been that of assuring adequate pay for unskilled workers. Another of our responsibilities

is an economy that provides jobs for the skilled and the unskilled. A third responsibility is recognizing that the two are interrelated.

With inflationary fires flaming, a 60-cent an hour wage increase within 9 months, as was proposed in the vetoed bill, would mean many small businessmen—those who hire people with limited skills—would hire fewer people. Moreover, increasing the minimum wage rapidly would lead to larger increases at the next level, and so on up the line. Again, the result would be fewer jobs for the unskilled.

Clearly, though, the two—jobs and adequate pay—can be meshed by spreading minimum wage increases over a period sufficient to allow the economy a chance to absorb them.

As I have for each of the past 3 weeks, I call upon our chairman to bring out a minimum wage bill which meets—in his words—the responsibilities of this Congress. The people making $64 a week should not have to continue to make $64 a week for the next year. Only the gentleman from Pennsylvania can allow that to happen.

PUBLIC MONEY FOR POLITICS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. DERWINSKI. Mr. Speaker, the 93d Congress has witnessed the introduction of a great many bills which would seek to more strictly regulate the American electoral process through tighter controls on campaign spending. These bills have been introduced largely in reaction to the obvious shortcomings of the Federal Election Campaign Spending Act of 1971.

While there are admittedly ethical problems which can and do arise from large financial contributions from wealthy individuals, surely the use of public tax money for campaigns is not the answer. I believe that the vast majority of American taxpayers would justly resent this attempt to raid the public treasury for partisan political purposes.

Mr. Speaker, at this point I place in the RECORD an editorial from the Chicago Tribune of October 3, 1973, which addresses itself to this problem.

PUBLIC MONEY FOR POLITICS

Sen. Edward Kennedy, Sen. Hugh Scott, and a Capitol Hill chorus are demanding public subsidies of election campaigns as a means of preventing future Watergates.

"There are many lessons to be learned from Watergate," Mr. Kennedy said. "One is the evilness of large political contributions. I strongly favor public financing of national elections. I don't think the taxpayers' money could be used for any better purposes."

The evils of Watergate had not so much to do with the amount of money contributed to the Nixon campaign [more than $60 million, compared to $38 million for Sen. George McGovern] as with the manner in which it was contributed and the manner in which it was spent. Some of the contributions were apparently illegal. Former Atty. Gen. John Mitchell and former Commerce Secretary Maurice Stans have been indicted in connection with one such contribution.

Some of the activities on which the money was spent were likewise illegal. Watergate burglar Gordon Liddy and his gang are in jail as a consequence, and more indictments are expected.

We fail to see how public financing of campaigns could have prevented this. The fact that money comes from public funds is no guarantee that it will be spent honestly. True, a public campaign financing law might prohibit private contributions altogether. But existing law prohibits the under-the-table contributions involved in Watergate. A public financing law is not going to make them any more illegal.

The "evilness of large political contributions" is that so many politicians, Mr. Kennedy's late brothers included, have come to find them necessary. Promiscuous campaign spending has become an outrage. In 1964, campaigns for all political offices in the country cost an estimated $200 million. In 1968, the figure was $300 million. Last year it was about $400 million.

The answer is not to have the public pick up the tab, but to make it unnecessary if not impossible for politicians to spend so much. Some, such as Sen. Robert Byrd of West Virginia, have wisely proposed that general election campaigns be shortened and that the number and length of Presidential primary campaigns be curtailed. Others have called for stricter limits on the amounts that can be spent, and for limits on the amount that can be contributed. Mr. Kennedy himself has proposed a $1,000 limit on the amount any individual can contribute to any candidate for federal office.

The argument is raised that shorter campaigns and limits on contributions favor the incumbent over the challenger. Yet, as has been well documented, incumbency can be a disadvantage if the public is in a "throw the rascals out" mood. There is also the increasing frequency with which challengers "peak too soon," and find the public bored with them by election time. Generally speaking, most large campaign contributions do not go to challengers but to incumbents. Misuse of such advantages as the incumbent's franking privilege have been increasingly curtailed by the courts.

The most recent experiment in public campaign financing—the voluntary $1 income tax check off scheme—has been a failure. When the Internal Revenue Service processed 67 million of the 72 million 1972 income tax returns, it found that only 3.1 per cent of the taxpayers wanted to spend tax money on political campaigns. Wild charges that President Nixon tried to sabotage the check-off scheme notwithstanding, the public is not interested in contributing its tax dollars to the carnival of spending. It will certainly not be happy if Congress seizes the money anyway.

ROY HARRISON McVICKER

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. MORGAN. Mr. Speaker, it is with sadness that I have learned of the death of our former colleague, the Honorable Roy H. McVicker.

Roy served on the Committee on Foreign Affairs during his term in the House of Representatives, and on its Subcommittees on National Security and on Inter-American Affairs. He was particularly active and knowledgeable in connection with Latin American matters. We are indebted to him for his contributions in this and other fields of the committee's work.

It was a privilege to have Roy as a colleague. I know all Members of the committee join me in expressing our sorrow and sympathy to Mrs. McVicker and other members of the family.

SUPPORT FOR JACKSON-MILLS-VANIK AMENDMENT

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ADDABBO. Mr. Speaker, I was very pleased to note the action of the House Committee on Ways and Means last week in refusing to grant most-favored-nation status to countries which violate the international human right of free emigration. Prior to the committee's decision, I received a joint statement released by Jewish leaders urging continued support for the amendments sponsored by Senator JACKSON and Representatives MILLS and VANIK to protect basic human rights.

That joint statement is most important because it emphasizes the fact that Government repression of a minority in any country threatens the freedom and chances for peace everywhere in the world.

I insert in the RECORD at this point the release issued by Jewish leaders on this subject:

JEWISH LEADERS URGE CONTINUED SUPPORT OF JACKSON-MILLS-VANIK AMENDMENT

WASHINGTON, D.C.—In a joint statement released today by Jacob Stein, Chairman of the Conference of Presidents of Major American Jewish Organizations, and Richard Maass, Chairman of the National Conference on Soviet Jewry, the Jewish leaders urged continued support of the Jackson/Mills-Vanik Amendment to the Administration's proposed trade legislation. Their statement declared:

"We recognize the impact that the Jackson/Mills-Vanik Amendment has already had in regard to helping Soviet Jews. This amendment would deny the granting to any non-market economy country of most-favored-nation status, loans, grants and credits, conditional upon that country's adherence to the international right of free emigration. Recent events in the Soviet Union, including the harassment of Jews, remind us that basic human rights must not be allowed to be tampered with at the whim of governments. When official harassment and repression occur in one country, the goals of peace and détente are threatened everywhere.

"It is for this reason that, on behalf of the American Jewish community, we continue to urge that Congress adopt the Jackson/Mills-Vanik Amendment in its present form. We also hope that the Administration will continue to play its vital role in securing the basic human rights of oppressed people. Our legislators should remain aware of this nation's tremendous influence as a moral force in the world. We believe that the American people will continue to support this country's traditional humanitarian commitments."

FLOOD CONTROL

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. JONES of Tennessee. Mr. Speaker, in recent years a controversy has raged over various efforts to control flooding. A flood control project in my district has fostered much controversy, but it appears a solution may be on the horizon.

The Obion-Forked Deer Basin Authority was established to coordinate efforts and arbitrate differences between the parties interested in the project. The authority will consider all alternatives and attempt to create an attitude of cooperation.

Mr. Richard Swaim has been appointed executive director of the authority and I am confident he will provide the needed leadership. His background experience and interest in the problem make him uniquely qualified for the job.

On September 28, 1973, the Sun, in Jackson, Tenn., printed an article on the Obion-Forked Deer Basin Authority. The text of that article follows and describes what I believe will be a solution to a national problem:

FLOOD CONTROL

(By Michael Bane)

Richard Swaim doesn't like flooded croplands, washed-out roads, dead hardwood trees or angry duckhunters.

He also doesn't like sterile, dredged ditches.

The dislikes, over a period of a decade and a half, have put the county agent in conflict with both the people and the prevailing ideas in the Obion-Forked Deer river basin. But Richard Swaim wasn't and isn't interested in conflicting ideas.

What he is interested in, and what he has been trying to "sell" to the people of the river basin and the men who run the state, is a comprehensive program for controlling the waters of the Obion and Forked Deer to the benefit of everyone, including urban, agricultural and wildlife interest.

Toward that end, he was recently appointed executive director of the Obion-Forked Deer Basin Authority, a fledgling organization charged with the maintenance of the three million acre basin by the state legislature.

The authority, with Swaim at its helm, is seeking to harness the water, which destroys some $31 million in crops, highways, commercial and industrial losses, without destroying the wildlife and recreational potential of the basin. According to Swaim, the authority is unique in the state and possibly the entire country.

"We think the people in this area, given all the facts, have enough intelligence to make decisions that will serve the best interest of the state," Swaim said in a Wednesday interview. "We've got this authority without any real authority. We don't have the power of eminent domain. We don't have the power to tax. We have to rely on the people."

Swaim was a moving force behind the creation of the authority by last year's legislature. For years he has toured the basin where he grew up, presenting his slide show on water management to clubs, civic groups—anyone interested enough to listen. The authority, composed of county judges or their representatives from 14 West Tennessee counties, three appointed soil conservation supervisors, and a member of the governor's cabinet, unanimously chose him as their spokesman.

The message Swaim has carried across the basin is one of reconciliation.

"There is really no conflict between the interest of agriculture, wildlife, commerce, industry and others," Swaim told a meeting of the U.S. Army Corps of Engineers in Memphis earlier this week. "We feel a keen responsibility within the Obion-Forked Deer Basin Authority to try and reconcile whatever misunderstanding may have existed."

The most formidable obstacle the authority is working to overcome, Swaim said, is the hostility between sportsmen and farmers. Hostilities came to a head in 1970, when several landowners, through a federal court order, stopped the channelization of basin waterways by the Corps of Engineers.

Channelization, Swaim explained, is the process of cleaning silt and accumulated debris out of a stream, facilitating the runoff of surface water and easing the flood problem.

The process, however, is not without its drawbacks. More often than not, channelization turns a meandering stream into a stripped ditch. The new channel also drains the wetlands, which provide a home for wildlife and migratory waterfowl, Swaim added.

Swaim said much of the state's 100 miles of dredged streams were in the uplands, and with continued chanelization tied up in the courts, the newly collected upland water had no outlet.

"Farmers closer to the Mississippi River found their fields flooded," Swaim said. "But channelization alone is not going to solve our problems."

Swaim and the authority are calling for a multiple solution to the basin's problems—a solution that will include not only channelization, but leveeing, diversion channels, auxiliary channels, water retention structures and sound soil conservation practices.

"We've reached a point of reconciliation. We've got people pulling in the same direction," Swaim said, becoming more animated as he described authority plans. "First thing is we're going to suggest to the corps that the mouth of the Obion River be opened."

Gesturing to maps that clutter his office at the Agricultural Extension Office, Swaim added that auxiliary channels to handle floodwaters needed to be built. The new channels, he explained, would provide flood drainage without destroying a natural stream or impeding agricultural functions.

He also called for the construction of water retention structures in the upland area, providing the added bonus of new recreational facilities as well as flood control.

"With the water stored in a series of lakes, it would be easy to let it out at gradual levels," Swaim said. "And the new lakes would be natural for recreation and wildlife."

"We have no absolute, concrete, immovable plans," Swaim conceded. "We have several alternatives to be considered."

He added that the task of bringing the waters under control would not be easy or quick.

"We're a grassroots organization with no club-wielding power. We have to do this with education and understanding," he said. "I never thought it was going to be easy. I know it's going to be a tough nut to crack."

"But," Swaim added with a smile, "I was raised on tough nuts."

SCHOENAU CASTLE

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. MEZVINSKY. Mr. Speaker, as you know, in response to Arab terrorist activity, Austrian Chancellor Kreisky has closed Schoenau Castle, a processing facility through which some 70,000 Soviet Jews have passed to Israel in the past 3 years. Although Mr. Kreisky says that persons with individual visas will still be allowed free transit through Austria, the Russians release Jews only in groups and do not give them individual visas. I have written the following letter of protest to the Austrian Ambassador to the United States:

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 3, 1973.

Mr. ARNO HALUSA,
Ambassador Extraordinary and Plenipotentiary, Office of the Embassy, Republic of Austria, Washington, D.C.

DEAR MR. AMBASSADOR: I am dismayed that your government has responded to Arab terrorist activity by closing Schoenau Castle Transit Camp.

For years, your country has served admirably as a humanitarian haven for tens of thousands of refugees who have risked imprisonment in the Soviet Union to seek permission to emigrate to Israel. Closing this sanctuary will cause severe hardship to future refugees.

Although I sympathize with your government's desire to save lives, capitulation to terrorism only encourages further terrorism. Terrorists successful in Austria will be quick to strike all other avenues of transit. Soon, obtaining permission to leave the Soviet Union may be only the first of many obstacles to emigration to Israel.

I strongly urge your government to reconsider the issue and rescind Kreisky's decision.

Sincerely,

EDWARD MEZVINSKY,
Member of Congress.

SENATE ADOPTS AMENDMENT TO END COLC DISCRIMINATION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FINDLEY. Mr. Speaker, by a vote of 90 to 6, the Senate today adopted an amendment to the continuing appropriations resolution identical to the one I offered in the House and which passed by a vote of 371 to 7. The Senate amendment was offered by Senator Carl Curtis. The amendment states:

None of the funds made available by this Act shall be used by the Cost of Living Council to formulate or carry out a program which discriminates among petroleum marketers in the method of establishing prices for petroleum products.

The purpose of the amendment is to eliminate the unconscionable discrimination against small independent service station owners which the Cost of Living Council has imposed upon them. Scurrying to head off the Senate's acceptance of the amendment today, Mr. Dunlop eliminated some of the discrimination in a COLC decision last Friday. However, his action was too little, too late. The Senate wisely was not fooled. In order to insure that all gasoline retailers are treated alike, the Senate has accepted the House language.

It is outrageous for Mr. Dunlop to argue as he has that the amendment ill serves the interests of the consumer.

Just the opposite is true. Under Mr. Dunlop's earlier price order, independent retailing of gasoline—so vital to the interest of consumers—would have been destroyed. Under his new price order, motivated in great measure by the House amendment and now mandated by the Senate, competition can flourish.

Now, Mr. Dunlop will have to eliminate the last vestiges of discrimination. It is about time.

DAIRY INDUSTRY HURTING

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ZWACH. Mr. Speaker, Minnesota is one of the Nation's top dairy States and our Sixth Congressional District has some of the leading dairy counties in our State.

These people are very concerned about what is happening in the dairy industry and some of them are disposing of their herds.

The problems our dairy people are facing are concisely enumerated in a letter I received from Gary Hanman, senior vice president of Mid-America Dairymen, Inc., which I would like to share with my colleagues to make them aware of the problems our people are facing, by inserting it in the CONGRESSIONAL RECORD:

MID-AMERICA DAIRYMEN, INC.,
Springfield, Mo., September 13, 1973.

Hon. JOHN M. ZWACH,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ZWACH: As you know, since December 31, 1972, the President of the United States by proclamation has authorized the "emergency" import of 265 million pounds of non-fat dry milk and 64 million pounds of cheese—all, in our opinion, a conscious effort by our government to keep the price of milk from increasing. A conscious effort, we would say, to keep the price of milk from rising, but no effort at all by our government to limit milk production input costs to our farmers.

The attitude of dairymen is not good. Dairymen are both discouraged and disheartened, many going out of business completely—a loss of 1,106 members in Mid-Am alone from January 1 until the end of July. Of these, 1,091 sold out their herds. The result is just what the government says it is trying to avoid—a downturn in production and an upturn in price.

The rate of decline is shocking. According to USDA projections, milk production for 1973 will be 117.5 billion pounds, nearly 3 billion pounds below last year. This would be the second biggest production drop in 24 years, being exceeded only in 1966.

Today, present government policy seems oblivious of the Agricultural and Consumer Protection Act of 1973 which permits the Secretary of Agriculture to set dairy price supports between 80 and 90% of parity, but requires that it be set at such a level as "to meet current needs, reflect changes in the cost of production, and to assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs."

Government policy—at least, that reflected by actions of the U.S. Tariff Commission, the Secretary of Agriculture, and the Cost of Living Council—seems to be "to meet anticipated future needs" through additional imports suggested by policies designed to subvert congressional intent and, ultimately, destroy the domestic dairy industry.

A few days ago, Tom Townsend, director of special projects for Mid-Am, appeared as a witness at the Tariff Commission's public hearing on its policy with regard to such imports. What he said was of such import that I want to share his views—which I think reflect those of the entire industry—with you.

Sincerely,
MID-AMERICA DAIRYMEN, INC.,
GARY HANMAN
Senior Corporate Vice-President

GRANT TOWNSHIP REPUBLICAN CLUB CELEBRATES 25TH ANNIVERSARY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. McCLORY. Mr. Speaker, October 13, the Grant Township Republican Club celebrates its 25th anniversary.

An auspicious dinner—to be keynoted by State Representative W. J. "Bill" Murphy, my friend and former colleague in the Illinois General Assembly and a Grant Township resident—will commemorate the establishment, and recent merger, of two active and influential political organizations—the Women's and Men's Republican Clubs of Grant Township.

Mr. Speaker, this celebration will also bring to mind the leadership and dedicated service of many of Lake County's most distinguished and honored citizens.

I recall particularly Noel White, who was among the founders of the Grant Township Republican Men's Club and is expected to be present for the anniversary celebration. In addition to his political leadership, Noel White has served long and faithfully in the American Legion, both as commander of the Fox Lake Post and also in important positions in the district and State departmental activities. For many years, Noel White served as supervisor of Grant Township and as a member of the Lake County Board of Supervisors, including terms as chairman of the Lake County Board. More recently, Noel White served as Postmaster of Fox Lake, from which service he retired a few years ago. Now, the community of Grant Township is privileged to have Noel White as its "elder statesman."

Mr. Speaker, this occasion also must certainly recall the distinguished service of Bess Valenta, the founder and first president of the Grant Township Republican Women's Club. She is the widow of the late Frank Valenta, a former Grant Township supervisor and one of its most prominent citizens.

Let me state that the Grant Township Republican Club's acting chairman is Harry Robin of Ingleside, a most useful leader who serves as a member of the Lake County Board from Grant Township. A past chairman is Adam Skrzenta, a longtime friend and effective grassroots worker.

Among those now deceased who must be remembered for their individual contributions, public service and dedication are Al Smith, Frank Hartigan, Roy Weselius, and Michael Clemens.

At the American Legion hall celebration dinner, I expect to greet Kenneth G. Buckhardt, an immediate past president of this important Republican group, and Bloyce Winger, vice president, and Lew Meyers, secretary of the men's club.

Also, to be commended on this occasion are past and immediate officers of the Grant Township Republican Women's Club—and a special tribute to Ella Olson, immediate president, and Pat Kerr, a past president and outgoing treasurer.

Another of the founders with whom I expect to renew a friendship is Peter Afeld. Peter Afeld, now a resident of Florida, is expected to return to Fox Lake for this 25th anniversary celebration.

Mr. Speaker, the combined Grant Township Republican Club is representative of the very best in grassroots political organizations. This 25th anniversary celebration establishes that fact—and provides an appropriate occasion to extend congratulations—and best wishes for many more successful years of political activity—and service.

DU PONT CO. OUTSTANDING SAFETY RECORD

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. JONES of North Carolina. Mr. Speaker, yesterday, October 3, 1973, I had the pleasure of participating in a celebration at the E. I. du Pont de Nemours & Co. plant which is located in my congressional district. It was a most unusual celebration for it established a new world industrial safety record of more than 45,808,779 exposure hours over a 9½-year period without a disabling or time-lost injury. Strangely enough, the previous world record was held by Du Pon'ts Chattanooga, Tenn. plant.

When one realizes the tremendous cost incurred in industry daily by absenteeism caused by injury, this made the occasion even more important. Therefore, it is with a great amount of personal pride that I call to the attention of the Members of the House of Representatives, this phenomenal record, and at the same time, I want to commend each and every one of the 2,800 employees of the plant who through their carefulness and diligence have made this record possible. Also, I want to commend the Du Pont management for paying proper tribute to their employees in the gala celebration which occurred yesterday.

It is indeed an honor for me to represent a corporation which places such emphasis on the well-being and safety of its employees. I am confident that

those involved will continue to maintain and increase this outstanding safety record.

ADVANTAGES OF UNIONIZATION

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. SYMMS. Mr. Speaker, the trade newspaper, the Packer, in its editorial column "The Packer Viewpoint," has hit the nail on the head and hammered it home when it speaks to the advantages of unionization. Every produce packer will appreciate this editorial. And perhaps some of my colleagues may recognize themselves among those identified as politicians in the editorial.

The editorial follows:

WELCOME TO THE WONDERFUL WORLD OF UNIONIZATION

Congratulations, growers of fruits and vegetables! If there were any doubts before, it should be obvious by now that you are fast becoming full-fledged members of American industry. Finally, many of you have that one ingredient you need in order to join the club—unionization.

We realize, of course, that some of you may not be wholly convinced of all the wonderful things unions can do for you. As a special service The Packer is taking this space to list the advantages of unionization:

1. MANAGERIAL ASSISTANCE

In the past you were one of the last of the rugged individualists, a gambler who worked extremely hard and still only made a good profit every four or five years. Perhaps one of your problems, was that you had to make decisions all by yourself. You had no one to tell you what to do, or how to run your business. Now, however, if you have a Teamsters or United Farm Workers contract you need not wonder what to do; they will tell you. This takes a lot of responsibility off your shoulders.

2. DECREASED PRODUCTIVITY

In the past 20 years you have increased output per man hour by over 300 per cent. In manufacturing industries output per man hour is only 1.7 times as great as 20 years ago. Thus output per man hour on farms is increasing nearly twice as fast as in industry—an unmatched record for efficiency.

Don't you think it's about time you slowed down and got into the mainstream of American life? You didn't get paid properly for the increase in productivity anyway, so why go to all the trouble?

Unions can help you decrease this productivity. If you doubt whether they can perform this service, just talk to top management officials of almost any other American industry, and they can assure you that the nation's unions are striving for more money, fewer hours, more fringe benefits and less work.

3. AN "OLD WEST" ATMOSPHERE

Too often we lose sight of our traditions. In particular we are talking about the tradition of the wild and wooly West, where no law and order existed.

This is the farm labor situation in California right now. There is nothing like fist fights, beatings, shootings and arson to give everyone a feeling of nostalgia—a throwback to the time when gunfighters dared each other to cross the line. Only now the picket lines replace the outlaws. Unions hurl threats and rocks back and forth and each side puts various amounts of pressure on the growers and workers to see things their way.

We think the nation's politicians should be commended for their contribution to this situation. Discounting foolish calls for action to bring order out of chaos in Coachella, Arvin, Salinas, Delano and other places, the politicians, with their infinite wisdom and strong sense of responsibility, have seen fit to preserve this tradition of violence and lawlessness by doing nothing.

4. IMPROVE YOUR JUGGLING ACT

In the past you have had to worry about rail strikes, dock strikes, packing house strikes and driver strikes. In your "juggling" techniques you had handled these strikes so well that there was a remote possibility there would be some time during the year when no union affecting your business was on strike. So, to keep you on your toes, from now on there will be field worker strikes.

Although some of you have already experienced these, the existence of two unions for field workers has added a new dimension, sort of a "Chaos in Stereo." For example, if you settle a contract with the Teamsters, the UFW will be more than happy to picket you anyway, just to keep you from growing complacent.

In addition, if you don't sign with either union, they both will be willing to picket your business, or even destroy it, according to some reports.

Unfortunately we do not have the space to mention all the benefits to be dervied from unionization, but just from these highlights you should be convinced that this is the direction to go in the future.

A TRIBUTE TO TOM VAIL

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. VANIK. Mr. Speaker, my colleagues and I on the Ways and Means Committee lost a dear and respected friend recently with the death of Tom Vail. Tom, as chief counsel of the Senate Finance Committee, was a knowledgeable and dedicated public servant. With a firm grasp on the complexities of tax policy his professional competence was unparalleled. More than once Tom's remarkable understanding of the intricacies of the Tax Code eased our burden as members of the taxwriting committee in the House.

