the relief of Blase A. Bonpane to the Court of Claims; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

313. BY THE SPEAKER: A memorial of the Legislature of the State of California, relative to the Rural Electrification Administration; to the Committee on Agriculture.

314. Also, memorial of the Legislature of the State of California, relative to the federally assisted code enforcement program; to the Committee on Banking and Currency.

315. Also, memorial of the Legislature of the State of California, relative to increasing funds under the Federal-State partnership program; to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

BENJAMIN FRANKLIN WALK

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 1973

Mr. EILBERG. Mr. Speaker, on Sunday, October 14, the people of Philadelphia will relive the historic day when Benjamin Franklin arrived in our city. The "Benjamin Franklin Walk" will consist of a free walking tour to the Franklin home, his church and first printing shop, and numerous other sites which bear the mark of Benjamin Franklin.

At this time I enter into the RECORD a statement by the city of Philadelphia describing the events planned for the "Benjamin Franklin Walk":

BENJAMIN FRANKLIN WALK

On a fair Sunday morning in October, 1723, a homeless, hungry young man of 17 landed at colonial Philadelphia's Market Street wharf and walked into American history . . .

At noon on Sunday, October 14, 1973—250 years later—Philadelphia will re-create Benjamin Franklin's historic arrival by boat from the Delaware River and his initial walk up Market Street.

The boat bringing Franklin will dock near Market Street, where a reception committee, composed of representatives of the numerous institutions he founded, will greet him.

The young Franklin, wearing colonial garb, will then lead a free walking tour of the homes, churches, shops and historic buildings which still echo with his presence. Tourists and Philadelphians are invited to take part in this "Ben Franklin Walk," which will begin at Market St. and Delaware Ave.

Re-living that day, a colonial-costumed baker's-boy will be on hand to sell Franklin "three great puffy rolls" and a young woman, also in colonial dress, will portray Deborah Read, Franklin's future wife. According to Franklin's Autobiography, Deborah was standing in the doorway of her father's home at 318 Market Street and saw him walking by that first day in town.

In addition to the guides portraying Benjamin Franklin and Deborah Read, other colonial costumed guides also will lead groups on the walking tour which will include a visit to Franklin Court, the site of Franklin's home when he participated in the writing of the Declaration of Independence. Usually closed to the public because of the current archeological excavation and research being done at the site, Franklin Court will be opened especially for the "Ben Franklin Walk" participants.

The walking tours will also visit Christ Church, where the Franklin family had a pew; the site of Franklin's first printing shop; the First Bank of the United States which contains an exhibit of the artifacts recently discovered at Franklin Court; Carpenters' Hall, where the American Philosophical Society and the Library Company (both founded by Franklin) first met; Library Hall, the replica of the original Library Company building; and Philosophical hall, the seat of the American Philosophical Society, initiated by Franklin in 1743 and which he served as President for more than 20 years.

The walking tour will conclude at Independence Hall, where Franklin served as a member of the Pennsylvania Assembly, as President of the Supreme Executive Council of Pennsylvania, as a member of the Second Continental Congress, and of the Constitutional Convention. Franklin helped draft and signed both the Declaration of Independence in 1776 and the United States Constitution in 1787 . . .

The final note of the commemorative events will take place at 3 p.m., when Mr. and Mrs. Franklin will attend the Super Sunday festivities at Logan Circle. Conveyed by horse-drawn carriage, they will be officially welcomed to Super Sunday on the steps of the Franklin Institute by the President of the Institute and other Super Sunday officials.

THE CASE FOR PRIVATE FINANCING OF CAMPAIGNS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 1973

Mr. KEMP. Mr. Speaker, it is generally conceded that the primary positive outgrowth of Watergate will be the reformation of campaign financing, campaign spending, and campaign practices. I hope and expect that will be the case. The lack of an effective campaign contribution monitoring system, the legality of inordinately large campaign contributions which often are the precursors of graft and corruption, and the unethical activities which have taken place in campaigns, all demand that Congress help cleanse the election process as Congressman BILL FRENZEL of Minnesota said recently:

I (and everybody else) warmly embrace the purification of elections.