Perhaps the finest tribute to the dedication of Tom Vail to the highest ideals of public service is the professional staff of the Senate Finance Committee. No committee in Congress can hope to accomplish its legislative function without extensive staff work. And it was through the tireless efforts of Tom Vail that the Senate Finance Committee came to assemble what is generally regarded as one of the most capable staffs in the Congress

Tom Vail will be missed; but his work, his contribution, is firmly molded into the law of the land. His diligence will not be forgotten.

Mr. Speaker, I would like to take this opportunity to express my heartfelt condolences to Nancy Vail and her fine children.

CONFRONTATION AT THE CASH REGISTER

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. TALCOTT. Mr. Speaker, agriculture has been one of our most efficient industries and the American consumer has benefited in the form of an abundant supply of food at reasonable to bargain prices. Unless production, management, and marketing efficiency is increased, inflation will continue to plague agriculture to the detriment of the consumer. One solution to this problem may lie in a vigorous research and educational program. But the only real solution is to control inflation. Excessive Government spending should be our first target.

One of my constituents, Mr. J. W. Huffman, sent me an article from the April 1973 edition of California Agriculture regarding this problem. Mr. Huffman is county director and farm advisor to the University of California Agricultural Department, Monterey County Extension. I am pleased to share this article with my colleagues. I insert the article in the RECORD at this point:

CONFRONTATION AT THE CASH REGISTER

The gut issue of agriculture is always the price of food. There were riots over food prices in ancient Rome, and Cleopatra's subjects complained bitterly about the cost of bread. In this modern day the same issue is with us and it is critically, and emotionally, reviewed daily in countless confrontations at cash registers in food markets throughout the country.

When bargain prices prevail, there is a cordial atmosphere at the check-out counter, although gloom may prevail back at the farm or packing house. On the other hand in these days of skyrocketing food prices, growers are smiling but there is angry clamor at the cash register. The noise is so loud that it is being heard all the way to the White House and Capitol Hill. Our political leaders are responding in the form of token price controls and by setting the wheels in motion to reduce public spending on price supports and production limitations. The aim is to roll back prices by increasing the supply.

These measures will surely have some of the desired effect; however, such manipulations look only at immediate relationships and do not recognize all of the underlying causes. A critical need is to increase the efficiency of the food production and distribution system. The way to do this is by research. We need to develop better plants and animals, better methods of managing them, and better ways of processing and distributing the products derived from them. If we can produce cheaper we can eat cheaper, and hopefully both the producer and consumer can benefit.

Our agricultural scientists have demonstrated time and again their ability to discover efficient ways of doing things and there is no evidence that their ability has become less than it has been in the past nor that the opportunity to make useful discoveries has diminished. Indeed many scientists believe that we have but mined the surface of scientific agriculture and that the mother lode of discovery still lies underneath and is available only for the digging.

For example, about one out of every four of the consumers' food dollars is wasted in

the form of losses to plant and animal diseases, losses to insects, weeds and other pests, and losses by spoilage in shipping and handling. This is a staggering waste of the bounty of our land and of the producers' resources and the consumers' money. I am in no way convinced that waste on such a scale is part of the inevitable scheme of things. I am confident that further research can eliminate most of these losses.

There is a great potential for enhanced efficiency through the genetic improvement of our crops and livestock and for the development of new crops and the adaptation of old ones to new situations. The potential for improved husbandry is great and the prospect for reducing the costs of processing and distributing food is ever greater. When the cost of a tomato increases tenfold from the farmer's field to the consumer's table, common sense tells us that we ought to put our minds to finding a better way.

These are serious problems and it is clear that public outrage will not solve them and it is equally clear that an expanded research effort could help a great deal. The strange thing is that at this particular time the budget now before Congress prosposes a major cut in funds for agricultural research. I cannot think of an act that, over the long term, could be better calculated to increase the real cost of food both to the producer and the consumer.

HOW IS THE VOLUNTEER ARMY DOING?

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HAMILTON. Mr. Speaker. I include my Washington Report of October 3, 1973, entitled, "How is the Volunteer Army Doing?"

The report follows:

HOW IS THE VOLUNTEER ARMY DOING?

(By Congressman LEE HAMILTON)

Last year the nation made an historic decision to abandon the 33-year-old draft and rely on civilian volunteers for military forces of nearly 3 million men. The draft was unpopular and unfair, and the increasingly complex demands of modern warfare (there were four specialists for infantrymen in 1944: there are twenty six today) required long-term, professional forces.

The figures for the first seven months of the all-volunteer system point to an inescapable conclusion—not enough men are volunteering to meet Army and Marine Corps manpower goals. August enlistments fell 19 percent below the Army's goal of 17,000 recruits and for all four services combined, voluntary enlistments were 11 percent under the level the Department of Defense had set its sights on.

The Navy and Air Force were able to enlist numbers to meet their manpower goals, but the Marines and Army attracted just over 80 percent of the men they sought during August.

To ease its manpower shortage, the Defense Department has lowered recruiting standards and increased inducements. Previously, Army policy stated that at least 70 percent of all enlistees had to be high school graduates. But now non-graduates who show an aptitude for training are also being enlisted. The percentage of Mental Category IV recruits (which is the lowest rating accepted by the services) is running just below the 19 percent Category IV maximum the Army accepts.

The armed services are offering an assortment of benefits to attract more young men into their ranks. Before Vietnam a private received $76 a month; today he receives $307 over and above room and board and other benefits. Recruitment bonuses of $1,500 for enlisting in combat arms (raised in May to $2,500 for high school graduates), re-enlistment bonuses of $2,500 (and as high as $10,000 for men skilled in critical areas such as radar and computers), improved barracks with private bedrooms, gripe sessions, five-day weeks, and an end to such traditional headaches as KP, reveille, and boring drills and lectures, have all helped to make military life more attractive.

The volunteer Army has prompted criticism that the percentage of blacks is too high. An average 25 percent of Army enlistments from March through June of this year were black, with a record 34 percent in July, bringing the percentage of black enlisted men to 18.6 percent, compared with the nationwide proportion of 13.5 percent for black males under 35. Army officials expect the percentage of black enlisted men to level out at 20 percent, and they are more concerned with the low 3.9 percent of Army officers who are black than an overproportion of black enlisted men.

The Pentagon and the Administration, while acknowledging the problem, are committed to the volunteer system, and feel that it must work. Others are not so sure, and they point to the lower recruiting standards, the disproportionate percentage of minority groups, the inefficiencies of a mercenary army, and the high cost. Defense manpower costs, which the Department of Defense estimates at an additional $3 billion for the change to the all-volunteer Army, have risen sharply in the last 5 years from 42 percent to 56 percent of the total defense budget.

The outlook for the all-volunteer Army is uncertain. The catastrophe that some predicted with the end of the draft clearly did not take place, but obviously no rush has taken place to fill the ranks, and the volunteer Army is far from being firmly established. Continued shortfalls in meeting the recruiting goals will add to the pressure for a new draft.

Three basic choices are presented: (1) The military could reduce force levels, which might endanger our defense capabilities; (2) some form of the draft could be re-established, which would be extremely unpopular; or (3) efforts can continue to make the volunteer system more attractive.

The all-volunteer approach has had a relatively short period to prove itself since last December, and I think it must be given a longer trial run.

SANDMAN BACKS GOLDA MEIR POSITION

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. SANDMAN. Mr. Speaker, I urge the U.S. Government to apply whatever pressure may be necessary to convince Austrian authorities to reverse their decision to close down the transfer facilities operating in Austria for Jewish immigrants from Russia.

I implore Austrian officials to allow maintenance of the processing center for Jewish immigrants to Israel. Golda Meir's position on this matter is just and entirely reasonable.

To close down badly needed facilities is submissive to blackmail and will only encourage terrorists to continue their lawless ways.

Freedom to immigrants is no less precious than to Americans. It cannot and should not be subjected to barter or trade even at the cost of one life.

After what the Austrians lost in World War II, Mr. Speaker, I hope that they give this frightful capitulation to brute force a second thought and reverse this revolting decision.

A CONSTITUTIONAL AMENDMENT CONCERNING INFORMATION PROCEEDINGS AND GRAND JURY INDICTMENT

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. WIGGINS. Mr. Speaker, I am today introducing a proposed amendment to the U.S. Constitution which would abolish the requirement of the fifth amendment that all Federal prosecutions for serious crimes may be begun only upon indictment by a grand jury.

The text of the proposed amendment is as follows:

No person shall be held to answer for a capital, or otherwise infamous crime against the United States, unless upon an information or by indictment of a Grand Jury, as Congress may prescribe.

In my view the conclusion is inescapable that the institution of grand jury indictment, when analyzed in the context of historic objectives vis-a-vis the modern experience, has to a large extent outlived its usefulness. While not advocating its total abolition, I do feel that a more effective Federal justice system may be had by permitting the general run of Federal criminal proceedings to begin by means of an information, rather than the mandatory requirement of indictment by a grand jury. As the fifth amendment currently provides that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury," it would seem evident that a constitutional amendment is necessary in order to achieve the desired result of allowing major Federal crimes to be prosecuted upon the filing of an information by a Federal district attorney.

Historic justification for the grand jury is grounded in the belief that there ought to be some sort of neutral body between the citizen and the Government—a body which would make the determination whether criminal charges should be brought against a given individual, thus preventing groundless prosecution and harassment. The time has long since passed, however, when grand jurors were summoned to bear witness from their own knowledge as to the alleged commission of a crime in their community. Current justification for the grand jury can only be predicated upon that body's ability to intelligently sift and weigh evidence presented by the prosecutor in a nonadversarial hearing, and then make an independent determi-

nation of the sufficiency of that evidence to warrant the charging of an individual with a criminal offense.

In fact, though, the grand jury—while supposedly a branch of the judiciary—is almost totally dominated by the prosecutor. Rather than functioning independent of prosecutorial influence, it relies upon the prosecutor to such an extent that one writer was led to conclude:

Today, the Grand Jury is the total captive of the prosecutor who, if he is candid, will concede that he can indict anybody, at any time, for almost anything, before any Grand Jury.

This was not meant as any criticism, but merely as a reflection of the fact that in modern society grand jurors do not ordinarily possess either the skills or the training to conduct the complex investigations that a truly independent evaluation would require. The constitutionally mandated grand jury proceeding, therefore, results in an expensive, time-consuming ritual which does little to further the cause of justice.

All of this is not to say that the grand jury can serve no useful purpose. It may well be, for instance, the most appropriate method for investigating charges of corruption and public scandal. Nonetheless, it is my conviction that the interests of justice can best be served by permitting Federal prosecutors to proceed in most cases simply upon the filing of an information.

I am submitting what I believe to be an appropriate constitutional amendment to achieve the goals of abolishing unnecessary grand jury indictments for routine Federal crimes, preserving the grand jury as an investigative institution, and providing for indictment in those special cases appropriate for citizen review of the evidence in advance of trial.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HOSMER. Mr. Speaker, monthly I circulate to various constituent groups in my congressional district certain news notes. Below is the October issue.

CONGRESSMAN CRAIG HOSMER'S WASHINGTON NEWS NOTES

OCTOBER 1973

Consumer note.—In this day, when nearly everyone complains of appliances, autos and gadgets that stop working almost as soon as they are put to use, there is considerable pressure on the warranty system. Congress is considering legislation to beef up consumer warranties. Congressman Craig Hosmer said a Senate passed bill permits the maker of a product costing more than $5 to decide whether or not he will issue a warranty. If he does, any defective product must be repaired or replaced within a reasonable time without charge. The bill includes used-car dealers, and would require a non-warranteed car to bear a sign saying: "All repairs are the responsibility of the buyer."

Flood insurance—Attn: Orange County. The new flood insurance bill, which would double coverage of private homes and businesses without increasing present subsidized rates, is moving through Congress. The House has passed the measure and the Senate Banking, Housing and Urban Affairs Committee has held hearings. Congressman Craig Hosmer believes the legislation will become law before the end of the year. Present coverage is limited to $17,500 for a house and $5,000 for its contents.

Social security boost and veterans pensions.—Congressman Craig Hosmer has co-sponsored a bill to permit veterans to receive a pending Social Security increase without taking a cut in their pensions. A 5.9% increase in Social Security benefits is scheduled to take effect next June, or sooner, if pending legislation is approved. But, under present law, this increase would be considered as income in determining eligibility for veterans pensions. "It seems illogical," Hosmer said, "and unfair as well, to give to a veteran with one hand and take away with another." He pointed out that many veterans rely on Social Security benefits and their pensions as sole sources of income. Under the bill Hosmer is co-sponsoring, the increased Social Security benefits would *NOT* be counted as income to be deducted from a veterans pension.

Politics.—"Politics is almost as exciting as war, and quite as dangerous. In war you can only be killed once, but in politics many times."—Winston Churchill.

Greenbacks for Seal Beach Wildlife Refuge.—It looks like the proposed wildlife refuge at Seal Beach will get the money needed to begin operation, Congressman Craig Hosmer reports.

A Senate-House conference has approved an extra $1,100,000 in the Interior Department Appropriations Bill for Wildlife refuges, and while final Congressional action is needed, Hosmer believes the item is not controversial. The U.S. Fish and Wildlife Service has drawn up plans for the Seal Beach project which will be located in tidal marshes at the Seal Beach Naval Ammunition Depot.

Hosmer said: "I am delighted that the Seal Beach project comes closer to reality. It will be an important adjunct to California's wildlife conservation efforts."

Paternity leave.—Would you believe that the U.S. Department of Labor in Washington has granted its union employees *paternity* leave for males when their child is born? No free cigars?

Orange County in Washington.—Be sure to tune your TV set to Channel 50 at 7:30 p.m., Monday, October 1, for the second of the monthly "Orange County in Washington" shows featuring Orange County Congressmen. Panelists scheduled to take part are Representatives Craig Hosmer, Clair W. Burgener, Del Clawson, Richard T. Hanna, Andrew J. Hinshaw and Charles E. Wiggins. Discussion is free to touch on any of the issues in the news nationally or of special concern to Orange County. Channel 50 will repeat the telecast, which is in full color, on Thursday, October 4 at 6:00 p.m. and Sunday, October 7 at 6:00 p.m. Last month's show touched on rising prices and their causes including government deficit spending, flood control and a number of other "page one" topics. The show is sponsored by the Burns Family Foundation.

Conservative.—A liberal who has been mugged.

ARAB TERRORISM IN AUSTRIA

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FISH. Mr. Speaker, I was most distressed by the news that the Austrian Government has decided to close down the processing center at Schoenau in response to Arab terrorists' demands. Last year, I had the opportunity to visit this center and was able to witness first-hand the vital role it plays. Shutting down the Schoenau facility will impose additional hardships on the thousands of Soviet Jews who have chosen to leave the Soviet Union to journey to a country where the right to exercise fundamental freedoms will be accorded them.

Austrian officials have clearly capitulated to terrorist demands. There is evidence that many Arab groups regard the kidnaping that prompted this action as a victory for terrorism, and a Beirut newspaper declared that it represented—

"The first . . . act of piracy (to achieve) a precise and concrete result." In short, it is regarded as a victory for terrorism and will only serve to encourage other acts of violence. If one set of demands is acceded to, further acts of terrorism accompanied by yet further demands will surely follow. As the Prime Minister of Israel Golda Meir stated this week in her appearance before the Consultative Assembly of the Council of Europe, "To give in when one life is endangered only endangers more. The answer is that terrorism must be wiped out. There can be no deals with terrorists."

At this point in the RECORD, I would like to insert a copy of an editorial that appeared in the Washington Post of October 3 which clearly points out why Mr. Kreisky's decision was so ill-advised:

AUSTRIA CAVES IN TO BLACKMAIL

Somehow—how could it happen without Soviet knowledge?—two Palestinians carrying machine guns and grenades last Friday boarded a train carrying Soviet Jewish emigrants to Austria. Once inside Austria, the pair grabbed three of the Jews and an Austrian customs official and demanded to leave the country with their captives. Astonishingly, the Austrian government apparently *volunteered*, in return for the hostages' release, to shut down the processing facility near Vienna through which some 70,000 Soviet Jews have passed to Israel in the past three years. This was an offer going far beyond the Palestinians' own aim, which apparently was only to dramatize their opposition to emigration to Israel.

What is at stake is not so much the emigration itself, since alternate routes and procedures can probably be found, but the concept of a state's sovereign responsibility for people staying lawfully and peacefully on its soil. Instead of protecting such people, Austria has yielded its authority to two wayward criminals. Israel's Prime Minister tried yesterday, without apparent success, to persuade Chancellor Kreisky to revoke his decision. It is not merely a propaganda victory for the Palestinians and an encouragement to further acts of terrorism, it is a heavy blow to the very purpose of government.

Whatever changes may be made in the emigration flow, one can only be appalled at the example of Austria's groveling. Mr. Kreisky says he does not wish neutral Austria to become "a secondary theater of the Middle East conflict," as though any unfolding on that scale could actually happen. He seems unconcerned that overnight his country should suffer the loss of the most meaningful element of its international position, its status as a humanitarian refuge. Reacting to home and foreign criticism, the Chancellor says stiffly that "the worst thing in this matter would be to put pressure on us." But to take offense at pressure applied for a cause of conscience, while bowing to the pressure of terrorism, is a bald inconsistency. He says that persons with individual visas will still be allowed free transit through Austria; the

Russians release Jews only in groups and do not give them individual visas. He claims to have acted to ensure the safety of emigrants at the 420-acre Schonau Castle facility, but emigrants have been processed safely there and their safety will obviously be more difficult to guarantee if they are forced into public facilities in Vienna itself.

We trust Austria will find the dignity to set Mr. Kreisky's decision aside.

IS THE NEA INTERESTED IN EDUCATION OR JUST RAW POLITICAL POWER?

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. HUBER. Mr. Speaker, some time ago I received in my office a press release from the National Education Association announcing that Dr. Helen D. Wise had assumed the presidency of the NEA. It is interesting to me to note the militant tone of the release and the absence of any concern for our children and their education. Aside from the purely biographical material, the news item reeks with seeking of political power, and this at a time when we are graduating thousands of semi-illiterates from our high schools across the Nation who cannot read, spell, or do simple mathematical calculations well enough to function effectively in our society. The partial text of the press release follows:

PENNSYLVANIA TEACHER BECOMES HEAD OF NATIONAL EDUCATION ASSOCIATION

WASHINGTON, D.C., July 6.—Dr. Helen D. Wise of State College, Pa., a junior high school social studies teacher, has assumed the presidency of the 1.3 million-member National Education Association, the nation's largest professional group.

Dr. Wise took office immediately following the NEA's annual convention, which met here in Portland, Ore., June 29–July 6.

Her election as vice president (president-elect) in 1972 broke a tradition reaching back more than a half century. Since 1917, it had been NEA custom for men and women to serve alternately as presidents. She succeeded Mrs. Catharine Barrett, a Syracuse, N.Y., classroom teacher, to the presidency.

Dr. Wise favors a single independent teacher activist organization free to cooperate with other bodies and other employee organizations in areas of common interest and concern.

"I believe teacher organizations are strong enough and effective enough that they can be free to endorse positions, lobby governments, and win their own unique battle independent of affiliation with unions or any other organizations," she says. "We must have the freedom to work for the best interests of education."

Dr. Wise advocates deeper teacher involvement in three areas: political action, legislation, and collective bargaining. She developed her reputation as a leader by organizing statewide teacher campaigns in Pennsylvania. In 1968 she led a demonstration of 20,000 teachers to the steps of the State Capitol in Harrisburg to win salary appropriations. In the following year, as president of the 95,000-member Pennsylvania State Education Association, she organized a massive statewide campaign to achieve a public employee bargaining law. Her leadership resulted in the formation of the Pennsylvania Political Action Committee for Education (PACE), of which she is a charter founder.

The 44-year-old educator has long been active in grass-roots campaigns to elect friends of education to political office. During the 1972 campaign, as NEA members exerted unprecedented influence in senatorial and congressional races, she declared "there never again will be a national election where teachers can't be a controlling force."

Among her priorities as president will be urging passage of a federal collective bargaining law for public employees, which she sees as a right essential to first class citizenship for all teachers. She also recommends an increase in the federal share of the total public school dollar.

Dr. Wise believes teachers are the only group that can reverse the present trend in society to deny equal education opportunity to minorities and other disadvantaged. "I think it's absolutely imperative that the NEA become the vehicle to wake up America," she says concerning the educational, social, political, and moral problems facing the nation and the world.

In 1971–72 she was president of the National Council of State Education Associations, an organization representing officers and executors in NEA's state affiliates.

The Pennsylvania educator in 1971 and 1972 helped plan and was a delegate to the NEA Constitutional Convention, the first in the association's history. She has been a member of the NEA Women's Caucus and the NEA Political Action Committee's Steering Committee.

Dr. Wise began her teaching career 23 years ago in Unionville-Chadds Ford District, Chester County, Pa. She taught in State College for 14 years (until elected NEA vice president in 1972), taking a leading role with teams that developed and implemented English and social studies programs for slow learners. In 1965 she was also an instructor in secondary education at Pennsylvania State University.

One of Pennsylvania's first negotiated agreements between a local teachers association and a school board was achieved while she was salary chairman for the State College Area Education Association.

MENOMINEE RESTORATION ACT

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FROEHLICH. Mr. Speaker, last week the Interior Committee unanimously approved an amended version of my bill, H.R. 7421, the Menominee Restoration Act.

Through the leadership of LLOYD MEEDS, of Washington, the able chairman of the Indian Affairs Subcommittee, the Interior Committee agreed to the introduction of a "clean" bill. I am very grateful to the committee and to Mr. MEEDS for their extraordinary courtesy in permitting me to serve as the principal sponsor of this new bill.

Today, then, I have the privilege of introducing this new bill and two companion bills with Congressman MEEDS, Congressman DAVID OBEY, and 50 other cosponsors. These cosponsors include many distinguished members of the Interior Committee and every cosponsor of my original bill, H.R. 7421 and H.R. 9078.

Mr. Speaker, Menominee restoration has made remarkable progress in this Congress. Certainly, much of the credit for this belongs to Ada Deer, who has worked tirelessly and effectively as the champion of Menominee restoration.

I also want to say "thank you" for the magnificent cooperation, assistance, and support I have received from the Members whose names are attached to these bills. They have made this progress possible through an uncommonly fine bipartisan effort to secure justice.

We can restore the Menominee Tribe to federally recognized status within the next few months if we keep our minds on ultimate objectives and if we treat all affected interests fairly and responsibly.

That has been my goal from the beginning.

The text follows:

H.R. 10717

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Menominee Restoration Act.

SEC. 2. For the purposes of this Act—

(1) The term "tribe" means the Menominee Indian Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected at a general council meeting called by the Secretary pursuant to section 4(a) of this Act.

SEC. 3. (a) Notwithstanding the provisions of the Act of June 17, 1954 (68 Stat. 250; 25 U.S.C. 891–902), as amended, or any other law, Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin and the provisions of the Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.), as amended, are made applicable to it.

(b) The Act of June 17, 1954 (68 Stat. 250; 25 U.S.C. 891–902), as amended, is hereby repealed and there are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty, statute, or otherwise which may have been diminished or lost pursuant to such Act.

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty, statute, or otherwise, which are not inconsistent with the provisions of this Act.

(d) Nothing contained in this Act shall alter any property rights or obligations, any contractual rights or obligations, including existing fishing rights, or any obligations for taxes already levied.

(e) In providing to the tribe such services to which it may be entitled upon its recognition pursuant to subsection (a) of this section, the Secretary of the Interior and the Secretary of Health, Education, and Welfare, as appropriate, are authorized from funds appropriated pursuant to the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13), the Act of August 5, 1954 (68 Stat. 674), as amended, or any other Act authorizing appropriations for the administration of Indian affairs, upon the request of the tribe and subject to such terms and conditions as may be mutually agreed to, to make grants and contract to make grants which will accomplish the general purposes for which the funds were appropriated.

SEC. 4. (a) Within thirty days after the enactment of this Act, the Secretary shall announce the date of a general council meeting of the tribe to nominate candidates for election to the Menominee Restoration Committee. Such general council meeting shall be held within ninety days of the date of

enactment of this Act. Within sixty days of the general council meeting provided for herein, the Secretary shall hold an election by secret ballot, absentee balloting to be permitted, to elect the membership of the Menominee Restoration Committee from among the nominees submitted to him from the general council meeting provided for herein. The ballots shall provide for write-in votes. The Secretary shall approve the Menominee Restoration Committee elected pursuant to this section if he is satisfied that the requirements of this section relating to the nominating and election process have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act.

(b) In the absence of a completed tribal roll prepared pursuant to subsection (c) hereof and solely for the purposes of the general council meeting and the election provided for in subsection (a) hereof, all living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893) and all descendants, who are at least 18 years of age and who possess at least one-quarter degree of Menominee Indian blood, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting and such election. Verification of descendancy, age and blood quantum shall be made upon oath before the Secretary or his authorized representative and his determination thereon shall be conclusive and final. The Secretary shall assure that adequate notice of such meeting and election shall be provided eligible voters.

(c) The membership roll of the tribe which was closed as of June 17, 1954, is hereby declared open. The Menominee Restoration Committee, under contract with the Secretary, shall proceed to make current the roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendants of an enrollee shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon installation of elected constitutional officers of the tribe, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal roll shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within ninety days after an appeal is initiated: *Provided*, That the time for making a final determination may be extended by mutual agreement of the Secretary and the Appellant.

SEC. 5. (a) Upon request from the Menominee Restoration Committee, the Secretary shall conduct an election by secret ballot, pursuant to the provisions of the Act of June 18, 1934, as amended, for the purpose of determining the tribe's constitution and bylaws. The election shall be held within one hundred and eighty days after enactment of this Act.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and bylaws as drafted by the Menominee Restoration Committee which will be presented at the election, along with a brief impartial description of the constitution and bylaws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and bylaws. Such consultation shall not be carried on within fifty feet of the polling places on the date of the election.

(c) Within one hundred and twenty days after the tribe adopts a constitution and bylaws, the Menominee Restoration Committee shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as tribal officials provided in the tribal constitution and bylaws. For the purpose of this initial election and notwithstanding any provision in the tribal constitution and bylaws to the contrary, absentee balloting shall be permitted and all tribal members who are 18 years of age or over shall be entitled to vote in the election. All further elections of tribal officers shall be as provided in the tribal constitution and bylaws and ordinances adopted thereunder.

(d) In any election held pursuant to subsections (a) and (c) of this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and bylaws and the initial election of the tribe's governing body, so long as, in each such election, the total vote cast is at least 30 per centum of those entitled to vote.

SEC. 6(a) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the Board of Directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of the corporation.

(b) The Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (a) of this section, accept the assets (excluding any real property not located in or adjacent to the territory constituting, on the effective date of this Act, the County of Menominee, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the Board of Directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights, including, but not limited to, liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this subsection shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the tribe and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(c) The Secretary shall accept the real property (excluding any real property not located in or adjacent to the territory constituting, on the effective date of this Act, the County of Menominee, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to, liens, outstanding taxes (local, State, and Federal), mortgages, and any other obligations. The land transferred to the Secretary pursuant to this subsection shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this subsection, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(d) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services is not impaired as a result of the transfer of assets provided for in this section.

(e) For the purpose of implementing subsection (d), the State of Wisconsin may establish such local government bodies, political subdivisions, and service arrangements as will best provide the State or local government services required by the people in the territory constituting, on the effective date of this Act, the County of Menominee.

SEC. 7. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SOCIALIZED MEDICINE: THE WAITING LISTS ARE LONG

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. CRANE. Mr. Speaker, there is much discussion at this time of the need to substitute a system of Government-financed and Government-controlled medicine for our present system of private medical practice.

Those who urge socialized medicine for our country seem not to be aware of its record of failure in those countries in which it has been instituted.

In his important book, "The Case for American Medicine," New York Times correspondent Harry Schwartz urges those who would like to substitute a system of socialized medicine for our current system of private practice to take a careful look at countries such as Great Britain and Sweden.

While visiting in Stockholm, the author was told:

Don't get sick in Sweden. You have never seen such impersonal care and such long waits in your life. Every time you go to the clinic, you see a different doctor. And if you're hospitalized and are seen by a physician three times in one day, it will almost certainly be three different doctors.

The experience in socialized systems shows clearly that increasing demand by making medical care a "free" commodity simply makes it impossible to obtain for those really in need—and dramatically increases the real cost, expressed in higher taxes, as well.

In a recent article, the German newspaper, Bremer Nachrichten, discusses the long waiting lists for surgery in the semi-socialist medical system of West Germany. The paper notes:

Patients needing complex surgery are often forced to wait a matter of months or years.

Many large hospitals have drawn up waiting lists. Heart operations involving the use of heart and lung machines, kidney transplants, tonsillectomies and fitting of false joints are often subject to long delays.

Waiting lists of up to 6 months are looked upon as "almost normal" at large hospitals in Baden-Württemberg, the paper reported. In Hamburg, for example, there is a waiting list of about 1,000 for operations involving the use of the city's only heart and lung machine. One hospital in Stuttgart has a 2½-year waiting list for patients requiring an artificial joint and in Dortmund the delay can be as long as 3 years.

The United States, without Government interference in medicine, has a surplus of hospital beds, many of which are now empty. There are no long waiting periods for necessary operations.

Before we see fit to alter what is probably the most effective and efficient medical system in the world we should carefully examine the experiences of other countries.

I wish to share with my colleagues the following article, which appeared in the West German newspaper, Bremer Nachrichten of August 15, 1973, and insert it into the RECORD at this time:

WAITING LISTS FOR PATIENTS IN NEED OF COMPLEX SURGERY

Patients needing complex surgery are often forced to wait a matter of months or years. Many large hospitals have drawn up waiting lists. Heart operations involving the use of heart and lung machines, kidney transplants, tonsillectomies and the fitting of false joints are often subject to long delays.

Waiting lists of up to six months are looked upon as "almost normal" at large hospitals in Baden-Württemberg. But all hospitals and health departments covered by a survey conducted by the press agency *dpa* stressed that urgent cases could be operated upon at once.

In Hamburg alone there is a waiting list of about one thousand for operations involving the use of the city's only heart and lung machine. An extension to the intensive care unit of the University Hospital's heart surgery department has enabled doctors to increase their capacity to eight operations a week or some four hundred a year.

Heart patients in Hanover only have to wait the relatively short period of four months. But the city's Medical College fears a deterioration of the current situation and waiting lists of a year or more. Patients in Bavaria have to wait anything up to twelve months before any operation involving a heart and lung machine.

Patients requiring an artificial joint, often a hip, are far worse off than heart patients in most Federal states. Though their complaints do not involve any threat to life, they are usually painful.

One hospital in Stuttgart has a two and a half year waiting list for these patients. Five hundred persons a year can have artificial hips fitted in Erlangen but there are still 1,500 patients waiting for this operation. Nuremberg's Wichernhaus clinic has 225 beds but 3,500 orthopaedic patients on its waiting list.

The situation is not much better in other Federal states. Patients in the Saar have to wait anything up to two years for an artificial hip. In Dortmund the delay can be as long as three years.

Professor Schöller of Münster Orthopaedic Clinic believes that children with hip damage or club-feet could suffer permanent damage later in life as a result of these delays. Hanover Medical College has a waiting list of over one year and now refuses to add any more patients to it.

Hamburg's health department claims that the patients themselves cannot be completely freed from blame. "Patients needlessly accept delays of up to four years in order to consult a specific specialist," a spokesman commented.

The number of patients waiting for an operation at the city's St. Georg hospital is estimated to total several hundred. But hip operations are conducted immediately at another of the city's hospitals, the spokesman added.

Waiting lists do not only exist for complicated operations. There are also delays in taking out tonsils in some large hospitals. Patients at Berlin's Steglitz Clinic are forced to wait eight weeks, those in Breman anything up to four months.

Ear, nose and throat operations at University hospitals in the Saar are booked out for the whole of 1973. Patients requiring an operation against squinting have to wait eight weeks in Berlin.

The long waiting lists for operations are due to the shortage of staff, beds and, at some hospitals, appropriate technical equipment. In Schleswig-Holstein for instance there are too few beds. Medical facilities in Essen cannot be fully utilised because of the shortage of personnel. Erlangen University Hospital could conduct more heart operations if it had more nurses.

The kidney transplant situation is a little different. Patients with serious kidney complaints have to wait anything up to three years for a transplant in Hanover and are kept alive during this period by an artificial kidney machine. Doctors claim that there would be no delay if only there were enough people willing to donate their kidneys after their death.

REPRESENTATIVE HEINZ ON THE ENVIRONMENT

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BIESTER. Mr. Speaker, we are discovering the really tough decisions which must be made when we, collectively as a Nation, ask ourselves the question "What kind of environment do we want to live in and what kind of economic development do we want to realize?" For too long we were content to sacrifice the quality of our environment for what we at the time considered the greater good of prosperous economic growth. The shortcuts we took to achieve this were often, directly and indirectly, at the expense of the environment. In transportation, energy consumption, water and air quality standards and land management our personal convenience and pleasure took precedence over environmental realities. Long-range ramifications and implications were lost in considerations of the moment.

Over the past several years, however, as a result of heightened public awareness and governmental concern, Congress has responded strongly and positively to correct past abuses. Some contend we have gone too far and have overreacted beyond what is necessary to maintain both a quality environment and a healthy economy. Strong pressures, many of which are evolving from the energy crunch, are currently being felt to evaluate just where we stand on the environmental-economic progress dilemma and where we are going and how we can best get there.

Recently the gentleman from Pennsylvania (Mr. HEINZ) tackled this controversial problem in a speech before the Delaware Valley Regional Transportation Conference. Because his remarks offer an objective evaluation of this question and very perceptively, I think, caution against the inherent fragility of public support for strong environmental efforts which, if lost, can have the most serious negative consequences for what has already been done to protect and enhance the environment, I insert in the RECORD his remarks before the conference and commend them to the attention of my colleagues.

The remarks follow:

KEYNOTE ADDRESS TO FOURTH ANNUAL DELAWARE VALLEY TRANSPORTATION CONFERENCE

(By Hon. H. John Heinz III)

Listening to Thatcher Longstreth is a lesson in logical presentation and articulate delivery. It's quite a challenge, and it is a particular pleasure for me to join you here today at the outset of your conference on transportation, the environment and related issues, and I sincerely salute the greater Philadelphia Chamber of Commerce and the Penjerdel Corporation for their leadership in hosting and organizing this timely forum.

The timeliness is best conveyed by the fact that EPA is, at this very moment, receiving and analyzing comments on the Philadelphia and Pittsburgh transportation control strategies proposed in June. It is perhaps coincidence, but yesterday the Public Health and Environment Committee, on which I serve, initiated two weeks of morning and afternoon hearings on the very law that mandates these same transportation control strategies, namely the Clean Air Act.

In this round of Congressional hearings my committee will study every aspect (we hope) of (1) how the Act has affected the apparent energy shortage; (2) whether the Ambient Air Quality standards promulgated by EPA adequately protect the public's health; (3) to what extent the new emission standards for motor vehicles controlling Carbon Monoxide, Nitrogen Oxides, Hydrocarbons and photo chemical smog, are realistic and necessary; (4) whether the transportation control plans I mentioned earlier are unfair, unworkable or intolerable, and (5 and last) how each state's implementation plans to control Sulfur Oxides and Particulate matter from stationary sources may be expected to do the job and at what cost of dollars, jobs and resources to the people of this nation. In other action, the House passed last Thursday the AMTRAK Bill, the full Commerce Committee will soon be marking up the Penn Central/Northeastern Railroad Crisis Legislation, at this very moment, DOT is writing regulations for the new $20 billion highway and transit bill.

Perhaps I should somewhat warn you. Congress, especially our committees, and the public we serve often remind me, respectively, of the chicken and pig who are walking down the street together. "My!" says the chicken looking up at an enormous billboard of a breakfast table featuring a close-up of piping-hot fried eggs and bacon. "Isn't that a beautiful sight. I played my part in laying those good looking eggs. It's truly gratifying to me to be able to participate in giving human beings such a cheerful, nutritious, attractive breakfast. I'm really proud of my

participation. Doesn't it make you feel good too?

The pig thought this over. "Yes" said the pig, "but just remember . . . What for *you* is participation for *me* is commitment."

Well I do hope and expect that my health committee will do more than merely participate. And based on the schedule of additional hearings this fall, winter and spring, I think it is safe to say we are involved and share the commitment of yourselves and the people of Southeastern Pennsylvania to achieving clean and healthy environment without committing economic or social hari-kari.

But I am equally sure this will be no easy task. Based on yesterday's testimony by EPA's Acting Administrator, John Quarles, and others I fear that new research now underway will probably show that current clean air standards have a lower margin of safety for human health than was previously believed.

At a time when both Philadelphia and Pittsburgh are subject to controversial transportation control strategies, this is bad news indeed.

This means that we could well be facing a tightening of standards within the next three years. Specifically it probably means implementing tougher standards on some of the six air pollutants now controlled by the EPA, and, adding additional pollutants to the list such as fine particulates and certain other cancer causing substances recently identified as dangerous products of combustion.

My prediction of additional pollution controls is based on a definite and observable trend in the government sponsored research used to determine the threshold level for the aggravation or risk of disease. Although for the most part up to now present EPA standards, both long and short term, have allowed for at least a small margin of safety, the alarming fact is that, almost without exception, each new epidemiological, clinical or toxicological study has provided evidence for the further reduction in pollutant exposures.

In response to my questioning EPA conceded that they felt they would continue to lower these estimates of "threshold levels" because they expect research now in the field to show greater risks from pollutants than previously expected. Additionally, EPA candidly stated that existing safety factors were substantially less than those now existing for atomic radiation and pesticides.

If my analysis is correct, there's little doubt we're in a race between improved technology to clean the air and the necessity of more stringent air pollution standards to protect public health. Only gains in technology will prevent lost jobs and unaffordable costs, and I strongly feel that government, industry and environmentalists must work together to see that technology does not lose the race.

I suppose some might say that we are just cleaning up the air for political sex appeal. But, although environmental protection advocates have gotten many a good headline, this isn't an accurate reflection. In particular, it's important to remember that the primary air quality standards established by the agency are set at a level to prevent adverse health effects from the pollutants in dirty air. Such "adverse effects" include the aggravation of asthma, heart and lung disease, as well as actually causing or increasing susceptibility to illness ranging from the common cold to bronchitis, emphysema, birth defects and cancer, among others. EPA must act to prevent public health hazards because the law written by Congress gives EPA no choice. If the people don't want air quality laws to protect the Nation's health, then we in Congress, of course, will be obliged to rewrite the Clean Air Act.

Let me return to the technology question. The race between technology and the environment represents a conflict that has always potentially existed between the public welfare and unfettered economic growth.

Only a few decades ago many believed industry had an unlimited right to exploit the factory worker, the farm hand or the coal miner. Many still believe in the unlimited freedom to exploit this or any nation's material natural resources. Still more of us have grown up believing, perhaps correctly, that the competitive drive for economic growth is the cornerstone of our wealth as a nation, the strength of our commerce and industry, and the foundation for an improved standard of living. And probably most people accept as legitimate and desirable the role of our nation as an essential worldwide supplier and purchaser of internationally traded goods and services upon who a stable world economy absolutely depends.

At the same time, in developing our economy along these lines, we have created tremendous momentum to consume vast quantities of petroleum, coal, cement, iron ore, chemicals, water and land, to name only a few essential natural resources. Much as with the trend in EPA air pollution research on health effects, scientific discovery has furthered the growing recognition that we inhabit a relatively closed ecological system called "spaceship earth".

I personally believe that the environmental laws—NEPA, Pesticide Control, the Air and Water Pollution Acts—are necessary, conceptually sound and generally fair even if not entirely without fault.

Perhaps the most dangerous fault in implementation is our inability to predict the hidden costs of environmental clean up. The cost of dislocated industry and lost jobs is particularly hard to assess and even more difficult to bear. Moreover, public support for clean air and water can be lost by decisions that will cost Americans their jobs or make it impossible for them to get work if we are heedless of all the consequences of environmental protection.

Such action could turn today's supportive public sentiment into distrust, opposition and apathy, and I believe this would be a national tragedy for every American. In just a few months we could lose all the work of a decade in making the environment safer and cleaner. Optimistically this is a disaster I hope we can avoid through sponsored research aimed at controlling pollution effectively and at a reasonable cost, and by fiscal incentives to the public and industry, for example, to encourage recycling, substitution or the investment in process alternatives that use less clean fuels and/or pollute less.

I recently sent a questionnaire to all my constituents in the 18th Congressional District. The responses—20,000 were quite remarkable. Two questions and part of a third dealt with the energy crisis and/or the environment. A total of 75% said the government should enforce conservation measures, even if it meant limiting travel. 55% said they are willing to pay more if products can be made and used virtually pollution-free. These answers, plus the 65% who felt the government should spend more on environmental protection, clearly reveal a dedication to a cleaner environment. It also reveals, at least on paper, that most people are willing to put their money where their mouth is to achieve it. I must comment, however, that as reassuring as these figures might be, we are all guilty of underestimating the true cost to us as individuals in achieving a cleaner environment.

Notwithstanding my constituents' responses I would expect a considerable and justifiable public outcry in response to the EPA's transportation control strategies originally published for Pittsburgh and Philadelphia earlier this year if they were implemented as is. The plans to control vehicle miles traveled need considerable improvement from the original before the public should accept them, and it is my understanding that a successful resolution meeting state and local needs as well as federal requirements is a strong possibility. It is fortunate that the magnitude of Pennsylvania's problem is modest and manageable. The proposals for rationing gas in Los Angeles would clean the air by killing the economy of an entire region.

Fortunately for many areas of the country the increased numbers of cars with better pollution control devices will reduce variances from air quality standards over the next few years. At the present time we are paying a considerable fuel penalty for auto emission controls averaging at least 10% and going as high as 30% or more in the case of the bigger and heavier models. As our nation approaches an apparent energy shortage, we can ill afford to pay the penalty for any great length of time. The ultimate adoption of the catalytic converter will just about eliminate the fuel penalty caused by the 1973 car pollution controls. Moreover, based on recent statistics I expect that the fuel consumed by automobiles will be further minimized as more Americans turn to lighter, smaller models in response to increased world price for petroleum.

Obviously vital to any control of air pollution is a well conceived functioning system for mass transportation. However, since the American romance with the automobile is not yet over I cannot realistically foresee any overnight switch to public transit systems.

While any plan to get Americans to their jobs and shopping centers will still consider cars, there are important steps that we can take to increase the demand for mass transit in our large metropolitan areas. This means each area will have to do a more comprehensive and creative planning to develop appealing and truly multi-service mass transit concepts involving a balanced and possibly complex mix of steel wheel and transit rights-of-way, buses, minibuses and even taxi-type services. This will require more federal funds for capital expenditures and a greater state effort for operation and maintenance.

To this end many of us in Congress joined together to poke a hole, however modest, in the new $19.9 billion highway bill recently signed by President Nixon. While the $1.4 billion for communities which choose mass transit over highways may be somewhat modest when compared to the nearly $20 billion in the bill, the Act also adds $3 billion to increase to $4.1 billion the amount Congress has voted to spend on urban mass transit over the next three years. Even so, it is only fair to point out that the cost of constructing total systems in large metropolitan areas from scratch is absolutely enormous. As recent figures indicate just one area—which could be Washington or San Francisco—could completely drain the federal mass transit coffers.

As a result, the new so-called "transferability provision" which permits state and local government to transfer funds for unbuilt highway projects to mass transit is of unusual importance. This may be of great assistance to Pennsylvania, especially where we are not nearly so captive to the auto as many Western cities, for example. On the other hand, as experience with Pittsburgh's Early Action Mass Transit Program—Skybus—and our East Street Expressway (I–279) indicates, decisions that affect hundreds and thousands of people in every community are precarious at best unless government truly involves the public from the outset of the planning process. Failure to resolve potential

public conflicts between transportation and the quality of life can lead to vast wastelands of condemned property . . . or obsolescent monuments to civic insensitivity. In Southwestern Pennsylvania we are facing both problems right now.

I won't be able to touch on all the aspects of what you or I face in planning for local and national transportation needs consistent with a healthy environment. Concentrating on the Clean Air Act as an example of the complex impact of just one federal law, as I have done, is probably a bit like making love to a skunk . . . I mean you didn't get all you want, but you got all you can stand!

Quite seriously, as all of us tackle the problems of mass transit, clean air, bankrupt railroads—and public confidence in our ability to do a good job in all this, your participation—or should I say commitment—in confronting these and other problems today and tomorrow are of enormous significance. It is through the frank and open discussions like these that your communities, state government and we in Washington obtain the absolutely necessary grist for the mill that produces—we hope—responsible public policy to solve the challenging question of moving our people, goods and services while protecting our environment for the health and welfare of this and generations to come.

Thank you.

UNNECESSARILY HIGH AUTO EMISSIONS STANDARDS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. WYMAN. Mr. Speaker, evidence continues to mount that the automobile emissions standards mandated by the Clean Air Act of 1970 are predicated more on guesswork than on hard fact. It is clear that there is no need for 96 to 98 percent pollution-free engine exhausts, even in smog-ridden Los Angeles.

As pointed out in the following article from the September 28 Wall Street Journal, present automobile emissions standards, when fully effective, will be several times higher than what is required to safeguard public health. Only a fractional easing of those standards will avoid the need for costly and unreliable catalytic converters.

Before the individual car buyer is told to shell out $500 for unnecessary antipollution gadgetry, and the auto industry is forced to design engines which, in reduced gas mileage, will take most of the expected oil production from the Alaskan North Slope, it is imperative that emissions standards be closely reexamined. To continue with standards based on disproven "seat-of-the-pants" guesswork is to break faith with the constituents we are elected to serve.

I urge my colleagues on the Public Health and Environment Subcommittee upon completion of oversight hearings on the Clear Air Act to recommend a reduction of emissions standards to the level suggested by present knowledge as reflecting a reasonable balance between public health and economic necessity.

The article follows:

[From the Wall Street Journal, Aug. 28, 1973]

THE SCIENTIFIC METHOD

It's now almost a total certainty that Congress erred in setting the stringent auto emission standards of the 1970 Clean Air Act. And unless it amends the law this session, consumers will have to pay for the mistake for more than a decade.

There's no need for this, as testimony before the House subcommittee on public health and environment revered last week. Perhaps the only completely independent and objective source that has studied the issue told the panel that the federal emission standards are tougher than necessary. Representing the National Academy of Sciences' Committee on Motor Vehicle Emissions, Prof. Arthur Stern of the University of North Carolina's School of Public Health testified:

"An emission limit for CO [carbon monoxide] approximately three times as high as that promulgated by EPA for 1975 vehicles would give assurance of not exceeding the 8-hour air-quality standard of 9 parts per million CO more than once a year."

And: "Present federal emission requirements of 0.41 grams per mile HC [hydrocarbons] and 0.4 g/mi NOX [oxides of nitrogen] seem more restrictive than need be by a factor of about three. . . . These conclusions suggest that the 90% reduction of CO and NOX specified in Sec. 202 of the Clean Air Act may be more than is required to meet the present national air quality standards for CO, NOX and oxidants."

These conclusions are hardly surprising. Congress picked those numbers without benefit of hearings and voted the act in the hectic closing days of 1970; the only remote scientific justification for the numbers rested on assumptions that have since been proven erroneous. From the first, California scientists and pollution experts who had set that state's emission standards argued that the federal standards represent an overkill.

Only a fractional easing of these standards would permit Detroit to avoid the costly and unproven catalyst approach, which involves fitting cannisters that either oxidize or reduce the three pollutants within the exhaust system instead of cleaning the emissions within the engine by more efficient burning of the fuel. By now, competition with Japan and each other is forcing the U.S. manufacturers into alternate systems that are cleaner and more efficient, systems that may quickly make catalysts obsolete. But unless the standards are eased now, before Detroit is locked into contracts and designs for next year's autos, catalysts will be installed on the 1975 models that go on sale in California late next summer as well as on selected models that are sold nationally.

Even if Congress next year recognized that the National Academy is correct about the numbers, it will by then be extraordinarily expensive to pull back from catalysts. The auto manufacturers and catalyst makers will already have invested hundreds of millions of dollars in the catalyst approach. The petroleum refiners will have spent large sums converting a portion of their capacity to unleaded fuel, because catalysts are destroyed by leaded gasoline. And 70% of the nation's service stations will have had to add pumps to supply unleaded gas if they don't already. At the very least, a midstream switch by Congress would leave the nation with hundreds of thousands of "orphan" autos, for which catalyst maintenance and unleaded gas will have to be supplied as long as they are on the road.

What is really at issue now is whether Congress, having been supplied with reliable analysis from the prestigious National Academy, can act on that information. The chief barrier is that Congress adopted the federal standards as an emotional commitment to the environment. Although they now have no scientific justification at all, they have achieved a symbolic life of their own; to adjust them to reality would be taken as a defeat by the environmentalists.