How true that is.

However, an awareness of the present problem has prompted some to conclude that the best way to alleviate it would be to develop a system of public campaign financing. The reasoning stems from the misimpression that campaign wrongdoing, impropriety, and illegality is caused by the fact that U.S. campaigns are financed privately. Public financing it is hoped will remedy the condition.

Aside from the fact that such an argument incorporates some questionable reasoning, I do not think the case for cleansing the campaign process within the framework of private financing has been given a thorough airing. Fortunately, my friend and colleague from Minnesota, Mr. BILL FRENZEL, made the case recently. I insert it at this point:

THE CASE FOR PRIVATE FINANCING OF CAMPAIGNS

(By Bill Frenzel)

The crisis of non-confidence in government, specifically the Watergate mess, has given great thrust to proposals for public financing of federal elections. The popular image of such plans is that they will magically purify elections and relieve elected officials of any and all pressures and taints of "dirty money."

I (and everybody else) warmly embrace the purification of elections, but public financing is neither a magic nor an exclusive means to move us toward better elections.

The same goals we all seek—open, honest and clean elections—can be achieved more easily and effectively by writing responsible rules into a system of private financing.

Before I start spending the taxpayers' money, I want to be assured: (a) the plan will give us the desired result; (b) there is no easier way to get the same result; and (c) it does no harm. I am persuaded that public financing brings no benefits that cannot be otherwise achieved, and, to the contrary, carries serious risks, some known and some as yet unforeseen.

Some of the known risks are:

(1) Under publicly-financed systems, challengers will be at the mercy of incumbents. No wonder members of Congress like public financing. It's a self-protection scheme.

Guess who controls the election appropriations? That's right—the incumbents do! Appropriations can always be set low enough to inhibit any strong political contest. Public financing would guarantee equal expenses when studies show that non-incumbents must spend more merely to establish their identity against incumbents. The identity of an incumbent is already strongly established by the advantages of the frank, access to media and general public visibility.

(2) Federal financing schemes prohibit, or restrict, private contributions. This unconstitutionally denies a long-enjoyed right of free speech. To let one person contribute his time and labor to a campaign and not let another person, perhaps handicapped, make his contribution financially, is the rankest kind of discrimination.

(3) Private financing has been one of the traditional ways of determining the popularity and attractiveness of any candidate. In a country where we finance the arts, our charities and much of our education privately, we have naturally supported elections in the same way. Other nations with a history and tradition of publicly-financed elections are simply not comparable.

Many people want to support candidates and parties. Their enthusiasm helps enliven campaigns and increases voter participation.

(4) Public financing would inevitably result in unexciting elections which would cause lower voter turnouts. Candidates would no longer need to have very broad support to get campaign money. We would have scads of candidates. The more candidates per race, the more drab the election and the more the incumbents' chances for victory. Amateur nights are fun, but when minor candidates depress the public interest, the only winner is the incumbent.

(5) All of these disadvantages are achieved at the taxpayers' expense. The beleaguered taxpayer will see his money supporting candidates in whom he had no positive interest

or to whom he may object most violently. The taxpayer will stand helpless while dozens of candidates, who would not have enough support to enter a privately-financed election, happily use up his hard-earned money. Meanwhile, the incumbents would be inevitably returned to office.

(6) The taxpayers' money will be actually handled by an Elections Commission appointed by the President. No matter how high-minded and impartial it is, one wonders how easily it could deny money to a particular candidate for a "violation" of the law. Giving control of financing to the bureaucracy is giving control of elections to the bureaucracy. Control of elections may never get back into the hands of the people.

(7) Party responsibility would disappear. Candidates could thumb their noses at parties which could no longer raise money either for themselves or for their candidates. Our history of political regionalism and relatively weak parties points to collapse of parties under public financing.

(8) More money would be spent on elections. All the action now is in 50 House races. Over 80 per cent of Congress' campaigns are contested feebly, if at all. But federal money is "free money." Every candidate would use it whether he or she needs it or not.

(9) Public financing would dry up individual contributions for local candidates. They already have the hardest time raising money. Pious supporters of public financing probably don't realize that none of the schemes applies to state and local races.

(10) Taxpayer-financed elections don't fit our federal pluralistic elections systems. States vary; districts vary; parties vary; people vary.

Minor party candidates and independents run under different laws and different patterns of tradition in each jurisdiction. They will be encouraged by "free money" to run, but will never be given quite enough to beat the incumbent.

The arguments in favor of federal financing are not without merit. They do, however, have a good deal less merit than the intentions. The proponents always forget to say that the same goals can be achieved by writing responsible rules into a system permitting private financing.

We can achieve our goals of clean, open elections, with a reasonable chance for challengers, through improving our election laws. We need a Federal Elections Commission, better enforcement and reasonable spending and individual contribution limits. We can do all this with private financing.

Public financing gives us no extra cleanliness. What it gives are: abdication of individual political responsibility; incumbent protection; drab elections; and, worst of all, transfer of election control from the people to the bureaucrats.

ARAB AGGRESSION AGAINST ISRAEL

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. MOAKLEY. Mr. Speaker, I join with other concerned colleagues in expressing both shock and sorrow at the new Arab attack against Israel. At this very moment Israel is fighting valiantly to defend herself on two borders, with recent Iraqi reinforcements added to those of Syria and Egypt. In the short 25 years of her history, Israel has been forced to fight four wars, of which the latest—a vicious attack on the holiest day of the Jewish year, Yom Kippur—is perhaps the most tragic and the greatest threat to her very existence.

Accordingly, I have this day cosponsored with Congressman WILLIAM LEHMAN of Florida a bill calling for the immediate delivery of all planes previously contracted for sale to Israel. These planes are urgently needed by Israel if she is to protect herself against overwhelming odds in this new Middle Eastern war.

I would like to call to the attention of my colleagues and the American people the recent statements by Dr. Arnold Soloway, president of the New England region of the American Zionist Federation. Speaking before a massive rally at Temple Kehillath Israel in Brookline, Mass., Dr. Soloway urged "all thoughtful people to condemn and oppose the brutal Egyptian-Syrian aggression" and called on the United States to accelerate the flow of arms and economic aid to Israel. Further, he urged that President Nixon maintain his long-range policy of a nonimposed solution to the Middle East conflict, asserting that:

The United States must stand firm for a cease-fire that will allow Israel to negotiate with the Arab countries for secure and defensible borders.

I am convinced that lasting peace in the Middle East cannot be brought about through Arab aggression. Nor can lasting peace be brought about by an imposed big power settlement. Lasting peace in the Middle East will only be produced through meaningful negotiations between Israel and the Arab States.

FRANCIS JOHNSON NAMED NATION'S TOP BIG BROTHER

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. BENNETT. Mr. Speaker, my constituent, Francis Johnson, was recently recognized for his 45 years of assistance to the Big Brother organization by being named the National Big Brother of the Year. He has also made substantial contributions to other groups including the Sunday School at Epperson Memorial Church, the Boy Scouts, the Boys Home of Jacksonville, and Hope Haven Children's Hospital. Although he has given generously and sacrificially of his worldly goods to help others along the way of life, his gift of his time, attention, and energies through the years has been indeed the most unique thing of the wonderful life he has led and continues to lead. The following editorial from the September 27 Jacksonville Journal points out Mr. Johnson's many efforts on behalf of young people:

LIFETIME OF SERVICE

Selection of Francis Johnson of Jacksonville as National Big Brother of the Year is appropriate recognition of the many years of unselfish service this 83-year-old Jacksonville resident has given in helping the youth of his community.

Johnson has been actively associated with the Big Brother program since 1928—45 years ago—when he first joined it as a volunteer. He has been a member of the board of directors for 39 years.

During that period, he has contributed literally thousands of hours of his time—continuing down to the present, since he still spends an estimated 10 to 20 hours a week helping out at Big Brother headquarters and even sleeping three nights a week at the center to help guard it.