Senator Muskie is unhappy with catalysts, especially if car owners have to replace them every 25,000 miles at up to $150 a unit. But as author of the Clean Air Act he refuses to believe his numbers are unsupportable. He does his own scientific research by looking out the window. "As I returned from Maine to the Senate," he said recently, "I saw this dirty air mass covering the land, urban and rural areas alike, and darkening the sun."

Congress, though, can't make multibillion-dollar decisions by looking out the window. How will it explain the haze after every auto has a catalyst? Washington now has enough scientific assurance to feel safe in freezing the 1974 standards for a few years, at least until the National Academy can conduct a rigorous analysis of exactly what the air quality standards should be. Otherwise, it's likely the political scientists on Capitol Hill will have fathered an orphan technology and the American consumers will be stuck with the bill.

OUR NATION'S RELIGIOUS HERITAGE

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. MIZELL. Mr. Speaker, this Nation's religious heritage has always been its greatest source of strength, throughout our eventful and successful history.

Beck's Lutheran Church, in Lexington, N.C., has seen much of that history and contributed much to that heritage and that strength.

The church was founded in 1787, and it has survived wars and economic crises and every other hardship that Lexington and the Nation have endured.

This past summer, Beck's Lutheran Church held a special service for one of its special members, a gentleman who has seen his share of history as well.

He is Jacob Edward Young, and he is 100 years old, and he has some stories that I am sure my colleagues would be interested in.

Mr. Sam Eanes, a reporter for the Lexington Dispatch, has written an excellent article on Mr. Young, and I am inserting the text of the article in the RECORD for my colleagues' benefit and information.

The article follows:

OLD COUNTY CHURCH HONORS OLDEST MEMBER

(By Sam Eanes)

Although Columbus discovered America in 1492, and the Spaniards migrated here to conquer the native peoples of the West Indies, Mexico, Central America, Florida and eventually South America, it was almost 200 years until the English, German, French and Dutch came to the New World.

In the early part of the 17th Century the Thirty Years War in Germany and European religious persecution in general perhaps brought about hasty decisions on the part of oppressed people, who immediately began preparations to migrate to America.

These people consisted mainly of Germans (Reformed Religion), French Huguenots

(Reformed Religion), Dutch (Reformed Religion), Lutherans and Moravians.

For the most part, they migrated to Pennsylvania, South Carolina and eventually to the various settlements throughout the 13 colonies.

Some migrated in this area of North Carolina, thereby forming the nucleus of our present day populace—names such as Delap, Frey, Fritz, Myers, Zimmerman, Kuntz (Koontz, Koonts), Kuhn (Coon), Diel (Deal), Hartman, Hoffman, Klopp (Clapp), Miller, Syegrist (Sechriest), Jung (Young), Peck (Beck), Zink (Sink), Leonhardt (Leonard), Waltzer (Walser), and so on.

The influence of these people formed a nucleus which inspired the establishment and building of many churches in what is now Davidson County.

On November 5, 1767, the Dutch settlement on Abbotts Creek, consisting of Reformed and Lutheran converts, secured 53 acres of land and built a church that was used by both groups. A later split led to the formation of Beck's Lutheran Church, which today is located south of Lexington on the Beck's Church Road.

Sunday, July 15, the congregational members of Beck's Church, along with immediate family members and their friends, paid tribute and homage to its oldest living member.

They honored Jacob Edward Young, born July 16, 1873, with a special church service, including special songs by the choir, and a picnic lunch.

Young, born 100 years ago Monday, was the eldest son of John and Laura Lookabill Young.

His family, friends and the church members took part in a most deserving as well as appropriate celebration. To live to be 100 years old is a seldom accomplished feat, but to live an exemplary life for 100 years is indeed a most enviable accomplishment.

After the church service, everyone gathered for the lunch. A highlight of the day's events was the invocation presented by Rev. Roy Fisher, former pastor of Beck's Church and Young's longtime friend.

The tables were filled to capacity with food. Platters and dishes held a variety of delicious cakes, pies and cookies. Needless to say everyone participated with gusto, all the while greeting old friends, making new acquaintances and enjoying the fellowship as well as appreciating the gist of the affair.

Mr. Ed, as he is known to his many friends and acquaintances, said, "I have worked hard most of the years of my life (he was active until age 95). There were 10 of us children. I had four brothers, Fred, Joe, John and Thomas, who was named after Thomas Jefferson; and five sisters, Lucille, Carrie, Dora, Etta and Mary. Dora and me joined the church (Beck's Church) on the same day, don't recall the exact date, but I was 17 years old.

"We all worked hard; we had to make a living. In those days a nickel was big as a dollar today. Nobody had much money. Money was hard to come by. We spent all of our time farming the few acres of cleared land and then cleared new land. Huge trees stood all over the land and they had to be cut down and the stumps dug up. Work! That's all we knew.

"At age 25 I married Jennette Hedrick—that was in 1897 and I moved down here in 1898 (his old home place was on Young Road). We had five children, Homer, Lawrence and Frank. Two of my children died in their infancy.

"Me and my boys worked right hard here on these rocky hills. My wife did too. She cooked and sewed, cleaned house, looked after the chickens, milked the cows, and helped in the garden. She worked as hard as any of us.

"In 1913, while operating a power-driven saw, I accidently lost all four fingers on left hand. Things looked mighty bad for me. My children were small, yet the burden of keeping things going on the farm was left to them and my wife. The neighbors were good to come over and help them out. After several weeks I was able to help them with my right arm and good hand. In a way it was good training, as I've had to do everything without the help of my left hand.

"My three sons were of great help to me, helping on the farm, at the saw mill and all. Homer, my eldest son and me, owned and operated a saw mill that was powered by a steam engine. We fired the boiler with slabs."

The late Homer Young married the former Mintie Greer. From that union, Clifton and Reba (Mrs. Joe H. Miller) were born. Lawrence married the former Essie Barger. Their children are Eugene, Mary, Louise, Ruth and Sue. Frank married the former Pauline Beck and they have one son, Frank, Jr. Frank's second wife is the former Venia Bunting.

Young has 19 great-grandchildren and 3 great-great-grandchildren.

Mr. Ed gave the following answers to a series of questions.

Q. To what do you attribute your longevity?

A. "Hard work, regular habits and my faith in God."

Q. What was the most important event in your long and fruitful life?

A. "My marriage and the birth of my children."

Q. Who was the greatest American during the past 100 years?

A. "That is kind of hard to answer, but I'll say it was Theodore 'Teddy' Roosevelt."

Q. What is your opinion of our modern way of life?

A. "People are living too fast. They don't take the time to properly care for themselves and they have little or no time for anyone else. They waste money, especially our government—it throws away enough every day to operate the government for the whole year."

Q. What advice can you offer to the people, young and old?

A. "I'd rather not give any advice, as they wouldn't take it. They will just have to learn the hard way, as I did!"

Q. Did you ever drink whiskey, smoke or chew tobacco?

A. "Yes. I did all three. Smoked cigars, cigarettes and chewed tobacco, and on special occasions, such as fishing trips and political rallies, I drank whiskey. But I gave them all up some 40 years ago."

Q. How much education did you have and where did you attend school?

A. "A district school was built on the John Young property. It was a one-room school and we attended three months of each year. The teacher, Jim Hedrick, was paid $1 per day to teach. Alfred Beck taught for two or three terms and he later became a preacher. We were taught reading, writing, spelling and arithmetic. I got along pretty good except in fractions. I attended school from the time I was 10 years old until I was 16—in all about six sessions."

Q. What was the saddest happening during your life?

A. "The death of my wife in 1962, and the death of my son Homer."

Mr. Ed, a man still willing to come right out and state his views, complained about past local opposition to building a county hospital.

"If I had the money," he said, "I'd donate enough to build a 200-bed hospital, provided they would build it somewhere near the center of the county, anywhere on this side (south) of Abbotts Creek."

Until last year, Mr. Ed could get around very well with the aid of a walking stick, but more recently he has become immobile without the assistance of someone. His hearing ability has also weakened, but his mind is clear and alert and his health far exceeds all expectations.

Having known Mr. Ed and his family for the better part of 50 years, we know they are among the finest and most highly esteemed people in the county. Mr. and Mrs. Jacob Edward Young are two of God's chosen people, a Christian lady and a Christian gentleman.

On behalf of his friends, acquaintances and The Dispatch, we wish Mr. Ed many returns of the day. Hopefully, his start on his second century will be peaceful and pleasurable, free from illness and suffering.

GENERAL SERVICES ADMINISTRATION

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ROBISON of New York. Mr. Speaker, the July edition of "Government Executive" most appropriately contained an article on the "New Way" at the General Services Administration.

Highlighting the excellent stewardship of GSA by Art Sampson, the now permanent GSA Administrator, the article reflects the high quality of work being done by this often little recognized, but very important Government agency.

I am pleased to note the strong leadership and initiative so obvious in Administrator Sampson and so amply demonstrated in the article which I include in the RECORD for the benefit of my colleagues.

The article follows:

GSA: WHAT'S NEW IS REALLY NEW IN FEDERAL BUILDINGS

(By Samuel Stafford)

The location of Federal buildings in cities across the country, of course, has long been a prime example of pork barrel politics.

Decisions as to total cost, architecture, siting and other building factors for years have been made by local and national politicians playing footsie with favored downtown builders and land owners.

It has been a case of bad decision making, producing abominable results. Best example: U.S. Post Office buildings which have been poorly located in the cities they are supposed to serve and which often are either too large and lavishly equipped for the number of patrons they serve or are inadequate to handle the traffic efficiently.

Likewise, large Federal regional headquarters buildings often have been mislocated in cities from a standpoint of serving the public. A qualifier should be added: Highways, bridges, parking facilities and other forms of urban construction also have been mislocated, as hindsight has shown; but with Federal buildings, there seems less excuse for ignoring long-range planning considerations.

The Federal facilities traditionally have been located in a way that has given more weight to site acquisition, development costs and the desires of Federal agencies to build in certain locations than to the plans and needs of local areas.

Effect of such short-sighted policies has been dismal.

POLLUTION HAZARDS

A 1972 General Services Administration report on proceedings of an environmental conference on building construction notes

that "the Federal Government has long provided a major stimulus for urban planning through its program requirements and financial incentives . . . these activities have created and furthered the planning process at other levels of government . . ."

However, the report continued that the Federal Government's exclusion of urban planning considerations in site selection has produced unhappy effects "which have become increasingly visible with site selections reinforcing urban sprawl, contributing to abandonment of old employment centers, supporting economic and social segregation and conflicting with local development objectives as expressed in comprehensive plans."

That conference, as noted, was in 1972. It signaled a new interest in socio-environmental aspects of Government construction by the GSA, the builder, owner and manager of all Federal facilities in the United States.

The impact of GSA policy decisions on both public and private construction throughout the country can not be overestimated. The GSA annually buys more than $2 billion worth of materials and is responsible for more than 10,000 Federally-owned or leased buildings. Every day across the country, some 1,500 Federal construction projects are in various stages of completion.

The decisions that are—or are not made—obviously have considerable effect on what in the broadest sense is labeled the urban "environment."

If a wrong site is chosen, the public users of the Government services suffer. If a poor site is chosen, a city's traffic and parking problems may be aggravated. The kind of paint selected for Federal offices may present a pollution hazard. The same is true of the type of fuel bought to heat a Federal building. Solid waste disposal is a growing problem.

During the past year, the debate over the "energy crisis" has heated up. The GSA now is exploring ways to conserve energy in its Federal buildings.

The entire scope of Federal architecture is under intensive investigation. Critics have long been critical of bureaucratic architecture, which they have felt was a mish-mash of uninspiring marble, concrete, glass and Greek columns.

The Nixon Administration recently convened a high-level Design Assembly attended by designers, architects and Federal administrators, with an eye to improving building design. There is some feeling among those familiar with Federal construction that the Nixon task force will concentrate too heavily on architectural esthetics and the preservation of historic landmarks, which, while important facets of the problem, do not deal with socio-environmental-energy conservation aspects of building.

The man in the middle of this relatively new movement to improve siting and design of Federal buildings is Arthur F. Sampson, administrator of the GSA.

Sampson, who came to GSA in 1969, played a key role in reforming management and budget operations of the state of Pennsylvania. He favors the word "excellence" in conversation. His reputation both in Pennsylvania and with the Federal Government has been that of an activist, a positive thinker, a doer, a man who brushes away obstacles in the way of getting things done.

Architects generally have been pleased about initiatives begun by Sampson and his predecessor, R. L. Kunzig.

Among other things, Sampson reduced a three-foot-high stack of regulations for public building architecture to a brief pamphlet. And Sampson also started an awards program to recognize superior designs. Awards have been given to the U.S. Tax Court design in Washington and a Federal correctional facility and parking facility in Chicago, among other projects.

The GSA under Sampson also has started to turn over landmark buildings the Federal Government doesn't need to local governments and has explored the possibility of including shops, restaurants, and other community facilities in U.S. office buildings.

Sampson, a Republican, has some reservations about the Administration task force's apparent tilt toward the choosing of designs by a blue-ribbon panel of architectural judges; to Sampson, final judgment should rest with the GSA, working with involved agencies as to their needs.

The GSA during the past six years has steadily gained policymaking influence in the Federal Establishment in agency management of Government procurement, paperwork handling and data processing and communications (see box).

The trends, to Sampson, have been "exciting." Among the substantive directional changes in Federal design and construction procedures:

The Public Buildings Amendments of 1972 gave GSA the authority for three years to have Federal buildings financed and built under a purchase contract method that looks to the private sector for capital, and the Act also created a Federal Buildings Fund into which all agencies pay a rental or user fee based on the space they occupy and the local market rate for comparable office space, said fund to be used for new construction, operation, maintenance, repair and protection;

"Value Engineering" has become a fact of life in contracting. Sampson describes it as "a methodology of having people take the time to create, record, evaluate and implement cost-saving ideas without reducing levels of quality . . . a proven technique that I received training in with industry when I was with the General Electric Corp. (early in his career), introduced in the state government in Pennsylvania and later brought with me when I came to GSA. It's a proven technique and one that can save a lot of Federal dollars."

EXECUTIVE ORDER

Life-cycle costing in which the emphasis is shifted from a traditional focus on initial costs to long-term costs of facilities and equipment. Says Sampson: "We're saying that sometimes you may have to pay a little more for the acquisition of a piece of equipment but over the lifespan of that equipment it may cost less for maintenance and replacement than it might cost if you saved money initially and bought cheaper equipment.

"Too often, we have put marginal equipment into buildings and the Government purchasers have never seen the individual parts of the equipment because it has come to us as a mechanical or electrical or structural system so nobody has had a chance to look at that little motor or that little fan or that insignificant piece of piping.

"Now, we're looking at these things and saying to the architect, 'You must put down two or three alternatives and compare those alternatives on a life-cycle cost basis and not on an initial acquisition cost basis.'

"For example, you may have a motor that's 30% efficient and you have to run it three times as long as you should to give you some heat or air conditioning. Well, let's get an efficient motor in it. You'll never get 100% efficiency but you can try for at least 85% efficiency."

Two of GSA's major thrusts these days are in the area of socio-environmental building considerations and energy conservation.

An environmental office has been set up in the Federal Buildings Service. And a new Federal building in Saginaw, Mich., will incorporate the latest advances in environmental technology. The considerable clout of GSA's purchasing power also is being brought to bear on the private sector in the application of effective waste disposal technologies, the purchase of biodegradable and recycled materials and other activities.

These trends were the direct result of the issuance of Executive Order 11512 by President Nixon on February 27, 1970. The order directed the GSA to amend its established procedures to give recognition to socio-economic and environmental considerations in agency site selection and applied to the planning, site acquisition, construction and management of Federal properties.

Formerly, the GSA had operated under Executive Order 11035, which focused more on an agency's mission than on the effect of construction of a certain type in a given area.

FEDERAL-LOCAL COOPERATION

To GSA officials, the location of an Internal Revenue Service automated data processing center in Fresno, Calif., is a good example of what can be done under Executive Order 11512.

The IRS had been looking for a site since 1968, but the project had been in limbo because of local conflicts. Local minority groups had seen racial implications in the removal of their area from site consideration.

After the executive order was issued, a team of local city employees began evaluating each site as to its physical, social and economic impact. They were aided by GSA specialists and private consultants.

The final location of the ADP center in east Fresno near the city's Mexican-American community was a compromise hammered out by the conflicting forces—minority groups, Federal officialdom, city government and downtown businessmen.

The GSA believes that the IRS site chosen under the new procedures is proof that Federal-local cooperation in site selection is not only possible, but also is beneficial to all involved parties.

Among other benefits of siting the IRS center in east Fresno: racial tensions in the city appear to have been reduced; land values in the area have been enhanced; more than 1,500 jobs have been opened up in a largely minority group area; and shopping facilities, bus service, roads and traffic control in the vicinity of the center have improved.

The GSA has stepped up its program of monitoring Federal buildings for pollution emissions and has included new pollution control equipment in its repair and improvement budget.

Last fall, the GSA began designing a building in Manchester, N.H., which will incorporate new concepts and techniques in energy conservation.

Sampson believes that the Nation faces a severe "energy problem" but that the much-discussed "energy crisis" has not arrived yet. He also thinks that environmentalists are going to have to tailor their demands to the realities of life "if this country is to survive."

CRISIS SYNDROME

"We have an abundance of energy sources," he said, "but we just haven't been able to tap them. I firmly believe that we're going to have to have a trans-Alaskan oil pipeline, all those nuclear power plants, and supertankers.

"There is admittedly a crisis syndrome in many areas of energy involvement. But I do not think we have reached the crisis stage in the building construction field. The onus should not be put on the construction industry.

"Nobody has shown me the extent to which office buildings contribute to the energy problem. Those statistics simply are not available and there's no reason why we should add millions of dollars to building costs to achieve drastically reduced energy levels when buildings represent less than 40% of the country's energy consumption

A DEGREE OF MODERATION

"There are those who want to turn buildings upside down or make them round or oblong to achieve certain environmental or energy conservation ends. They want to make the buildings so odd that the lifestyles of the people working in them would be drastically altered. But the people are not animals who can be manipulated this way.

"What I'm saying basically is that we have to approach this whole problem with a degree of moderation. We don't want to go overboard.

"We have found that we can save between 30 and 50% of our energy needs by some very simple design techniques within the current state of the art.

"In the past, nobody paid much attention to the way you faced a building in relationship to the sun and prevailing wind directions. We are now doing so. We are taking these factors into consideration in our site selections.

"There are techniques that can be used now for taking heat from the outside and storing it on the inside. You can save a great deal of energy through the storage of heat and cool air. You can recycle water. We don't have to be esoteric about it. The time may come when solar energy systems are feasible but that time hasn't come yet."

IMPATIENCE WITH INACTION

Meanwhile, as data is being amassed in the Manchester, N.H., experiment, the GSA has issued ukases to its regional supervisors to curb energy consumption through a variety of simple administrative edicts, such as (going back to Lyndon Johnson) turning off lights when offices are not in use, using timers to turn on and off air conditioners and other equipment, installing photo cells to control outside lighting, and using solar screens to reduce the heat gain from outside.

Sampson has brought his own quiet individual style of management to GSA. It has both bemused and fascinated his subordinates. Sampson habitually plays a fast set of tennis before coming to work. After arriving in his office, he changes from business suit to sport shirt and slacks, his usual working attire for the day. If he has to attend a high-level meeting or deal with important personages, he changes back into suit and tie. Otherwise, he is the most casually dressed agency head in Washington.

He fields phone calls like a sunbather brushing off flies. There is a problem with such and such, a caller explains. Never mind the problem, Sampson says, what is being done about it? Not much, the caller conveys. Well, take care of it, Sampson says, get off the dime and do something about it.

"The boss," said one Sampson aide, "wants results and he gets impatient when somebody tells him something can't be done."

This impatience with inaction, which some of Sampson's aides in the Pennsylvania government were familiar with, has filtered down through the ranks in GSA. Result: A bureaucracy that was mainly a sleepy caretaker of the Federal Government's physical properties 15 years ago is beginning to wake up.

For one thing, Federal buildings these days are being designed to meet needs of both the involved U.S. agencies and the local communities more than formerly was the case.

In the past, a Federal construction project took so long getting off the drawing boards that the finished facility often wound up poorly designed for the purposes for which it was intended. Sampson, Kunzig and their predecessors have worked diligently to cut the time lag.

"Historically," Sampson said, "we have been able to make a pretty accurate assessment of what we needed in a building. We could say that a certain building should be designed to house 2,000 employees whose mission was such and such.

"The trouble was that in the past our system for getting a building authorized, acquiring the site, getting it cleared, and getting the building designed and constructed was unwieldy. It often took from 5 to 10 years.

FEDERAL BUILDING FUND

"So the estimate you started with of 2,000 people doing certain things didn't make much sense 10 years later.

"We're more scientific about our estimating now. And our contracting procedures have been improved dramatically. We've reduced the cycle from 5 or 10 years to a two-year building time frame.

"What this means is that if we estimate that a building is supposed to go up for 2,000 people two years hence, the building is there within two years.

"One of the main changes has been the Federal building fund concept. We do not have to depend upon the appropriation process as much as before. We will have a pretty fixed amount of money each year coming in that will be used for the replacement of buildings.

"Now if you've got the funding, you can plan the building and get it constructed within the two-year time frame so the estimates will meet the needs pretty well."

He said, "We have also done a lot to make the interiors of our buildings more compatible with the needs of people working there. We've tried to eliminate the 'long gray line' of desks and arrange office space better and use more color.

"It is no secret that people produce more when they work in pleasant surroundings. And I'm not talking about just units of output—turning out 10 units instead of three. What I'm talking about is fashioning an environment in which people can think and be creative and have a positive attitude towards their work.

"So we are paying attention to the exteriors—to the landscaping, the parking and traffic situations, as well as to the interiors—the acoustics, the color schemes, the removal of partitions and so on.

"When administrations change, the thrust of Federal programs naturally undergoes severe changes. We, as the caretakers of the physical working facilities, have to be flexible. Some offices are wiped out and new offices are established.

"We now favor the idea of having offices with no partitions. If you want to change an office's function, you just shift a few movable pieces around. This is not only plan common sense, it is also economical."

"IT HAS TO HAPPEN"

Sampson talks a lot about "tradeoffs."

"Environmental and conservation considerations sometimes are opposing poles of an issue. We have been stressing fire safety and energy conservation. When you talk about fire safety you are talking about security. But putting in fire safety facilities may be contrary to such considerations as esthetics of a building's interior and the best design from a people point of view. We are trying to balance all these conflicting factors. Our experimental building program is an important part of this. But frankly, we do not yet know what our priorities should be."

Sampson has firm ideas about how the bureaucracy should be moved in order to make things happen.

"First of all," he said, "you've got to have a management team that is oriented to the idea of change.

"I spent a great deal of time recruiting and promoting the right kind of people—those who have open minds. And I constantly stress creativity.

"Once you get people oriented to the notion of change and innovation, the desired changes occur. You cannot order change or innovation; it has to happen. And it happens because the climate is right for it to happen.

"Now when you innovate, that doesn't make you a genius. There have always been a lot of good ideas around. The problem has been in finding out what they are and learning how to use them.

"Almost all the innovations we've made in construction have been around for years but they weren't being used by the Public Buildings Service. But they're being used today.

"It is human to resist change. But if you are going to get something done you have to organize. You have to convince your top management people that changes are necessary and possible."

Sampson said, "People are not hard to motivate. If you can convince them that what they are doing is *really* rewarding, they will work for you. People *do* have brains and strengths and they want to earn their pay. I think it all comes down to whether the top man can get the employees excited about what they are doing."

He is "very strong" for the Federal Civil Service system. Having said this, he adds, "I have found the bureaucracy at the Federal level far less flexible and much heavier than it is at the state level.

"The Civil Service system, to be frank about it, rewards mediocrity. It is pretty much a locked-in system. And this means that no manager who comes in is going to be able to change the direction of ongoing programs easily.

"The really crucial area is middle management—the people at the GS–11, 12, and 13 levels. And you've got to work at getting things done day in and day out.

"You can send down orders or suggestions about things that should be changed and when they come back to you, you find nothing's been changed.

"There are two things working here. One is that you have an institutionalized system that is resistant to change. And the other is that many Federal employees simply are not convinced that anybody at the top cares about what they are doing.

TO CONTRACT SUPERGRADES

"I'm very strongly in favor of the proposal that has come up now and then to put supergrades under contract. The Federal Government has always attracted good people. Most of them didn't stay. Why? Because the Government is woefully short of good managers, good leaders."

Sampson is not a modest man, although he tries very hard to be. Some Sampson-watchers dating back to his industry days and his Pennsylvania-government-reform period believe that he is every bit as good as he thinks he is. In every job he has ever held, they point out. Sampson moved the dolts off the dime and got things done.

His voice rises as he talks about managers who don't want to manage and supervisors who don't want to supervise.

"We have expanded five times the amount of training we give front-line supervisors since I came to GSA," he said.

"I don't say that this is any big deal and I don't want to seem critical of Federal administrators in the past. But it seems obvious to me that much of the problem of getting the bureaucracy moving involves the kind of supervisors you have.

"For years, we have appointed people to supervise 10 or 20 people who don't know a thing about supervising. And they spend their time shuffling papers, blowing smoke and satisfying the whims of *their* supervisors, never mind the primary missions of the agency.

"I think a lot of the supervisors in Federal agencies have long since given up. They don't think much is going to get done and they are just putting in their time without rocking the boat.

"Well, if some administrators want to just put in a period as overseers of a going concern that is fine. I don't. I want my super-

visors to work with their subordinates and motivate them and I want things to happen. "If I didn't I'd be somewhere else.

INFLATION: THERE IS ONLY ONE CULPRIT

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. GOODLING. Mr. Speaker, inflation is considered to be our No. 1 domestic problem, because it destroys the purchasing power of the consumer's dollar. Inasmuch as this is so, it is in the public interest to eliminate, or at least control, inflation, and this raises the question how this best can be done.

An article dealing with a solution to this problem and written by Mr. Edwin A. Roberts, Jr., appeared in the June 2, 1973, issue of the National Observer. Because this is a timely and meaningful article, I submit it to the RECORD and commend it to the attention of my colleagues:

INFLATION: THERE'S ONLY ONE CULPRIT

(By Edwin A. Roberts, Jr.)

In an ideal society, as perceived by many worldly philosophers, prices will always be low and wages will always be high. So lovely is this vision it has mesmerized governments through the ages, and it has encouraged politicians and all too many economists to try their hands at tinkering, often with ruinous results.

The nation is now experiencing a worrisome period of inflation, and millions of Americans who ordinarily bother themselves little about great economic matters are audibly steamed by soaring prices, particularly prices of food and shelter.

This intense public interest in the dollar's diminishing value would be healthy (participatory democracy and all that) were it not for one grim fact of history: When it comes to inflation, nations and people never learn. Specifically, they never learn what is the only fundamental cause of inflation, and as a result they blame big business or unions or cattle growers or landlords or something awry in the linkage between supply and demand.

But only the Federal Government can cause inflation, no matter what all the other elements in the economy do or want to do. If the Government failed to increase the supply of money and credit beyond what was required by normal economic expansion, there could be no serious inflation.

Unfortunately, there are very many things the Federal Government wants to spend money on, and this desire is fueled by the various parts of the population that have their special fish to fry. Almost everybody wants to get a fist in the Federal coffers, so we must place the blame not only on the politicians but on ourselves.

There are so many demands for Federal money that there isn't nearly enough to go around, and in recent years the Government has been unwilling to reject enough of those demands so that revenues covered expenditures.

So the Government, no less than an improvident family, is forced to borrow to make up the difference. But when a family borrows money, that money is simply somebody else's invested savings so there is no change in the nation's money supply.

But when the Government borrows money, matters are quite different. Much of the borrowed amount is provided by lending institutions that simply open a credit account for the Government. And, without getting into the mechanics of the thing a result of this kind of borrowing is that the United States Bureau of Engraving winds up printing a lot of new dollar bills it would not have manufactured otherwise.

So gradually, but not very gradually, the amount of money in circulation increases. If you can get some of those extra dollars before everybody else realizes they're around (for instance, if you are a defense contractor that the Government pays first) you will find yourself materially better off because the prices you have to pay will not yet have been affected.

But soon enough the defense contractor's suppliers and employes will raise their prices and wage demands because they know the contractor has those new dollar bills with which to meet them. Because almost nobody sets the price of anything below the maximum he can get; a general rise in prices follows.

Look at it another way. If the Government refused to increase the money supply excessively, how could there be serious inflation? Business might like to raise its prices, but if its customers lacked the extra money to pay those prices, there is no way in the world those prices could stick. They would come back down. And fast.

The most aggressive labor leader might scream and threaten management for a big wage boost. He might even strike first and scream later. Whatever he did, there is no way he could win an excessive settlement. Management would know it could not pass on its higher labor costs to the consumer because the consumer lacked the extra money to pay the higher prices. Under those circumstances, the company could meet the union demands only if it was willing to go bankrupt.

If I were beginning a book, instead of ending a modest essay, it would be necessary to ring in everything from the "velocity of circulation" to tax philosophy, credit regulation, and even the nation's social values.

But there is only one point that needs to be made here. When serious price inflation occurs, the fault doesn't lie with business, unions, beef growers, retail stores, or landlords. The fault lies with the Federal Government. And when the Government attempts to control the consequences of its large borrowings by placing ceilings on wages and prices, we must realize the futility of the action. Controls do nothing but postpone the inevitable.

Inflation will cease to be a problem only when, through lower spending or higher taxes or both, the Federal Government operates within its means. There is nothing else that will stop inflation. Nothing, that is, except perhaps the economic disaster that historically afflicts a people who treat their money with contempt.

RARICK REPORTS TO HIS PEOPLE: TAXPAYER FINANCED POLITICAL CAMPAIGNS, THE NEW POLL TAX

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RARICK. Mr. Speaker, an extensive debate is currently taking place not only here in Washington, but throughout the country. One question most often heard raised in an increasing number of circles is: Should tax dollars be used to finance political candidates?

There are currently 13 bills before the House of Representatives that deal with election campaigns and the funding of candidates' expenses. They deal with every aspect of election campaigns from reporting of contributions to setting up a special level of bureaucrats to oversee the activities of elected officials.

Clearly the mood of the Nation is one of reforming our electoral system. A recent opinion poll published in the local Washington papers indicated that a substantial majority of the 1,500 people interviewed favored public financing of political campaigns. Such a scheme is already being considered by Congress. If we assume that the results of the survey are correct, it leads one to wonder if the voters fully understand that public financing of campaigns means to them and what brought about such a reaction.

Probably the overriding factor causing this campaign financing issue to gain the prominence it has is the "Watergate syndrome." I mean by this a public backlash at the disclosures made through the Senate's investigation of Presidential campaign abuses. The reported millions of dollars of loose political money that floated around during that campaign and its use to influence or control the election has caused many Americans to question the very system of our electoral process. Is an entirely new system of financing political parties, and therefore elections, needed? This is a question presently being raised in Congress.

We are told by the opinionmakers in the mass media that politics has become a "rich man's game" and that "special interests"—that vague group supposedly controlling our elected officials—has moved the "little man" out of the picture. With the Watergate revelations daily confronting the TV viewer and the reader of newspapers, it is easy to accept this oversimplification and to actually believe that this is the true solution in political elections.

It should be remembered that the abuses attributed to Watergate, and all the things that the term has come to represent, came into being before the present campaign reporting system went into effect. Under the system now in force, campaign contributions over $100 are a matter of public record and available to any citizen who wishes to take the time to check. This certainly includes members of the news media. This hardly affords an opportunity for these "special interest groups," whomever they may be, to remain hidden from public view and scrutiny. Since the enactment by Congress of the current campaign reporting laws, there have been few, if any, of the fraudulent activities or the massive campaign fund accumulations such as those revealed in the Senate hearings.

It should be remembered too, that the very fact that the alleged abuses have been brought to public light is a result of the various checks and balances built into our system of government. Unfortunately, no matter how perfect a system is created by well-meaning officials, there will be individuals who will attempt to circumvent the law. When they do, they should be punished. We also have the system of laws to do this.

Public confidence in elected officials, is reportedly at an alltime low. We have seen public officials tried and convicted of abusing the public trust given them by the voters. But, to demand that elections be financed with money from the Public Treasury—tax money—is illogical and a politically dangerous situation. It would turn the entire electoral process over to those same politicians and to the bureaucrats they control. Now they would simply be manipulating elections with taxpayers money rather than voluntary contributions.

If, as the opinion makers would have us believe, politicians cannot be trusted to raise their own funds to finance their elections, how can anyone expect to correct financial abuses of politics by putting other politicians in charge of paying for political expenses out of the U.S. Treasury and out of the taxpayers' pockets?

I find it difficult to believe that the American people actually want public funds used to pay the costs of campaigning, as this poll would suggest. This type thing has been tried in a limited way through the checkoff system on the personal income tax form. Under this campaign financing method, you will recall, the individual taxpayer can indicate that he wants the Government to deduct $1 from his tax refund check to go to either national political party or to an independent party. This has proven unsuccessful, and there is no reason to believe that it would work in a more extensive manner. This income tax checkoff system is a failure largely because our people would rather donate their money or their time directly to the candidate of their choice. They do not want money being used to pay the expenses of the Presidential choice of the national party when the candidate does not represent their views.

But under various programs so far suggested, the taxpayers' money would go to the political party for distribution to candidates who agree to support the party's position. In recent years, we have seen a shifting from the old allegiances. A more independent American voter has emerged. There is a prevailing attitude among Americans today that the right to vote is also the right not to vote, if they feel that none of the candidates running deserve their vote.

If a federally subsidized system of elections became law, the Democrats, Republicans or Independents would not be the sole beneficiaries of taxpayers' money. In all probability, limitation of fund distribution to the major parties would be declared by the courts to be discriminatory against the various smaller parties representing divergent opinions in politics. It is logical to assume that when the money is divided by the bureaucrats in charge, a portion would be allocated to the Socialist Party, the Communist Party U.S.A., or any of a number of splinter groups who usually run candidates with views alien to the American general ideas.

Your money would go to pay for all the public relations and advertising gimmicks so popular in today's electioneering. Money for signs, newspapers, TV and radio advertisements, as well as buttons, bumper stickers and fingernail files would come directly from your taxes. While it may look like a windfall for those people in the public relations and advertising businesses and the advertising media, the Federal controls of the purse strings also brings Federal controls to the distribution and use of the funds.

When the Federal Government gets into the financing of elections, the "little man," who is supposed to benefit from these schemes, can expect to be even further removed from the electoral process. The volunteer worker, who has always been the backbone of any campaign in the past, would no longer feel the need to get involved. After all, he has supported all candidates in the election with his tax money. The so-called "little man," the person who contributes $5 or $10 or several hours of his time to help a candidate he believes in, would no longer be able to directly help his candidate financially. He would no longer actually participate in the outcome of an election. The Government would have removed the need for him to get involved.

Public financing of elections is tantamount to telling the voter that he is incompetent to participate in the election process, and that big Government must now take over that responsibility. Yet, he must pay the costs, through increased taxes even though there is no candidate running that he would support or vote for.

In 1962 the 24th amendment to the Constitution was ratified by the States and became law. It said that no person could be denied the right to vote in elections because he had failed to pay any poll tax. It was thought that by removing this longstanding practice in some States, more people could directly participate in elections. In little more than a decade, we have come to the point where Government may soon tell the voters that they must pay a new poll tax—a tax to support a collectivist political campaign fund. The American taxpayers already have too much to pay now, without further burdening them with public financing of campaigns.

The Federal laws already on the books have not been given an opportunity to work. Before placing more stringent limitations on constitutions or before bringing full or partial political financing under Government control, we should carefully assess the laws we already have available to keep the election process honest.

We must not let an overreaction to the "Watergate syndrome" stampede us into undoing the basic freedoms and protections of our constitutional system.

LEGISLATION TO AFFECT LIVES OF ALL AMERICANS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BURKE of Massachusetts. Mr. Speaker, as all of us are aware, the Committee on Ways and Means is currently considering one of the most comprehensive trade bills ever to be brought before Congress. This legislation will affect the lives of all Americans, but will be particularly important to those workers in business in my district and elsewhere which compete directly with imported goods. Because of the importance of this legislation, it must be given the most thorough consideration. The following remarks of Mr. Stanley Nehmer, former Deputy Assistant Secretary of Commerce, therefore merit the attention of my colleagues.

The remarks follow:

THE TRADE BILL AND THE TRADE NEGOTIATIONS: A STATUS REPORT

(Remarks of Stanley Nehmer)

Fifty years of service in promoting American exports is an enviable record which few organizations can match. I add my congratulations to the many which the Overseas Automotive Club and its members have received during this Golden Anniversary Year. I was still in the Executive Branch when Secretary of Commerce Dent extended congratulations to you on behalf of President Nixon.

Our discussion today is very timely. In Washington, the Ways and Means Committee of the House of Representatives is wrestling with the Administration's trade bill, referred to as the Trade Reform Act of 1973. In Tokyo, a three-day Ministerial Meeting of the General Agreement on Tariffs and Trade (GATT) is underway to launch new multilateral trade negotiations. The two events are inextricably linked, for trade legislation is necessary to provide the authority for the U.S. to participate in the trade negotiations. Without the participation of the U.S., there will be no negotiations.

My remarks today will attempt to give you a status report on the trade bill and on the trade negotiations.

I

The Ways and Means Committee has been seized with the Administration's trade bill since it began public hearings on May 9, 1973. Fifteen volumes of testimony were heard from 18 Administration witnesses and 342 public witnesses including spokesmen for 62 industries from aluminum to zinc.

Since public hearings were concluded on June 15, the Ways and Means Committee has been engaged in the "markup" of the bill. Original predictions that the bill would be voted on by the House of Representatives before it took its month-long summer recess on August 3, gave way to predictions that it would at least be reported out of Committee by the August 3 recess. That target also proved to be unattainable. The latest predictions by the Committee are that it will complete its work on the bill by the end of September and the House will act on the bill some time in October.

It may be that the Committee will meet its latest target. If so, the odds are that the trade bill will be scaled down from the bill proposed by the Administration. Realistically, however, I would not predict final Congressional passage of the trade bill in 1973.

What has happened to make the progress of the trade bill so much slower than expected, or, at least, predicted?

The most widely-heard view in Washington is that the illness, and resulting frequent absence, of the distinguished Chairman of the Ways and Means Committee, Wilbur Mills, has left the Committee without effective leadership. I believe that this is only part of the reason. A much more fundamental reason lies in the fact that there does not appear to exist a sufficiently strong body of opinion that feels that a trade bill is necessary or urgent while at the same time vary-

ing degrees of opposition to the trade bill as proposed by the Administration exist.

II

A large part of the attitude of the American businessman today is summed up in a far-reaching article by Charles Bluhdorn, Chairman of Gulf and Western Industries, in the September 1 issue of *Business Week*. Bluhdorn's article is that "in these times of international crisis, the U.S. must first and foremost look out for its own interests." He is sharply critical of Americans for being "spendthrifts at home as well as philanthropists abroad," and of the Nixon Administration for its 1973 economic stabilization programs and its second dollar devaluation which, he says, made wheat cheaper for the Russians and oil more expensive for the U.S. Ultimately, he feels, "the answer to all our present problems is that we must find ways to restore faltering confidence in our economic system, in our government, in our leadership."

It is against this kind of attitude, which my conversations with businessmen indicate is not unique with Mr. Bluhdorn, that the trade bill is finding tough going.

Let us look at some specifics.

The Administration's trade bill is designed to provide new authority to the Executive Branch to undertake a new round of trade negotiations. This last such negotiations in the Kennedy Round saw U.S. tariff duties reduced an average of 37%.

But many feel, correctly or not, that the U.S. did not receive reciprocity in the Kennedy Round, that tariff consessions granted to the U.S. have been negated by other countries nontariff barriers, and that the tariff reductions made by the U.S. in the Kennedy Round were a major cause of the trade deficit of recent vintage.

The Administration's trade bill would permit unlimited increases or reductions in tariff rates through negotiated agreements.

President Nixon has said "We are going to ask Congress for the right for our negotiators to go up or down. Only by going up can one get them (foreign governments) to go down with some of the restrictions they have." The Ways and Means Committee is reported to have decided to limit increases to 50 percent above statutory rates, but has retained the Administration's request for unlimited authority to reduce tariffs.

This "even-handed" approach to tariff rate adjustments is not meaningful. These adjustments must be in the context of trade negotiations. I have difficulty in seeing situations arise where our trading partners would agree in negotiations that the U.S. may raise tariffs.

The Administration's trade bill would provide the Executive Branch with advance authority to implement agreements to do away with certain non-tariff barriers. There are more than 800 of such restrictions used by countries throughout the world. The Ways and Means Committee is reported to have refused to grant such advance authority to the Administration.

But what about the little-noticed provision in the trade bill that would permit nontariff barriers to be converted into fixed duties at equivalent or higher levels and then be phased down in five installments? Will this provision be used to remove the import quotas which the U.S. maintains on such agricultural products as raw cotton, wheat and wheat flour, sugar and dairy products, or as a replacement for the limitations on steel exports to the U.S. under the Voluntary Restraint Arrangement?

The Administration's trade bill would provide a less restrictive test than at present for invoking the "escape clause" when industries are seriously injured by imports. President Nixon said in his message to Congress on April 10 that ". . . damaging import surges, whatever their cause, should be a matter of great concern to our people and our government. I believe we should have effective instruments readily available to help avoid serious injury from imports and give American industries and workers time to adjust to increased imports in an orderly way."

In my judgment the promise of relief which the Administration holds out for American industries injured or disrupted by imports through its proposed bill is much greater than what can realistically be expected. The Administration's record in dealing with import problems does not instill confidence in the businessman that he can expect prompt or more effective relief under the proposed legislation than he was able to receive under the existing legislation, the Trade Expansion Act of 1962. Changing the name of the basic legislation from "Trade Expansion" to "Trade Reform" does nothing if the intentions do not exist, notwithstanding the rhetoric, to take action when injury occurs or is threatened.

The present legislation on the books since 1962, for example, would permit the Administration to provide import relief for the nonrubber footwear industry. Over two and a half years ago, the Tariff Commission submitted to the President a split decision in an "escape clause" case on nonrubber footwear which President Nixon had initiated, the only President to have initiated such an investigation. There has been no action taken on this decision by the President, affirmatively or negatively, since he received the Commission's report. Yet this industry is steadily "going down the drain" because of inaction on its import problem by the Administration.

In the first half of 1973, the penetration of the domestic market by imported nonrubber footwear rose to 41%. It had been 30% in 1970 when the Tariff Commission made its investigation.

Imports in the first half of 1973 rose by 9% largely as a result of burgeoning imports from the developing countries, such as Argentina, Brazil, Mexico, Taiwan, Korea, Greece and Turkey. In the first half of 1972, nonrubber footwear imports from Argentina were only 60,000 pairs. A year later these imports totaled 1,600,000 pairs. Our devaluation actions have not affected imports from the developing countries which have generally devalued with the U.S.

Production of nonrubber footwear fell by 6.4% at a time when American industry in general is enjoying its greatest peace-time boom. It is anticipated that 1973 production will be the lowest in more than 20 years, perhaps as low as 500 million pairs. Accompanying the decline in output has been a closing of factories (almost 200 net closings since 1968) and a substantial loss of capacity (well in excess of 100 million pairs).

Employment fell by 3% in a year, or about 7,000 jobs, reducing the number of people directly employed by this industry to less than 200,000.

The industry has petitioned, it has entreated, it has literally begged for relief. It has followed the procedures in the law—not only the "escape clause" but also the countervailing duty statute. In two countervailing duty petitions, it has produced evidence that the governments of Spain, Argentina and Brazil are subsidizing their nonrubber footwear industries. But to date, the domestic industry has received no relief of any kind from the Administration.

It is little wonder that those businessmen familiar with the nonrubber footwear situation, and perhaps with similar problems faced by other industries, are skeptical about the Administration's intentions in providing import relief.

The Administration's trade bill revises some of the countervailing duty provisions. One proposed change would set a time limit of one year when the Secretary of the Treasury must make a determination as to whether a foreign subsidy exists.

But the one-year limit would begin when the matter is presented to him by his staff! The Treasury Department staff has been agonizing over a complaint brought by Magnavox against allegedly subsidized TV sets from Japan since at least May 1972. In the Spanish nonrubber footwear countervailing case filed with Treasury in February 1973, Treasury has yet to announce that it is investigating the complaint.

The Administration's trade bill provides authority to retaliate against unfair trade practices of foreign countries. The President said in his April 10 message that he was asking "for a revision and extension of his authority to raise barriers against countries which unreasonably or unjustifiably restrict U.S. exports. * * * I will consider using it whenever it becomes clear that our trading partners are unwilling to remove unreasonable or unjustifiable restrictions against our exports."

But present legislation permits the imposition of import restrictions as a retaliation against unfair practices on agricultural products.

Action limited to withdrawal of tariff concessions is permitted under present legislation for non-agricultural products. The Administration has been concerned over the import quotas on agricultural products maintained by Japan which are inconsistent with GATT and over the common agricultural policy of the European Community which has affected our exports. Yet the existing legislation has been invoked only twice in its eleven-year history, both times on agricultural products, but never against Japan's import quotas or the European Community's common agricultural policy. It has never been invoked on non-agricultural products.

There are other provisions in the Administration's trade bill which have evoked concern and opposition. The proposal to extend most-favored-nation treatment to the Soviet Union has generated opposition because of criticism of the Soviet Union's emigration policies. The proposal to permit duty-free entry of industrial products from the developing countries has received opposition from industries which are concerned that these countries with their low labor costs and government programs to assist exports are the ones which create the most disruption in the U.S. market. The AFL–CIO reiterated its opposition to the bill on August 2, 1973 saying that it "provides no specific machinery to regulate the flood of imports. It does not deal at all with the export of U.S. technology and capital to other parts of the world where corporations can maximize profits and minimize costs at the expense of U.S. production and jobs. It does nothing to close the lucrative tax loopholes for American-based multinational corporations which make it more profitable for them to locate and produce abroad."

It is against this background that the trade bill is wending its way through Congress.

III

It has been more than six years since the Kennedy Round was concluded. Since then we have seen many significant developments affecting the world economy: the expansion of the European Community from six to nine member states; the development of trade deficits by the United States; a series of monetary crises leading to two devaluations by this country and revaluations by Germany and Japan; the latter's emergence as a world economic power; growing energy crises faced by most industrialized countries; the imposition of an import surcharge by the U.S. in 1971 and of export controls on some basic agricultural commodities in 1973; and substantial increases in the export earnings of the developing countries through their exports of raw materials needed so badly elsewhere in the world.

Underway today in Tokyo is a Ministerial Meeting of GATT attended by some 80 nations. The purpose of this meeting is to launch a new round of multilateral trade negotiations. It is expected that a declaration of principles will emerge from the Tokyo meeting to guide the future GATT trade negotiations.

The so-called Tokyo Declaration will deal with further reductions or elimination of tariffs; the lowering or removal of nontariff trade barriers; the need to assist further the development of the developing nations; the elevation of living standards and welfare of the peoples of the world; the institution of safeguards to deal with situations of market disruption arising out of import competition; and the establishment of a Trade Negotiations Committee as the principal negotiating body for the multilateral trade negotiations.

One issue undoubtedly being debated in Tokyo is the interrelation between trade and monetary matters. The multilateral trade negotiations will be taking place concurrently with negotiations to reform the international monetary system, and the question arises as to the harmonization of the two negotiations. The U.S. has been of the opinion that a successful monetary system depends upon governments adopting measures to reduce trade barriers and liberalize trade. The European Common Market has taken the position that there should be no action on trade until decisions have been reached on monetary matters.

There is no question that the Tokyo Declaration will be agreed to by the conclusion of the conference tomorrow after differences have been papered over. The trade negotiations will be launched. They have already been referred to by some as the Nixon Round. A goal of 1975 for conclusion of the negotiations has been recommended by the GATT Preparatory Committee.

The problems ahead for the U.S. in the multilateral trade negotiations will be many and formidable. The benefits which will accrue to the U.S. will depend to a large extent on the philosophy which the U.S. adopts for these negotiations. We may, perhaps, have a clue in the historic speech made by Henry Kissinger in April 1973 in which he spoke of a new Atlantic Charter establishing a new relationship of harmony and cooperation between the U.S., Canada, Western Europe, and Japan. He said that "it is the responsibility of national leaders to insure that economic negotiations serve larger political purposes. They must recognize that economic rivalry, if carried on without restraint will in the end damage other relationships." In referring to the forthcoming trade negotiations, Kissinger said that "the United States intends to adopt a broad political approach that does justice to our overriding political interest in an open and balanced trading order with both Europe and Japan. * * * We see these (trade) negotiations not as a test of strength, but as a test of joint statesmanship."

These are certainly lofty hopes, innovative and challenging. But for the U.S. to enter comprehensive trade negotiations with an approach which says that international political objectives will transcend economic objectives, can only result in the U.S. again assuming the role of *demandeur*, the role of taking the initiative, of responsibility for a successful outcome, a role which the U.S. has played before in every post-war round of trade negotiations. As commendable as this role might be in terms of international statesmanship, it is also a liability at the negotiating table The result in the past has been the failure of the U.S. to receive full reciprocity, something which the U.S. was willing to accept because of its desire for foreign policy reasons to see each round of trade negotiations successfully concluded and because of our confidence in our competitive strength and economic well-being.

The time for the U.S. assuming the role of leader in trade negotiations is past. The events of the last half-dozen years should certainly confirm for us today that we are no longer "top dog" in the world economy as we were in the twenty-five years after World War II. The United States has displayed considerable initiative in getting the multilateral trade negotiations launched. But if we continue as leader, as *demandeur*, in the months ahead as the negotiations progress, instead of allowing others to play the key role, we will again come out of these negotiations without full reciprocity.

I should add that I am not sanguine that we will let others fill our traditional role. There is concern that no one else cares as much about these negotiations to put itself in the position of leadership that the U.S. occupied in previous trade negotiations. Furthermore, the desire of the Administration before it leaves office to have some major achievements in the international arena along the lines of the initiatives of the Kissinger speech can only lead to a revival of the role which the U.S. previously played. Then we are bound to get a reprise of the tunes of yesteryear.

In this atmosphere it is essential that the business community convey it's views to the Congress and the Administration on the shape of the trade bill and the course of the trade negotiations. The public hearings of the House Ways and Means Committee, and later of the Senate Finance Committee, are helpful, but not definitive. I am sure that members of these committees and of the two bodies themselves always welcome receiving views on various aspects of the legislation.

When trade negotiations commence it is important that the government negotiators receive advice at the policy and technical levels from industry. There must be a two-way flow of information, a full opportunity to exchange views and to develop a consensus, and a means to draw upon all national sources for information and expertise. The Chamber of Commerce of the United States has recommended a three-tier system to be part of the trade bill which would provide for the flow of information necessary for sound policy decisions, the participation of qualified people, and a mutuality of responsibility and functions. The Chamber's proposals are highly constructive and, if implemented, should go a long way to improving the chances of successful negotiation for the U.S.

IV

Thus, the weeks and months ahead as Congress shapes the new trade legislation will have much bearing on the shape of the trade negotiations in the months and years ahead. There is a role for new trade legislation and new trade negotiations. Let us hope that what the American people will receive in Washington and in Geneva will strengthen our country and its economy.

BOOKS AND DEMOCRACY GO UP IN SMOKE IN CHILE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. LEGGETT. Mr. Speaker, for most of us, the term "book burning" suggests the late unlamented days of Adolph Hitler. Unfortunately, the new military government of Chile appears to be engaging in book burning today.

According to the Washington Star-News' very reliable Latin American reporter, Jeremiah O'Leary, the Chilean Army and national police are going through Santiago under the pretext of searching for explosives, taking books out of people's houses and burning them in the streets. The books to be burned include not only Marxist texts but the works of Pablo Neruda, the recently deceased poet who was Chile's only Nobel laureate. With the intelligence and perspicacity one might expect from book burners, they also regard the works of Sir Arthur Conan Doyle and a book called "Revolution in Art" as subversive, and these two are going into the fire—but ironically books by Herbert Marcuse and Black Panther literature remain.

According to Marlise Simons of the Washington Post, some of the troops claim to have orders to "burn everything connected with politics. No matter whether it is right, left, or in the middle."

Let us consider the cause and nature of the coup that brought the book burners to power. It is plain that Salvatore Allende was not a competent politician or administrator. During his administration, inflation ran over 300 percent, farm production plummeted 40 percent, and strikes and shutdowns plunged the nation into ever-deeper chaos. While Allende supporters will blame this on his political enemies, I don't think this excuse washes in Chile any better than it does here. When one is chief executive, only results count. The failure to win over or to outmaneuver your opponents—playing by the rules, of course—is no more excusable than any other failure. With this in mind, it is my personal view that Chile's best hope lies with a moderate progressive such as Allende's Christian Democratic predecessor, Eduardo Frei.

But, if the junta has its way, the Chilean people will not get Frei, or any other President of their choice. They will get the military junta, period.

We should not delude ourselves by believing the generals' claims that they took over for the purpose of "restoration of constitutional rule". With no rationale given or possible, the generals have discarded Chile's model democratic constitution and announced their intention to write their own. The junta's every action, of which book-burning is only one of the most publicized, points to a simple military takeover for the purpose of establishing a permanent military dictatorship.

If the junta's purpose were simply to stop what it saw as the unconstitutional actions of the Socialist government, it would have opposed Allende and immediately turned control over to the Congress, which would then have held a new presidential election.

Instead, the junta has abolished the Congress and given itself absolute power for an indefinite period. This cannot possibly be justified on grounds of anti-communism, since the legislature was firmly under the control of the Christian Democrats.

Some indication of the length of time during which the junta plans to hold power is given by its recent cancellation of the Pan-American games scheduled to be held in Chile in 1975.

Unless the political equation in Chile is disturbed by outside influence, I will be surprised if the junta is able to hold power. I say this not just because of the overt supporters of Allende—although the significance of his party's control of 43 percent of the legislature should not be underestimated. But, for more important is the fact that Chile has a long tradition of democracy, of freedom and of intense political consciousness. Until now, every faction, from far right to far left, has played by the rules: gaining or losing power according to the will of the people as expressed at the polls. Allende himself lost three presidential elections—one by a very small margin—and he accepted the loss without question. Likewise, his civilian opponents on the center and right accepted their loss when the Chilean people chose Allende, and when Allende's party gained seats in Congress in the 1973 midterm elections.

With the highly regrettable exception of Allende's attempt to put economic pressure on newspapers which opposed him, verbal and printed political debate has been even more free-swinging in Chile than here in the United States. This is the first major interruption in the operation of the Chilean congress in 160 years.

But now the generals are seeking to abolish all political activity and to impose a repressive dictatorship. They have also abolished all political parties and labor unions. They have dismissed university heads and local elected officials, replacing them with military officers. The quality of performance Chileans can expect is perhaps typified by the retired naval captain placed in charge of the Santa Maria Technical University, an ideologically neutral institution among the best in Latin America. This gentleman's first act was to close the university and ban all activities other than a purge of all disapproved literature from the library. However, he was unable to direct a reporter to the library, admitting "In truth, I have never been there." It will be interesting to observe the progress of a university headed by a man who burns books but doesn't know how to find the library.

The Chilean people have never known authoritarian rule; it seems probable they will oppose it. The junta's chance of success seems poor—unless the United States backs it by continuing to give it military aid.

I do not object to the Nixon administration's recognition of the junta. In fact, I commend it. I have always felt that we should recognize governments in power whether or not we approve of them.

But aid is another matter. There is no reason why this dictatorship, which by force overthrew a legitimately elected government, should receive one cent of American aid, particularly military aid. There is no external threat to Chile; as far as internal threat of subversion is concerned that is not our business, especially since the present regime came to power by subversion of a freely elected government.

Nevertheless, we can expect a massive "tilt" in the direction of supporting the junta regardless of the wishes of the Chilean people. We can probably expect from the United States a flood of military aid to assist in turning what was formerly the most free nation in Latin America into one of the most repressive.

The end result will be to feed the already massive anti-Americanism in that part of the world, to our eventual detriment. Some day some President is going to have to undo the harm that the Nixon administration can be expected to create.

There remains one hope: Congressional action to suspend military aid to Chile until such time as an elected government takes office. And let there be no doubt that an election would be held very soon after such a prohibition were enacted. We have it in our power to bring democracy to Chile; I hope we will use it.

PITTSFIELD, ILL., COMMUNITY HIGH SCHOOL FOOTBALL TEAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FINDLEY. Mr. Speaker, it was inevitable. Bound to come. Like death and taxes. The immutable laws of probability, averages, and human nature willed it.

For six seasons in a row, the Pittsfield, Ill., Community High School football team had mowed down every rival. For 64 consecutive games, the Saukees, who take their name from an Indian tribe that once roamed the hills of Illinois' 20th Congressional District, had been victorious. Not even a tie game blemished this record.

Last year, they surpassed the record held by Geneseo, Ill., and established a new consecutive victories record for all of Illinois. This year the Saukees set their sights on the all-time national record of 71 consecutive victories held by Jefferson City, Mo.

This season began with a smashing 33 to 0 win over North Green, bringing the consecutive win streak to 64. But on September 21, 1973, the Saukees' magnificent streak came to an end. The neighboring Winchester High School Wildcats were the spoilers by a decisive 12 to 0 thumping of the Saukees.

In Pittsfield, which I am proud to add is my hometown, the sack cloth came down as soon as it went up. Sorrow? Only for a moment. After all, being No. 1 in the State and No. 2 in the Nation is not bad.

"The Streak," as the Saukees' record is known throughout my district, was begun in 1966 under then Coach Don Pollard. Coach Pollard left Pittsfield High School in 1971 to become defensive backfield coach for Western Illinois University.

Assistant Coach Fred Erickson stepped up to fill Coach Pollard's cleats in 1972. This year Coach Erickson moved on to another coaching post and his assistant, Dennis Heiman, moved into the head coaching job.

Looking back at those years, some astonishing statistics reveal just how great those Saukee teams have been. During the 64 game streak, the Saukees:

Amassed 2,081 points to just 161 scored by all their opponents.

Shut out their opponents in 46 of the 64 games.

Played the entire 1970 season without being scored upon by their opponents.

Were scored upon only once in each of the 1967, 1969, and 1972 seasons.

Allowed only two touchdowns by running plays during the entire streak.

Amassed a per game average of 32.5 points to a meager 2.5 per game average by their opposition.

To many of the Saukee players, their participation led to other things affording them opportunities they may not have had. The best estimate available shows that Saukee players have received college scholarships worth more than $225,000.

To the Winchester Wildcats, who brought the streak to an end, congratulations on proving once again that the underdog can rise to the occasion. Their thrill of victory is richly deserved.

"The Streak" may be ended. But the Saukees' record speaks for itself. To the three men and their assistants who coached the Saukees during the streak, my hat is off. And to all those young men who wore the Saukees' colors on the gridiron, I heartily offer my thanks for the thrills and pride their achievements brought to me and all the 20th District. I invite my colleagues to join in a richly deserved salute to Coach Heiman; Assistant Coaches Turner, Ferguson, and Spangler; team captain, Brett Irving; and the entire 1973 Saukee squad:

THE 1973 SAUKEE SQUAD

Danny Roberts, Mike Baehr, Jim McMakin, Mike Nevius, Don Bigley, Brett Irving, Jerry O'Brien, Mark Sheppard, Jeff Cox, Jeff Bunting, Billy Jeans, David James, and Mark Coultas.

Kevin Goewey, Dan Borrowman, Ed Ratliff, Dana Ferguson, Tim Cattelman, Glen Hilgedick, Randy Boes, Craig Beard, Doug Cattelman, Phil Harpole, Richard Noble, and Brian Cox.

Ed Moss, Jerry Osborn, Mike Hassett, Jim Niebur, Ed Cattelman, Bruce Rummenie, Ken Klatt, William Stolte, Rick Miller, Terry Hubbard, Zane Leggett, and Merle McGlasson.

THE 17TH DISTRICT QUESTIONNAIRE RESULTS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ASHBROOK. Mr. Speaker, I have just completed my 13th annual opinion poll of the 17th Congressional District of Ohio. As in the past, the response has been excellent. More than 23,000 citizens responded. More than one-fourth of them added a letter or written comments to their poll.

The poll follows:

1973 PUBLIC OPINION POLL OF 17TH DISTRICT

[In percent]

	Yes	No	No opinion
1. Do you believe that a special prosecutor, independent of the White House, should be appointed to investigate the Watergate affair?	84.0	12.7	3.3
2. If the current facts on the Watergate affair had been known to you last November, would your vote have been the same?	66.3	26.8	6.9
3. Do you favor extending U.S. financial aid to North Vietnam?	7.5	89.2	3.3
4. Do you approve President Nixon's ordering of bombing missions in Cambodia?	30.9	59.9	9.2
5. If Laos, Cambodia or any Southeastern Asian Country is invaded by the Chinese Communists, do you favor sending U.S. troops in support of that country?	13.4	80.2	6.4
6. If a domestic Communist and/or guerilla army attacks the Government of Laos, Cambodia, or any other Southeastern Asian country, do you favor sending U.S. combat troops?	10.4	83.1	6.5
7. Do you favor granting across-the-board, unconditional amnesty for draft evaders?	9.8	85.9	4.3
8. Would you favor permitting draft evaders to perform several years of public service instead of serving jail sentences?	58.8	36.1	5.1
9. Do you favor trade with Red China and the Soviet Union?	64.0	28.8	7.2
10. If we trade with Communist nations, should we trade in strategic materials which can be used in defense or war production?	11.2	86.0	2.8
11. Do you favor giving "most favored nation" treatment to Red China and the Soviet Union? This means in effect that they are in the same position as our best friends as far as trade concessions and benefits	19.7	71.0	9.3
12. Do you favor legislation which would forbid the President from committing U.S. troops for combat action outside the Continental United States?	52.3	39.7	8.0
13. Do you believe that the President should be compelled to spend all funds appropriated by Congress (even when he believes that these expenditures are not in the best national interest)?	19.4	76.3	4.3
14. Do you favor Federal tax credits to reimburse parents for part of the cost of private school tuition?	29.0	63.5	7.5
15. Regarding the possession and use of marihuana, the Federal Government should:			
(a) Legalize its possession and use	12.6		
(b) Reduce present penalties	14.6		
(c) Retain present penalties	18.7		
(d) Increase present penalties	35.7		
(e) Legalize possession and use but continue present penalties for any illegal sale	18.4		
16. Should college students and strikers be eligible for food stamps?	15.8	73.2	11.0
17. Do you agree with the administration's decision to transfer most of the poverty programs (OEO) to other agencies and end Federal funding of community action programs?	52.2	33.4	14.4
18. There appears to be few alternatives to the Penn-Central Railroad problem. Which do you prefer?			
(a) Give massive federal aid to the Penn-Central Railroad?	28.4		
(b) Have the Government take over the railroad?	33.8		
(c) Let it go out of business?	26.4		
19. Do you approve of the Supreme Court ruling that abortion is permissible under certain guidelines?	62.4	28.8	8.8
20. Should the death penalty be retained for specific Federal crimes?	77.5	12.5	10.0

DEFENDING LEGAL SERVICES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. RANGEL. Mr. Speaker, I have spoken often about the importance of the Federal Government's program of legal assistance for the poor. Early in this session the House acted to continue this program but severely crippled its chances of continued effectiveness by enacting several amendments limiting the ability of Legal Service lawyers to assist their clients. I opposed each of these amendments during the debate on the Legal Service Corporation and I hope that the Senate Labor and Public Welfare Committee, which is taking up the bill this week, will report out a bill for Senate consideration that is free of the amendments which were unfortunately added on by the House.

Last Tuesday's Los Angeles Times contained an editorial on the Legal Service program which should be of interest to all of us. I commend this editorial to the attention of my colleagues:

[From the Los Angeles Times, Oct. 1, 1973]

MAIMING OF LEGAL AID FOR THE POOR

Everyone is equal before the law in theory. In fact, some are more equal than others. Those who have money to hire a competent lawyer enter the fray with a great advantage over those who do not. In recognition of this, the federal government established a legal services program for the poor eight years ago.

During these eight years, the program has been under constant attack, and may soon be emasculated. Success may be its downfall. Legal service lawyers have won too many cases—about 85% of them. More than that, they have frequently gone to the Supreme Court and have achieved precedent-setting victories that established not only the rights of clients but, through them, have advanced the cause of the poor in general.

This came about not because the program's attorneys were decisively superior to opposing counsel in every case but because the courts recognized the injustices suffered by the poor and acted to redress these wrongs.

During the controversy this year over the poverty legal services, President Nixon proposed legislation to continue the program under an independent federal corporation. The House, shortly before Congress recessed for the summer, approved the bill but, in doing so, maimed it almost beyond recognition. In its present form the bill would: (1) prohibit lawyers for the poor from lobbying before state legislatures and Congress or even testifying unless subpoenaed; (2) stop these attorneys from filing school desegregation, abortion and amnesty cases or representing any juvenile without consent of parents; (3) deny federal funds to "backup centers," which provide poverty lawyers with research materials, and (4) require the corporation to pay court costs and attorneys' fees of defendants who win suits brought against them by legal service lawyers.

The purpose of these restrictions is clear. They are designed to cut the heart out of the legal defense of the poor. Orville Schell, president of the New York City Bar Assn., points out that this bill means that poverty lawyers will be going into court "with one hand tied behind their backs."

President Nixon, in endorsing legal assistance for the poor, said last spring that "justice is served far better and differences are settled more rationally within the system than on the streets." If that is so—and it is—the Administration, which apparently is wobbling in support of its own bill, and the Senate should come to the rescue of the legislation and cut off the crippling amendments imposed by the House. The rescue operation should begin this week when the bill is taken up by the Senate Committee on Labor and Public Welfare.

MILITARY AID TO SOUTH VIETNAM

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Ms. ABZUG. Mr. Speaker, this afternoon I testified before the Subcommittee on Defense of the House Appropriation Committee on the implications of granting further military aid to South Vietnam. These are ominous times in Vietnam—the preamble to another fullscale war. The size and nature of American military aid is directly responsible for this situation, since we supply Thieu with the resources that encourage and permit him to ignore the Paris Agreement. By suppressing all political dissent, he drives opponents toward military solutions. By aggressively chewing away at PRG territories, he continuously provokes PRG military response. It is extremely unlikely that the situation will go on indefinitely since the PRG will not give up unilaterally the political and territorial rights they were accorded at the Paris Agreement.

In the most serious vein I urge my colleagues to consider these issues in my testimony, which I now insert in the RECORD:

TESTIMONY OF CONGRESSWOMAN BELLA S. ABZUG

Mr. Chairman, members of the committee, thank you for the opportunity to share with you my views on a portion of the military procurement bill now under consideration. I want to deal today with a substantial but largely neglected part of this bill, the proposed 1.3 billion dollars of military aid for South Vietnam and Laos. For in voting on this issue this committee will, in a very direct fashion, decide whether we insure another round of the Vietnam war or start to create the conditions wherein the basic conflicts in this war torn land begin to be resolved.

Mr. Chairman, any aid given or withheld is a political act. It cannot help being so. The military aid proposed through the Military Assistance Service Funded (MASF) program enters highly complex legal and political situations. The Administration thinks that "peace" i.e. the present low scale of war can be perpetuated by allocating another $1.3 billion. The Administration position is wrong. It takes only a little Vietnamese history to understand this.

The current state of semi-peace in South Vietnam cannot be definitively analyzed with any great confidence. Nevertheless the visible political and economic variables do suggest that the situation there is in a period of transition far more complex, ominous, and

potentially explosive than the present surface calm might indicate. The Paris Agreement of January, 1973 laid out an institutional framework and process by which the central conflicts of a 30-year civil war could begin to be resolved. However, the politics of accommodation that have gone on for years in some villages have not been emulated at the top. The GVN, thanks in large measure to American advice and largesse, has ignored the Paris Agreement and proceeded in a relatively totalitarian fashion in the area that it controls. The PRG has also not been averse to coercion in the areas it holds.

The logical conclusion is that the unresolved conflicts will precipitate another round of war in the rather near future. The war was fought to expel foreigners; the United States is still there, supplying now 85 to 90 percent of the resources of the GVN (Thieu government) and, in effect, making it an artificial economic creation. The war was fought to redistribute political and economic power; some land has been redistributed, but most of the wealth and political control thereof rests with a small urban clique of civil servants, army officers, and businessmen. The war was fought over the appropriate path to modernization—socialism or capitalism; neither side has seen fit to move very far away from ideology toward pragmatism. The war was fought to unify politically one civilization and culture; that has not happened yet. Finally the war was fought to define anew the concept of political legitimacy; the 100 to 200,000 political prisoners in GVN jails and the continued unwillingness of Vietnamese citizens to pay GVN taxes are striking indications of how little resolved the issue remains.

In such a situation any injection of further aid is going to have profound legal and political implications. I want to address today both sorts of issues.

THE LEGAL FRAMEWORK

The Military Assistance Service Funded (MASF) program is the principal framework for military support of the South Vietnamese and Laotian governments. In times past this channel provided material, training and financial support through three DOD categories: personnel support, operation and maintenance, and procurement. In section 601 of HR 9286 the House Armed Services Committee and DOD reached a compromise request of $1.3 billion for FY 1974 to continue these programs. On page 85 of the committee report on HR 9286 this figure is broken down: $47.5 million for military personnel, $691.8 million for operations and maintenance and $446.0 million for procurement.

On January 27, 1973, the United States signed the Paris Agreement which, among other things, defined in Article 7 paragraph 2 how future military assistance may be accorded to any party in South Vietnam:

"The two South Vietnamese parties shall be permitted to make periodic replacements of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the ceasefire, on the basis of piece-for-piece, of the same characteristics and properties under the supervision of the Joint Military Commission of Control and Supervision."

On February 21, 1973, the United States signed a cease-fire agreement for Laos which included a more general paragraph prescribing prior joint consultation and agreement before any outside military interference in internal affairs.

In the months that followed, none of the designated commissions have been able to agree upon a list of permissible items. DOD soon created its own list which it released in Saigon several months ago to representatives of the Congress. This list, reproduced in the Committee report to S1443 (The Foreign Military Sales and Assistance Act, passed by the Senate), contains 13 categories of "armaments", 8 categories of "munitions" and 8 categories of "war material". Commonsense definitions of these terms were included. Taken together these 29 categories correspond almost exactly to those items which appear under the larger DoD Category of procurement. In sum, the Paris Agreement, by DoD's own interpretation, restricts American aid to procurement items.

I am persuaded that no logical or legal rendering of the Paris Agreement can justify hundreds of millions of dollars to support the daily operating costs of an army of 1.1 million men. The Paris Agreement constrains the United States from interfering in the internal affairs of South Vietnam. In one form or another this restriction appears in Articles 1, 3, 4, 5, 7, 9, 13, 15, 20, 21 and 22. It is the central tenet of the Paris Agreement. Is it reasonable to expect the PRG to live up to the Paris Agreement if we have so massively violated its core element from the day it was signed?

I urge this committee to address the new legal realities brought by the ceasefire. Would it not be eminently logical to cut MASF funds from $1.3 billion to $500 million and eliminate the proscribed forms of support—personnel support and operations and maintenance? This would not lower at all the DoD request for "armaments, munitions, and war materials," the procurement figure of $446 million. In fact such a proposal allows an extra $50 million for flexibility. Keep in mind as well that the political situation in Laos now indicates that little or no military aid will be legitimate.

The Committee should know, too, that funds are continuing to flow to Vietnam for military purposes other than procurement. Funds left in the pipeline, anywhere from $200 to $1,200 million, depending upon which DoD witness one believes, remain available. Plasters generated by the Food for Peace program will provide a $140 million general subsidy to the South Vietnamese armed forces in FY 74. Plasters generated from the $275 million Commodity Import Program will provide another general subsidy. Any such subsidies are prohibited by the Paris Agreement. Thus whatever amount this committee appropriates, the actual military aid to the GVN will be measurably larger.

THE POLITICAL FRAMEWORK

The cut from $1.3 billion to $500 million must, of course, be considered in its political context as well. The figure of $500 million is persuasive from a number of angles. If peace really arrives, the GVN should exhaust only a small portion of the $500 million. In point of fact today's New York Times reports that previously announced figures for military aid given since January were essentially inoperative because verification procedures are so poor and because aid to the Saigon army has not been included. The GVN army refuses to release such numbers, arguing that this information could help the enemy.

"However, some knowledgeable officials here speculate that the Army wants to avoid giving figures that could be used as an argument for a further reduction in American aid.

"American officials in Saigon favored making the figures public, but they were unable to persuade the South Vietnamese. The Americans have refused to release the information on their own."

It is insane that Congress is denied basic information about the actions of the American armed forces on the whim of the Saigon army.

If the present situation of low-level fighting continues, awareness of the ultimate limit of his resources will encourage Thieu to cut down contemplated offensive (and thus illegal) operations to save ammunition for defensive operations.

Today's Times also reports that the GVN has been given some unspecified limit. Quite obviously it is no real deterrent. In a separate article today appear fresh reports of GVN offensives. One need only look past the Saigon account to the reality in the field.

"But according to soldiers involved in the action, the battle was actually set off by a Government assault on a long-standing Vietcong military enclave, which was still being attacked with rockets by helicopter gunships late today.

"The Government operation here—which is receiving no publicity on the South Vietnamese radio—could be an unannounced response to the Communists' successful assault last week on the Le Minh ranger camp in the central Highlands.

"However, it also appears similar to Government operations elsewhere, notably in Binh Dinh Province on the coast, where South Vietnamese forces are attempting to clear away enclaves of Communist troops."

How much more provocative can the GVN be? This cut will force his commanders and troops to cut down on corruption and pure waste. It is also likely to begin the process of demobilization at a rate somewhat faster than Thieu would prefer. But if he is to stand any chance of long-term survival, he will have to get soldiers back on the land producing taxable revenue quicker than he realizes. There is little likelihood that he will start taxing his closest supporters at this late date. The GVN must start on the road to finding some other basis of revenue than the American taxpayer.

Contrast these possibilities against the present realities which will be continued if the current level of military aid is maintained. We pay now the major burden of supporting an army of 1.1 million soldiers. The GVN is thus able to keep tight social and political control over 4 to 5 million people, presuming that relatives are also vulnerable to coercion. By keeping hundreds of thousands of the most productive workers out of the labor market, not only is economic development slowed but the Vietnamese remain, as they have for years, accultured to depend upon us. Under such circumstances no government in Saigon can *ever* learn how to stand on its own feet.

Approving the Administration request will, however, have far more ominous political results than these. The present level of American aid makes possible not merely this mammoth army but also a police force of 122,000. The DoD admits that at least $8.8 million will go directly from MASF funds to police support, but does not acknowledge that by providing resources for all areas of GVN military and paramilitary activities, it frees other GVN resources for (and thus subsidizes indirectly) the most unconscionable political actions.

It is imperative that the Committee understand that the GVN police exist less for legal activities than for the political suppression of *all* opponents of the Thieu regime. I have recently returned from a visit to Saigon bringing back original documents that prove such a conclusion. It is a grotesque and enraging travesty of American ideals that the United States supports a government that can only stay in power by totalitarian harassment and the incarceration of 100 to 200,000 political prisoners.

It is sheer folly to believe that such a political situation can endure from one fiscal year to the next. By destroying the possibility of *any* political forum, never mind the open stage called for by the Paris Agreement in Article 11, Thieu has driven all opponents to seek solutions other than political. It is unreasonable to expect the PRG to wait patiently forever under such circumstances or

to surrender quietly what they gained under the Paris Agreement.

It would be well, I think, for the Committee to contemplate that its choice will have profound political effects at home as well as in Indochina. The Vietnam War and related military spending have considerably depleted American resources, to the point where further transfers of resources overseas seriously threaten the survival of the economy and thus our national security. The speculations on agricultural commodities by some of our foreign (and domestic) creditors, which has so aggravated the rate of inflation recently is but one example of the processes let loose by past and present spending patterns. This amendment takes one small step toward healthier priorities by eliminating $800 million of potential waste.

In sum, passage of the Administration request would further imperil the American economy, encourage continued warfare and waste in Indochina, and provide an enormous and unnecessary contingency fund for the Department of Defense. It would also support a DoD request which includes funds for operations and maintenance and personnel support; this is *contradictory* to what DoD has defined to the Congress as our obligations under the Paris Agreement. Cutting MASF funds to $500 million would, on the other hand, be both fiscally responsible and politically sound. And it would begin several processes in Vietnam that would allow the GVN to begin to generate its own revenue and stand on its own feet.

In closing, I would like to share with the Committee one of the saddest statistics I have ever come across. A young economics instructor at Bucknell University is completing a doctoral dissertation on the economic effects of the Indochina War. In it he has meassured with the most reasonable estimates possible all of the past, present and future costs "to the Federal Government and to the American economy occasioned by American involvement in Indochina" thus far. Among the categories he includes are the following: past, present and future military aid, veterans benefits, interest on the national debt, costs in future income of dead, disabled, exiles, etc., social costs of 100,000 drug addicted Vietnam veterans, and the costs of conversion. His premises appear quite reasonable. His final total is $676 billion. With the huge figure in mind, how can we countenance enlargement of the tragedy?

PETER HUGHES DISCUSSES THE BERLIN WALL

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. KEMP. Mr. Speaker, the October issue of the Alternative magazine includes a thoughtful commentary on the 12th anniversary of the construction of the Berlin Wall. The author, Peter Hughes, lived for many years in Berlin and thus speaks from a unique perspective.

With the United States embarking on the "year of Europe," with MBFR talks imminent, with NATO a topic of serious discussion, and with "détente" on the lips of so many, Peter Hughes commentary is particularly timely and deserves serious consideration.

Peter Hughes is currently on the staff of our distinguished and very outstanding colleague from Louisiana (Mr. TREEN).

The article follows:

WALL NO BARRIER TO MEMORIES . . .

(By Peter Hughes)

(NOTE.—August 13, 1973, marks the twelfth anniversary of the construction of the Berlin Wall. It stands as a monument to the Cold War.)

"The times they are a-changing," go the words of a Bob Dylan song. And indeed they are. It is said that we are in the midst of an era of entente, detente, and cooperation among the world's major powers, a period which is expected to bear the threshold of a new era.

What indications do we have that there is more hospitable sentiment between the powers of East and West? Well, for one thing, when East German refugees recently attempted to scale the Berlin Wall and escape to the West, there was an uproar of public opinion in West Berlin over the "alleged" shootings. East Germany's Pankow regime promptly responded by putting the "criminals" (those attempting to escape) on national television to refute the insidious capitalistic slurs. Not to let events stand with that, they then expelled one of the "criminals."

The times they are indeed a-changing if the East German government found it necessary to justify its actions on national television. (The television waves in both countries are strong enough to be received on either side of the border.) But the continued shootings at the Berlin Wall; the barbed wire and brick walls; the watchtowers and concrete dugouts with armed guards, dogs, and military vehicles; the field mines and miles of no man's land between East and West Germany; these are hardly monuments to peace, cooperation, and freedom of travel and thought between East and West.

I lived in Berlin for many years, and I was there on that fateful August 13, 1961, when the Berlin Wall was first erected. It is a travesty of politics that the lives of individual persons are so often overshadowed by the general course of history. But on that night of August 13 the erection of the Berlin Wall became a very real and personal experience for me when a young woman arrived at our doorstep with the proverbial child in arms.

Like so many other people living in the city of West Berlin (one-fourth of the city's 2.2 million population came as refugees from the Soviet occupied territory) this young friend of the family lived and worked in West Berlin while her daughter lived with her parents in the East. This young woman happened to be at the border separating the Russian and American sectors that night and saw that it was unusually active for 4 A.M. Light armored trucks and East German troops were guarding workers busily erecting wire fences and fortifications. Although she was unable to grasp the situation fully, it was with increasing apprehension that our friend realized that if she were to act and bring her daughter to the West, her last opportunity had arrived. At eight o'clock that morning she and her daughter arrived at our apartment. As the family later learned, this couple had been two of the last people to gain access to the West, two of the fortunate few who had been able to analyze the situation, weigh its alternatives and act decisively.

Today that access is sealed more than ever. Where once tens of thousands fled, now only hundreds succeed and many more die or get caught in the attempt. The Wall has accomplished its end. The East German regime, carefully manipulated from Moscow, in an attempt to forestall the further depletion of its population (one-fifth of East Germany's population had fled the country before the Wall was erected), has created an almost insurmountable barrier which runs through the heart of Berlin and which isolates the country from its western borders. The Wall separates Germans from Germans, parents from children, lovers from lovers, and friends from friends. The attraction of freedom has been countered by imprisonment. What prevents a more humane solution to the problem of Berlin is the unfortunate fact that the city's crisis remains the core and symbol of the East-West confrontation. Whereas East Berlin is claimed as the capital of the German Democratic Republic, West Berlin has become "inextricably" linked with the Federal Republic of Germany, the city has, consequently, become a pawn for great power endeavors.

Federal Republic Chancellor Willy Brandt's *Ostpolitik* has made numerous concessions to the Pankow regime in an attempt to promote conciliation between the two Germanys. The West German government has recognized the concept of two German states within one nation. Both Germanies are expected to be admitted to the United Nations shortly and a flurry of diplomatic recognitions can be expected to follow. But the integrity of West Berlin is no more secure. To the contrary, the Soviets and East Germans have painstakingly avoided any formal recognition of West Berlin's ties to the Federal Republic. And, for the Berliners at least, a general conciliation appears to be as far away as ever.

The present calm in Germany is often mistaken for apathy; it is not. It is rather a helpless acceptance of reality. *Letters From the German Democratic Republic*, edited by the reputable philologian Hildegard Baumgard, reveals no great enthusiasm for the prevailing Pankow regime in East Germany, nor does it reveal disfavor. East German attitudes toward West Germany often seem balanced between admiration and dogmatic opposition. However, when West German Chancellor Brandt visited East Germany a couple of years ago the spontaneous and enthusiastic response he received (which proved an embarrassment to the East German government) proved that emotion and fervor are not far below the surface. In any event, the Wall remains and as one young East Berliner said, "perhaps Ulbricht (who was then East Germany's head of state) will realize that the Wall by virtue of its existence has become a fascinating lure to what is beyond."

Berlin is a city of great vitality—not at all because it has become a focus for global political tensions—but because culture blossoms and industry grows. No city has the greenery and waterways of Berlin, nor its memorable night life. Still, Berlin's future is closely linked to its political expectations, and so unfortunately all activities in the city are associated with politics. Isolation, of course, means insecurity. A sudden glance at the Wall always brings back the presence of the unrelieved East-West struggle.

No great change can be seen within the immediate future. The question of this city is not being settled as part of the German problem and within the general East-West "rapprochement". Some fear, therefore, that the ultimate solution for West Berlin will have to transcend historical ties to the West. Its fate arouses a sadness in all those who cherish the aura of the city. Indeed, the Wall may have served with irretrievable finality those last threads joining together the two Germanys. But the memories of what was, remain—and so do the reality of what is and the longing for what could be. It is with no slight effort that the Berliner can still say:

Berlin bleibt doch Berlin (Berlin will always remain Berlin).

JUVENILE JUSTICE IN BALTIMORE, MD.

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BIAGGI. Mr. Speaker, the problem of crime is not simply one of arrest, trial, and punishment. We must find solutions to break the cycle of crime. Our prisons oftentimes serve more as schools for crime than as correctional institutions. One of the prime groups for rehabilitation should be the juvenile offender. We must interdict the youth's first steps toward a life of crime.

One such project in Baltimore, Md., that is trying to work with juveniles is the pretrial intervention project. Neil Binder, who served on my staff this summer and is now associate editor of the Syracuse University Dialog, wrote an interesting piece for that paper on the Baltimore program and its success.

Unfortunately, this program like many others in the country, is facing a cutback in Federal funds with no State or city funds available to continue the highly successful project. Once again, the need for this Congress to develop a comprehensive manpower training program is spotlighted. For the benefit of my colleagues, I am including at this point in the RECORD, Mr. Binder's article on the program:

[From the Syracuse Dialog, Wednesday, Sept. 12, 1973]

A LOOK AT JUVENILE JUSTICE IN BALTIMORE, MD.

(By Neil Binder)

The city of Baltimore is similar to any other city. It is ugly, confusing and above all, there is crime; to be more specific, juvenile crime, for in this deteriorating metropolis citizens are confronted with one of the highest juvenile delinquency rates in the country. As one might well expect, Baltimore is one of those very very anxious urban areas that is hoping to find the answer to juvenile delinquency. Strangely enough, they may well have found it in a two year old program entitled Pre-Trial Intervention Project and in a man named Ed Harrison who heads up this admirable endeavor.

Ed Harrison's project became one of a new breed in juvenile therapeutics known as a Juvenile Diversion Program. Basically, what occurs is after police take a youthful offender into custody, they refer him to a Youth Services Bureau that serves the specific function of deciding what should be done with a child before trial. Some of these kids go to detention homes, most go back to their parents, and a few are referred to Ed Harrison and the Pre-Trial Intervention Project with whom to work.

The Project takes these kids and performs an extensive screening on each of them. Since the program is small, they can not take everybody that the Youth Services Bureau would like them to.

Those who are finally selected are counseled, instructed and made comfortable by the working members of the Project. The "main man" involved with each child is the counselor. None of these counselors have degrees in psychology, sociology, or any other field generally required by the Juvenile Justice System. All of them are either ex-cons or street people.

Though they have received limited training by Ed Harrison and others in psychological techniques, they think and talk to these kids the way they know how—the way of the streets. Ed Harrison pointed out: "These kids go into a room with a psychologist or sociologist who looks at them with their more holy than thou white tie expression and say, 'I want to help you.' There's no way a kid is going to listen to that stuff. He doesn't want to be helped by "White" justice.

Harrison makes extensive use of videotape equipment when counselors work with kids. These tapes show sessions where kids say school is like jail and counselors, instead of saying "why do you think so," are more prone to agree. A social worker for the Baltimore Youth Services Bureau explains: "The big plus of using ex-cons and street people is that they're not looking at youth problems from the outside in; they haven't learned the youthful offenders' difficulties from a middle class college or a reputable textbook."

"They themselves have had these difficulties; they themselves can identify with why a kid would want to rob a store or beat up a kid down the block. They don't feel uncomfortable in a run down tenement because they too have spent their lives in a run down tenement. It's something that's intuitive, something that's on your face and something a poor black child who's in trouble can see when it's there and he knows when it's not there. That's the way these kids decide whether to trust somebody or not."

These counselors work with troubled kids in a number of ways ranging from just hanging out with them on the street to "role playing." I asked Ed about "role playing" and he gave me an example that occurred the day before I arrived: "There was this kid who couldn't hold his temper. Man, you could smile at him, and he would punch you. Anyway, we started workin' with him to get him to understand that he's goin' nowhere throwin' punches. Finally we took the video equipment out on the street and started role playing. We had one of the counselors push him and taunt him; he called him a ——— and an ugly mother ———. Well, of course, he started swingin'. All of us settled him down and we went inside to talk about it. We replayed the film and talked about where he went wrong and what he should have done. "I asked him if he believed that this would prevent him from going outside and getting into a fight—it's one thing to do it while it's only acting, it's another when it comes to the real thing."

"By video-taping the whole incident and then thoroughly discussing it afterwards, the kid has something to relate to; if a similar situation occurs every time he is told he is ugly, it isn't a new and completely independent incident, it has suddenly taken on a whole new aspect. Suddenly, he is aware of what is right and wrong; due to his role play, he can think back and say 'Well okay, I am ugly, I know it now and I also know that by hitting this guy I'm not gonna become beautiful'."

Of course, by just having a counselor talk to a kid and getting him to quench his temper, this doesn't necessarily mean that he will follow the right line in life. A second aspect of Ed Harrison's Pre-Trial Intervention Project is employment. As Ed explains, the approach taken by Pre-Trial Intervention Project is not one of finding kids jobs: "Just think about it, some of these kids are big, and tough, and in reality, they're adults. Now many of them have been in trouble for God only knows how long. Okay, now here I am, Mr. Wonderful with 110 goof-offs, and I go to Mr. Big Businessman and say, 'Excuse me sir, I have 110 kids whom I am working with; they have all recently been arrested and though they still aren't "good" in the "white" sense of the word, they need jobs.' Could you blame him for saying 'Kiss Off'." The approach used by the Pre-Trial Intervention Project then is not one of finding a kid a job, but helping him find his own and teaching him how to keep it.

To be more concise on the matter Ed Harrison cites a slogan often used by members in the Project: "If you give me a fish I can eat for a day, if you teach me to fish I can eat forever." Thus, there is extensive use of role playing in order to provide juveniles with a standard to go by—fake interviews, fake work hassels, even role playing on how to wake up and get ready for work.

Every now and then someone comes by to offer a kid a job. They are all of the most menial type but all are taken graciously, "At least it's a place to start, I mean, these kids weren't made to be doctors," notes Harrison. The big emphasis is on steadily increasing a youth's ability to accept responsibility, and hold his own job and even prove he can do it well.

A big problem that the Pre-Trial Intervention Project must work with is the inability of many youths to realize proper priorities for money. "Too often, when kids of 16, 17, and 18 get a hold of money, it goes into buying booze instead of food. A flashy new Cadillac is a top priority instead of saving money, and, oftentimes, because these kids become frustrated in their attempts to collect enough for those luxuries they end up stealing in order to get them."

What Pre-Trial Intervention Project attempts to do under such circumstances is to try to get these kids to realize that the reason they believe these things to be so important is because their peers tell them it is. By working with the community, Harrison is able to get these kids to understand that buying a Volkswagen will take them where they want to go just as fast as a Cadillac and that this alone will put them in better shape than many others in the neighborhood who just dream of Cadillacs and end up getting where they want to go by bus. Thus, kids are convinced that if they think big they'll live small, but if they think small they'll end up bigger than most of those around them.

The Project is dealing with attitudes and biases of the Baltimore youth. Ed Harrison seems to have realized that all the training in the world won't make a youngster listen to a professional. As a social worker for the Youth Services Bureau of Baltimore noted: "It's all in a feeling, something in the youngster that strikes the right spot and makes him think that this guy is okay."

The success rates of the Pre-Trial Intervention Project are the best reflections of the success of their type of innovation. They have only ninety days to work with a child, ninety days to help him see the light. Ed Harrison has requested dismissal of 75 percent of all the cases he handles. The juvenile court judge has never refused one of these requests. That alone is extraordinary in Baltimore.

Of all the cases handled, only 7 percent have returned as recidivists to juvenile court. The rest are the very lucky ones who just happened to find that niche, probably the only place in the country where there was someone who really understood and said, "What's happenin' brother?" instead of "May I help you?"

BISHOP FRANCIS JOHN MUGAVERO

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. ADDABBO. Mr. Speaker, the bishop of the Catholic diocese of Brook-

lyn, N.Y., recently reached the 5-year anniversary of his ordination as administrator of the most populous diocese in the United States. The Most Reverend Francis John Mugavero is a most energetic and dedicated leader and his views on government's role in meeting the issues of poverty, housing, education, and unemployment are most interesting.

A recent interview in the Long Island Press, September 11, 1973, edition, contains a description of the challenges and goals of this most active and distinguished religious and community leader. I insert the article in the RECORD at this point, for the information of my colleagues in the House:

BISHOP'S FIFTH ANNIVERSARY: NO FANFARE FOR DIOCESAN ADMINISTRATOR

(By Seymour Marks)

Tomorrow, the fifth bishop of the Brooklyn Catholic Diocese will reach the fifth anniversary of his ordination as shepherd and administrator of the most populous diocese in the U.S. (only five archdioceses are larger than his Brooklyn-Queens charge).

How will the Most Rev. Francis John Mugavero (Muh-GUH-ver-oh) celebrate? He will spend a day of work at a three-day seminar on the liturgy, starting today at Immaculate Conception Seminary in Huntington. There will be no observance, no fanfare. It will be another work day.

Through such seminars, explained the gentle, bald-headed, bright-eyed bishop, "we hope to develop further in our priests and others a greater knowledge and fuller participation in the life of the church."

Work has been the mark of this 59-year-old churchman, as was well demonstrated before his appointment by Pope Paul VI and consecration by Archbishop Luigi Raimondi, apostolic delegate, at Our Lady of Perpetual Help Church in Bay Ridge on Sept. 12, 1968.

In 1944, fresh out of the Fordham University School of Social Service, with a master's degree and work completed for a doctorate, he assumed two laborious positions, as head of the Ferrini Welfare League and associate director of Queens Catholic Charities. He became director in 1950.

In 1961, he was named diocesan secretary for charities, and director of diocesan Catholic Charities. A year later, Pope John XXIII raised him to domestic prelate, with the title, Right Rev. Monsignor.

As head of Catholic Charities, he served actively and busily on many city, state and national committees and commissions.

His diocese is the nation's smallest in territory (179 square miles), yet it includes about 1.5 million Catholics. It has had a constantly shifting population as more and more middle-class parishioners moved to the suburbs.

In 1968, it was the only totally urban diocese in the country, and it still is. With this distinction, it inherits all urban problems.

At his first press conference after his consecration, Bishop Mugavero outlined the challenges facing him: poverty, unemployment, a greater opportunity for education for the young, and housing for the poor. The same challenges remain—but under intense attack.

Parochial schools and diocesan high schools, for example, have found enrollments decreasing each year. The total enrollment was 200,000 in 1970, and as the current term opened last Tuesday, there were 140,000 elementary and 30,000 high school pupils. Why the decrease?

"People, especially middle-class people, are constantly moving out of the urban area," the bishop explained. "We have had a decided decrease in childbirth since 1964. And many more of the parents who remain just cannot support the schools financially."

In five years, the high school tuition charge has leaped from $300 to $800, and elementary school tuition has risen from $80 to $270. Inflation has played its part. But also, Sunday mass attendance has dropped off 20 per cent, while church collections have dropped about $2 million, making it more difficult for parishes to support schools.

Besides, a considerable number of teaching brothers and sisters have left their orders, to continue teaching in non-church schools, and lay teachers' salaries have been added to the cost.

As with other problems of changing communities and changing times, Bishop Mugavero has attacked the school problem intensively. Late in April he started a nine-week Increased Parish Appeal. Volunteers went from door to door to urge greater support for the church.

"It is still too early to determine if it has been successful," said the bishop, "but we have reason to believe it has been. The average increase in Sunday offerings has been 30 per cent. We'll know by the end of the year."

But increased contributions are "not the total answer," said the bishop. "The total answer must include government support."

In light of last June's U.S. Supreme Court decision, how would this be possible?

"We feel we'll develop future programs that will be constitutional," he said.

Moving in on the basic problems he cited in his first press conference, Bishop Mugavero has decentralized services to the people, to a far greater extent than was ever imagined in the days when he ran the highly centralized Catholic Charities.

There are many more local offices and 160 senior citizen group centers in the two boroughs. In St. Mary's parish, Long Island City, a senior citizen center that can serve 2,200 has been established. It serves hot lunches, gives medical and other advice and offers a place to spend the day.

The bishop's often-smiling face became pensive as he mused, "I remember when I was in Catholic Charities—there were old people who lived on tea and toast."

The diocese has accomplished "a great deal of development for retarded children," said the bishop. For example, it has established two residences for 16- to 17-year-olds as homes while they seek jobs or training.

The housing goal has been targeted, with the diocese co-sponsoring two housing projects in Brownsville and one in Williamsburg and joining in the Atlantic Terminal development in Fort Greene. Housing has become more important as the population has changed.

"We have become a diocese of immigrants," observed the bishop. "We have a sizable Spanish-speaking population, including South Americans, Cubans, Santo Domingans, and a large Croatian colony in Long Island City."

And, of course, there are many thousands of Italian extraction as there have always been.

One answer to the problem of the ethnic melting pot, said the bishop, is, "Our priests and religious must learn a second language."

This summer, six-week crash courses in Spanish and Italian were held for priests, seminarians, and religious at Cathedral College, Douglaston. They not only learned the language at the blackboard, but went out on field trips "to learn the nature of the people and their customs."

The diocese sent 75 priests and religious to Puerto Rico and South America. It has established neighborhood "migration centers" in Long Island City, Bensonhurst and South Brooklyn where, without charge, recent immigrants can find out how to learn English, find jobs, find doctors who speak their language, and solve other problems.

The bishop himself has said mass in French, speaks Italian, and is learning Spanish. Last Saturday, he presided at a mass for Cubans in St. Michael's Church, Flushing.

"We hope this will help us become part of the life of the parishes," he said. "We want people to feel they are part of the church."

Younger people among the clergy have never considered Bishop Mugavero highly liberal. But the chancery organization has never been known for liberalism. Yet, even some of the activists in the diocese do not consider the bishop a true conservative. For example:

"I don't think the habit is an essential part of religious life," he said. "You can have wonderful priests, nuns and brothers without the habit, and we do have them."

But in the matter of marriage, he is firm and serious:

"I believe in the present legislation of a celibate clergy. This is one of the witnesses we have of sacrifice and total commitment."

What about the next five years?

Bishop Mugavero's face broke up into hundreds of little laugh-lines, as he smiled the broad smile that frequently flashes across his face and his eyes twinkled in a way that somehow brought to mind his Latin heritage as the son of a Brooklyn Italian barber.

"Five years . . . I'll be exhausted!"

Then, suddenly pensive, the churchman still in the prime of his years of achievement, said: "If we continue in the terms of openness, of getting close to others, we will be successful."

He talked of "a better school system," with the schools perhaps fewer, and concentrating the children of, say, six parishes in two buildings. He saw the "job of the future" as "consolidation," of "real quality education, both religious and lay education," and of opportunities for learning for young and old.

The bishop's idea of getting close to people means not only his own flock, but all others. He has been cited and honored by groups in many religions and sects, and is episcopal moderator of Catholic-Jewish relationships of the National Conference of Catholic Bishops.

"Having been born and reared in a Jewish neighborhood in Brooklyn," he said, "we try to be as ecumenical as possible."

Then, summing up his past five years:

"There have been many challenges. You don't meet a challenge all by yourself. You meet them with the help and cooperation of the priests and religious. They have been encouraging, supportive and cooperative."

Could that be because this bishop evokes that kind of loyalty?

His face broke into another all-illuminating smile.

"Well, he tries . . . he tries. That's all a guy can do."

A TRIUMPH IN SPACE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Washington Post's editorial of Saturday, September 29, 1973, points out that the latest Skylab mission—

Shows how quickly man is becoming more at home in space . . . to the extent that the most impressive human and technological feats have come to be regarded by laymen as almost routine.

The editorial goes on to say that the task now is to build on that foundation and secure an equal measure of political progress to insure that our capability will be used for universal benefit.

The achievements of the Skylab mission will not be fully realized for years to come. I hope that this body will continue to stand behind our space program, be-

cause through it we will solve the problems of the future. I recommend the editorial to my fellow Members of Congress and the general public:

A TRIUMPH IN SPACE

It would be a gross understatement to call the latest Skylab mission a success. After a somewhat rocky start, astronauts Alan L. Bean, Jack R. Lousma and Owen K. Garriott performed so well that they far surpassed the goals set for their 59 days in space. By the time the three splashed down in the Pacific on Tuesday afternoon, they had collected an astounding array of data which will keep scientists engaged for years. The thousands of pictures and miles of tape which the crew brought back may well provide the keys to unlock many secrets of the sun and earth. As a scientific endeavor, this mission is already being counted as the most fruitful of all space ventures so far.

The voyage also provided impressive new evidence of how well men are able to function in space and how valuable human skills and ingenuity can be. Like the Apollo crews before them, the Skylab teams have been able to do things which no instrument could do—repair the spacecraft, improvise experiments, adapt to unforeseen events. The most recent mission was also a crucial test of human endurance and resilience, with results even more encouraging than NASA's specialists had anticipated. The men of Skylab 2 were able to live and work productively in weightlessness for two full months with, apparently, relatively few adverse physiological effects. Although the long-term medical impact of that experience cannot be measured yet, it now appears that men should be able to weather even longer stints in space.

The prospect of permanently orbiting, manned space laboratories used to be the stuff of dreams. The Skylab program underscores how rapidly such science fiction is becoming scientific fact. It shows how quickly man is becoming more at home in space and more accustomed to the reality of extended space flight—to the extent that the most impressive human and technological feats have come to be regarded by laymen as almost routine. Since the first "giant leap for mankind," NASA's achievements have produced a quantum jump in man's comprehension of the universe. The task now is to build on that new foundation, and to secure an equal measure of political progress to insure that this new capability will be used for universal benefit.

ILLINOIS COOPERATIVE MONTH

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. FINDLEY. Mr. Speaker, the role of cooperatives in the growth and development of Illinois agriculture has been vital indeed. It is entirely appropriate for the Congress to recognize these achievements in October, because this month has been designated as Cooperative Month.

An excellent summary of the role of cooperatives in agribusiness in Illinois has been prepared by Walter J. Wills, professor of agriculture, Southern Illinois University, Carbondale:

COOPERATIVES IN ILLINOIS

(By Walter J. Wills)

The agricultural cooperatives in Illinois are an off farm phase of the farm business owned and controlled by the farmer member patrons. They provide an opportunity for farmers to offset the disadvantages of buying their supplies at retail prices and selling their production at wholesale prices. This business organization provides a means for farmers through group action to obtain some market power to provide a more profitable agriculture which in turn helps assure American consumers of an adequate supply of food and fiber at reasonable cost. This contribution to a healthy agriculture also promotes agricultural production that will increase exports, thus contributing to a more favorable balance of payments.

In Illinois there are over 350 marketing and purchasing cooperatives doing an annual business of nearly $1.5 billion. These cooperatives provide a market for grain and soybeans, milk, livestock, fruits and vegetables. They are a major source of purchased inputs such as petroleum products, feed, seed, fertilizer, farm chemicals, paint, tires, and building supplies. The 18 production credit associations loan over $350 million annually to Illinois farmers. The 26 Federal Land Bank Associations finance over one third of the farm real estate in Illinois. There are 27 rural electric associations providing electricity to rural Illinois. There are 2 electric generation and transmission cooperatives in Illinois. There are 6 telephone cooperatives in Illinois. Recently the St. Louis Bank for Cooperatives had loans in excess of $103 million to Illinois cooperatives. Other cooperatives serving Illinois farmers are: artificial insemination, insurance, and frozen food lockers.

Five states (Minnesota, Wisconsin, Texas, Iowa and North Dakota) have more cooperatives than Illinois. Minnesota, Wisconsin, Indiana and Iowa have more marketing and purchasing cooperative members than the 388,000 in Illinois. Cooperative members in California, Minnesota, Iowa and Wisconsin do more business with their cooperatives than do Illinois farmers.

Illinois farmers have over a half billion dollars invested in their cooperatives.

For these Illinois cooperatives to continue their role as pace setters and for them to continue their leadership role there are a number of areas the management and farmer members are considering:

(1) The number of cooperatives and the number of members have been declining. To what extent are further consolidations and mergers conducive to contributions to a healthy agriculture?

(2) To what extent should cooperatives become engaged in further integration forward or backward to better meet the needs of their members? What are the legal implications of such activities?

(3) How can these cooperatives more effectively participate in market development, especially the export market?

(4) How can cooperatives keep their operations sufficiently flexible to meet the changing needs of their members?

(5) What is the role of cooperatives in carrying out research to more effectively meet member needs?

(6) How can cooperatives provide the types of information members need to meet member responsibilities to the cooperative?

(7) What should be the cooperative role in governmental agricultural policy?

(8) What types of leadership and management training programs are needed to permit cooperatives to effectively meet their member needs?

Cooperatives have played an important role in the development of a strong Illinois agriculture. These organizations have the experience and knowledge to continue to be pacesetters in the leading agricultural export state. These cooperatives have converted the challenges of the past into opportunities. They will continue their position of leadership in this growing agricultural economy.

REMOTELY PILOTED VEHICLES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. BOB WILSON. Mr. Speaker, I wish to once again express the mounting interest and active support that is being given today to the potential values of remotely piloted vehicles.

Mr. James D. Hessman, editor-in-chief, Seapower magazine, in its August 1973 issue points out that the U.S. Navy has identified 42 possible mission applications for these unmanned, inexpensive aircraft that can be flown—much as our satellites are flown by remote control—through all known flight profiles.

I address my colleagues to Mr. Hessman's article with the solicitation for their continued interest and active support for the advent of RPV's. Technically and in a practical sense, RPV's have created an age in aviation that exists today:

RPV'S FOR THE NAVY: UNMANNED AIRCRAFT AND SHIPS COULD REVOLUTIONIZE NAVAL WARFARE

(By James D. Hessman)

The Navy has leisurely embarked on a relatively low-profile program which could someday revolutionize naval air as dramatically as nuclear power has already revolutionized the surface and subsurface Navy.

In its study of what are now referred to as RPV's, or remotely piloted vehicles, the Navy already has identified 42 possible missions which can be carried out by such unmanned aircraft, and the list is still growing. Like the Army and the Air Force, which already have well established RPV programs (the Marine Corps is "monitoring and closely observing" RPV progress in the other services, but for budgetary reasons prefers to ride piggyback during the current R&D stages, the Navy is at present principally interested in the RPV as a creature of the sky. But the Navy may nevertheless end up as the biggest user because, *unlike* the other services, it could, using remotely controlled, unmanned small boats, employ RPV's in a seaborne as well as an airborne mode.

Among the possible missions which could be assigned to RPVs:

Reconnaissance (a mission already assigned)—RPVs can be sent into defense-intense target areas where pilots fear to tread and, even if shot down, radio back invaluable intelligence data which could be used later on strike missions. Unmanned reconnaissance drones were, in fact, used by the Department of Defense to take before and after photos of U.S. bombing strikes against strategic targets in North Vietnam. The photos then were released to the press to rebut charges that U.S. pilots were "carpet-bombing" inhabited areas.

Decoy—a flock of RPVs, augmented by chaff, "window," and other penetration aids, could accompany manned bombers on strike missions to confuse and dilute enemy anti-aircraft gun and missile defenses.

Air superiority—highly maneuverable, and unencumbered by the numerous and heavy life support systems which weigh down manned aircraft, an RPV—or, more likely, several RPVs—would have significant advantages in a dogfight with a manned aircraft. The biggest and most obvious advantage: like manned aircraft, air superiority RPVs would be armed with missiles, guns, and rockets, but would also have the option, *in extremis*, of downing a target by direct colli-

sion, a "kill" technique not particularly recommended for manned aircraft. Even the most ardent RPV enthusiasts, however, concede that the air superiority mission, wherein the immediate human presence is still, usually, the deciding factor, is the least likely to be assigned to RPVs for the foreseeable future.

Straits control—small boat RPVs, either pre-positioned or dropped from helicopters, could be used to control strategic waterways and oceanic chokepoints. Radio-controlled from air, sea, or shore, small boat RPVs, especially constructed to render them almost invisible to radar, could dart out from protective shorelines to make sudden strikes against enemy naval and merchant shipping.

RPV B.C.

Despite the spate of recent publicity describing RPVs as the new glamour weapon of the future, RPVs are not really new. William P. "Doc" Sloan, International Marketing Manager for Teledyne Ryan Aeronautical, who, like the company he represents, has been in the forefront of RPV development, sometimes points out to audiences that RPVs can be traced back to the pre-Christian era when "a small boy stood on a lonely windswept hill" and flew the first Chinese kite, "history's first remotely controlled aircraft."

Some haphazard and largely unsuccessful experiments with unmanned powered aircraft were attempted about the time of World War I, but it wasn't until 1928 that the first successful drone, a commercial Curtis Robin, was launched. "This radio-controlled, bomb-carrying airplane floundered through the skies on and off for four years before expiring from lack-of-funditis in 1932," Sloan observes in an article written for the summer 1971 Teledyne Ryan *Reporter*.

Invigorated partly by the success of the German V-1 "buzz bombs," U.S. and Allied planners took a new (but relatively unproductive) look at RPVs during World War II, and after that conflict a Pilotless Aircraft Branch was established as successor to the Army Air Corps' World War II Guided Missiles Section. Steady if decidedly unspectacular progress has been made since then in improving the RPV state-of-the-art, but it is only recently that RPVs have been given higher priorities in funding and manpower—and then only because of three things: the high cost of weapons, the high cost of people, and the explosion of sensor and avionics technology.

Probably the most important single factor influencing decisionmakers toward the RPV is "low cost, low cost, low cost," according to Robert R. Schwanhausser, Teledyne Ryan's Vice President for Aerospace Systems. Addressing the Washington, D.C., chapter of the Aviation/Space Writers Association earlier this year he enumerated some of the completely unhidden cost advantages of the RPV:

(1) The high cost of fixed-wing aircraft—"[B]y 1980 the aircraft losses which we sustained in World War II [approximately 40,000 aircraft] will project to one thousand *billion* dollars."

(2) The low cost of RPVs—In contrast to the vaunted $15-million-per-copy (or higher) air superiority fighters of the future, industry today "could produce recoverable strike drones for as little as half a million dollars. Or even expendable, electronic suppression, single-use drones, for a tenth that amount. . . . In addition to low acquisition cost, operating and maintenance costs for RPVs would be fractional compared to today's aircraft."

(3) Support costs—A squadron of 12 manned fighter-bombers today "requires the support of 20 other aircraft of various types." A similar RPV squadron, ground- or sea-launched, would require only two or three air support aircraft—or, if air-launched, as many as five support aircraft.

(4) Training costs—It costs $500,000 and up per man to train service pilots, many of whom depart active duty immediately after their initial tours of obligated service. Later-year costs add appreciably to the tab when flight pay (a relatively insignificant part of the overall cost, and well worth it to taxpayers, despite recent adverse publicity) and the acquisition, maintenance, and fuel costs for proficiency training aircraft are included. Training costs for chairbound RPV "pilots," who do not necessarily have to be able to fly manned aircraft, will be relatively low. "Simulation exercises can give RPV pilots almost 100 per cent training fidelity," says Schwanhausser. "Actual RPV flights can be limited to those required to maintain launch and recovery crew proficiency."

(5) Reduced combat losses—RPVs are harder to acquire, to track, and to hit. They can fly both at high altitudes, where they present a low radar cross-section, and at low altitudes, where the buffeting which causes endurance difficulties for manned aircraft is not a factor.

THE VIEW FROM THE HANOI HILTON

People costs, of course, are important more because of the lives involved than for the dollars saved. Some 80,000 American air crew personnel were lost in World War II.

More timely, and more pertinent, perhaps, are the Vietnam statistics. During that long conflict some 1,659 U.S. fixed-wing aircraft and 2,283 helicopters were lost in combat, and an additional 2,049 fixed-wing aircraft and 2,583 helicopters were lost in non-combat "operational" situations.

Some 5,038 U.S. personnel, including 1,882 pilots, died in aircraft accidents/incidents, both hostile and non-hostile. Fixed-wing casualties totaled 1,502—592 pilots and 422 non-pilots in combat operations, and 218 pilots, 270 non-pilots in non-combat operations. Personnel losses in helicopter operations totaled 3,536—678 pilots and 1,487 others in combat, 394 pilots and 977 others in non-combat.

More significant, in some respects, are the POW statistics. Defense Department officials give no exact figures, but estimate "about 90 per cent" of all American POWs were pilots or aircrew personnel. How much lower that figure might have been if RPVs rather than manned aircraft had been sent into combat is conjectural.

A poignant note is added by Navy Commander Edward H. Martin, former POW, who tells audiences that "the gloomiest and proudest" day of his almost six-year stay in various North Vietnam prison camps occurred when he and other prisoners spotted "very high-speed" drone reconnaissance RPVs—one of which "couldn't have been more than 50 feet off dead center as it swept in overhead. . . .

"We talked about these aircraft constantly," Martin recalls. "Some of us had a little knowledge about them. Others had none. We wondered many things: were they being inertially guided? . . . program guided? . . . or directed from other ships off the coast?"

RPVs have several other advantages, from a personnel manager's point of view. One RPV crew can operate several "birds" simultaneously. RPVs aren't injury-prone, nor do they suffer from flight fatigue, nor do they commit "pilot errors," the leading cause of all non-combat aircraft accidents.

Perhaps the most important "people" benefit, however, is the new combat capability the RPV gives the battlefield commander—who would readily send recon drones and other unmanned aircraft into "heavy hostile" environments where he would not want to risk pilots—"When the weather is on the ragged edge, the flack a real thicket, the target too hardened, the approach too limited—*then* you are in RPV country" is the way Schwanhausser expresses it.

TOMORROW IS ALREADY HERE

Enumeration of all the aforesaid hardware and people benefits would be meaningless, however, were they not achievable. But the fact is they *are* achievable—thanks largely to the unprecedented advances in sensors and avionics technology which now, for the first time, permit reliable, continuous, long-range control by human beings of distant artifacts performing a variety of complicated tasks above and beyond the capability of their human masters.

What particularly pleases naval/military research and development officials is that, insofar as RPVs are concerned, the future is now. "There are no major technical breakthroughs required in the development of RPV applications," said Barry J. Shillito, Teledyne Ryan Aeronautical President, who played a major role in the development, management, and procurement of virtually all new U.S. weapons programs during a brief stint as Assistant Secretary of the Navy for Installations and Logistics, followed by four years (1969-73) in the same job at the Department of Defense level. His assessment is credible to anyone who has witnessed, in less than one generation, the progress of avionics from close-proximity radio control of model airplanes to earth-orbiting satellites to moon landings to sensor exploration of Jupiter and Mars and beyond.

But if RPVs are as good as everyone says they are, why aren't the companies that make them getting rich? The question is simple and the answer is complex, but it boils down to this: RPV may do it cheaper, but fighter pilots still, as the bumper sticker says, do it better.

For all their marvelous potential, the remotely piloted vehicles of today are afflicted with a number of serious (but curable) defects. Like all machines, they sometimes malfunction. And when there's no human on the spot to notice, analyze, and correct the malfunction, the mission is finished—and so is the RPV.

Endurance is another problem area. Many RPVs—those used as strike weapons, some target drones, some reconnaissance vehicles, for example—are one-shot expendables. Others are recoverable—by parachute while still airborne, from the ground, or from the water. But even the recoverable drones seldom last more than a dozen or so flights. Fixed-wing aircraft, heavier and much more rugged, on the other hand, can reasonably expect to live to the ripe old age of 15 years or longer, particularly if they live clean and stay out of combat.

The RPV's big and very real cost advantage does not exactly wither away, but it is considerably depreciated by the fact that the operating lifetime of one fixed-wing aircraft is equal to the combined operating lifetimes of a whole flock of the lower priced birds.

AIR SUPERIORITY RPV?

Present RPV's and those of the foreseeable future, it can safely be predicted, will augment rather than replace pilots, except on high-hazard missions where expendable RPVs can perform at acceptable if less-than-perfect standards.

In the more distant future, as technology continues to improve, and as personnel and hardware costs continue to climb, RPVs can be expected to take over more missions. They may, someday, even prove more than a match for manned aircraft in the air superiority role.

Pilots who discount such a possibility take no comfort, of course, from reports such as that which appeared in the *Nautilus Ocean Science News* of May 11, 1973, revealing that in 1972 "a Teledyne Ryan Firebee II, an RPV configured as a supersonic fighter, penetrated the Terrier missile defense of the frigate WAINWRIGHT and scored a 'hit.' . . . [A]nother Firebee was able to outfight an F-4 Phantom over the California coast."

Even less comforting was a May 31, 1972, speech by then-Under Secretary (now Secretary) of the Air Force John L. McLucas before the Electronic Industries Association. "Preliminary analyses have shown," McLucas

told EIA, "that an RPV might be built to turn inside and get on the tail of a manned fighter within 15 to 20 seconds after a head-on encounter."

Humanists *can* take solace from two other redeeming social truths, however:

(1) RPVs may themselves be unmanned, but there's still a man (or woman—why not?) at the controls, which in future conflicts might be hundreds or even thousands of miles away from the mission area. Even "pre-programmed" RPVs, otherwise known as PPVs, need a human to do the pre-programming.

(2) The same doomsayers who are now freely predicting that RPVs will sooner or later (probably sooner) completely replace pilots were saying the same thing a generation or so back about missiles—which were, and are, really, merely an early type of RPV.

They were wrong then, and they're just as wrong now.

Probably.

BY AIR AND BY SEA

Northrop's Ventura Division has built more than 75,000 recoverable RPVs over the past three decades and is by far the world's largest producer of such systems. Boeing, McDonnell Douglas, and Teledyne Ryan Aeronautical also are industry leaders, but other companies, some relatively new, have recently been devoting considerable resources to what the *Armed Forces Journal* predicted, in its May 1972 issue, could be a $1-billion-per-annum business by 1980. Two of these—E-Systems, Inc., and San Diego Aircraft Engineering, Inc. (Sandaire)—have developed programs for existing hardware which, if Defense Department funding is approved, might be typical of the air and sea RPVs of the future.

The E-Systems L450 aircraft, which comes in both manned and RPV configurations, already holds 16 world records for turboprop aircraft in its class. At 4,600 pounds (manned) and 5,300 pounds (unmanned) gross weight, it can carry a maximum payload of 1,100 pounds, has a maximum rate of climb of 3,000 feet per minute, a service ceiling of over 50,000 feet, a mission endurance of over 24 hours, and a true airspeed (at maximum endurance) of 200 knots.

E-Systems has proposed the L450F to the Navy as a carrier-based RPV or as a communications relay vehicle. Company officials describe possible mission applications as follows:

"Flying slowly in circles at altitudes between 45,000 and 55,000 feet for 24 hours, the L450 can receive line-of-sight communications from extreme distances. It can then relay these signals to ground stations or other aircraft like a satellite communications relay. Or it can be packed full of sensors such as radar, infrared detectors, cameras, radio transceivers, or television and used for military reconnaissance, earth resources survey, mapping, or border surveillance. It can accommodate a variety of payloads to provide true multimission capabilities."

The Sandaire program proposes the use of radio-controlled small boats as offensive weapons and lays out mission profiles for two types of such boats, a 28-foot "deep V" hull with a top speed of 45 knots and able to carry a 500- to 1,000-pound payload, and a 55-foot planning hull with a top speed of 40 knots and able to carry a two-ton payload. A "typical attack mission" (for the 28-foot boat) is described as follows:

"Two boats are dropped by helicopter over the horizon. Both would have initial headings set in to home on the target vessel. One would be manned by a single operator and be the 'mother' boat containing the radio control transmitter and TV receiver equipment. Both boats would have low radar cross-section reflectivity since all metal would be eliminated from windshield frames, fiberglass antenna masts installed, and radar absorbent material in the engine compartment. Both would proceed toward the target at a speed depending on the sea state, so no wake would alert the target. At a range of 6–10 miles the boat containing the warhead would proceed to intercept the target. If no alert takes place a final dash is all that is required. If the target fires on the boat, it will immediately proceed at maximum speed to ram the target vessel. Since the wake trails the boat, the chance for a hit is minimal as the gun laying radar would lock on the wake."

SENATE—*Thursday, October 4, 1973*

The Senate met at 10 a.m. and was called to order by Hon. FLOYD K. HASKELL, a Senator from the State of Colorado.

PRAYER

The Reverend Robert M. Bock, pastor, First Christian Church, North Hollywood, Calif., offered the following prayer:

Our God and our Creator, as we begin another day in the adventure of life, we turn to Thee in gratitude—for life, for joy, for challenge and struggle, for success, for failure, and for the many wonders of life which cause us to dream—and seek to fulfill those dreams. Upon this Nation, built on the dream of freedom and opportunity, we ask Thy special blessing this day. And upon these dedicated legislators, who in many instances guide not only the destiny of this great Nation but of the world, we ask Thy heavenly guidance. Grant them the wisdom of Solomon, the patience of Job, the conviction of Paul, and the heavenly insight of Jesus as they face the great tasks of government this day. May they, in all their affairs, be true to Thee, to their Nation, and to themselves, as they earnestly strive to bring the dream of the brotherhood of man into reality.

This we pray in the spirit of peace. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 4, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FLOYD K. HASKELL, a Senator from the State of Colorado, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HASKELL thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of October 3, 1973, the Secretary of the Senate received the following message from the House of Representatives on October 3, 1973:

That the Speaker of the House had affixed his signature to the enrolled joint resolution (H.J. Res. 753) making further continuing appropriations for the fiscal year 1974, and for other purposes.

The ACTING PRESIDENT pro tempore (Mr. HASKELL) on today, October 4, 1973, signed the above enrolled joint resolution.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 3, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 389, 394, and 397 through 401.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMEMORATION OF CERTAIN HISTORICAL EVENTS IN THE STATE OF KANSAS

The bill (H.R. 7976) to amend the act of August 31, 1965, commemorating certain historical events in the State of Kansas, was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 93–413), explaining the purposes of the measure.

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

BACKGROUND AND NEED

A. LEGISLATIVE BACKGROUND

In 1965, the Congress approved the enactment of Public Law 89–155 (79 Stat. 588) which provided for Federal participation in a program to identify, mark, commemorate and restore sites of recognized historical sig-