His financial support of the organization also has been generous. Land now occupied by a swimming pool, dormitory, recreation building, offices and a playground was given by Johnson, who also has made cash contributions of more than $75,000.

Johnson is now Big Brother to two fatherless boys and, over the years, has filled that role for more than a dozen others. At one time, he was Big Brother to four boys, all from the same family.

His record of unstinting public service is by no means confined to that performed through Big Brothers, however. Johnson has been a Sunday school teacher at Epperson Memorial Methodist Church for more than 40 years; he has been active with the Boy Scouts for many years and donated 200 acres of land for Scouting activities; he was a member of the board of directors of the Boys Home of Jacksonville for 21 years; and a volunteer at Hope Haven Children's Hospital for more than 29 years.

In announcing the selection of Johnson as recipient of the Big Brother award, Big Brother President Jacob F. Bryan IV, said this: "We know of no man alive . . . who has given more of himself to those around him." Nor do we.

CLEAR ACT OF ARAB AGGRESSION

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. FISH. Mr. Speaker, on Yom Kippur, the holiest day of the year for the Jewish people, Egyptian and Syrian forces crossed the cease-fire lines, and launched an all-out attack on Israel. The continued survival of the State of Israel has once again been placed in jeopardy.

This latest attack, a clear act of Arab aggression against Israel, will result in more bloodshed, and the casualty figures that have been released thus far indicate that many Israelis have already given their lives in defense of their country.

Through this action, the Arabs have shown that they are unwilling to rely on the negotiation route to resolve their differences with the Israelis. Indeed, the orders had already been given to prepare for this attack when the Arab States were meeting with Secretary Kissinger at the United Nations last week and expressing their desire for peace.

While reports indicate that Israel has been able to withstand the Arab attack, she has suffered heavy losses in aircraft and other vital equipment. Scores of Israeli planes have been downed and many tanks destroyed at the onset of the conflict. While we do not have exact figures, it is clear that Israeli losses have been substantial.

Therefore, I have cosponsored a resolution calling for the accelerated delivery to Israel of all U.S. aircraft and other equipment which Israel is scheduled to purchase from the United States under the current United States-Israeli agreement, and for a loan to Israel of U.S. aircraft and other equipment if new planes and equipment are not yet constructed.

There are several compelling reasons

for taking this step. Israel has been successful in past conflicts with the Arabs largely because of Israeli supremacy in the air. If we fail to provide Israel with additional aircraft at this time, we would in effect be denying the Israelis their strongest weapon against the Arabs. In addition, as President Nixon has often stated, there is a need to maintain the balance of power in the Middle East. It is essential, therefore, that we match the Arab aircraft that is now being replaced by the Soviet Union.

Since the establishment of the State of Israel in 1948, the Israelis have proven their commitment to a democratic form of government. I strongly feel that the United States must demonstrate our commitment to the continued survival of that democracy.

CONTROL OF CRIME UNDER H.R. 9682

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RANGEL. Mr. Speaker, opponents of the bill presently under consideration, H.R. 9682, have used a wide variety of rationales for their positions, many of them of dubious merit. One such rationale, commonly used by persons against home rule is that home rule will result in a drastic increase in the crime rate for the District.

I would like to discuss three aspects of this argument to demonstrate that they are not meritorious.

First, a letter to Chairman DIGGS, from the Chief of the Washington Metropolitan Police Department, Jerry Wilson, makes several rather pertinent comments about the cancer of crime in Washington. Chief Wilson stated:

> This city has just come down from a peak of crime which was reached after some eleven years of almost constant increases. Few would disagree that crime reductions of the past three years reflect in large measure massive Federal initiatives, both in Presidential leadership and Congressional legislative action. Obviously, it is easy to argue that Federal control of local affairs deserves credit for the crime reductions, *but to make that argument, one must also agree that Federal control of local affairs shares most of the blame for the twelve years of crime increase.* (Emphasis added.)

The Police Chief added the following comments with regard to those persons who have apprehension about local control over the police force:

> Personally, I feel that apprehension over local control of police power in the District is misplaced. My own sense of this community is the overwhelming majority are responsible citizens who want effective law enforcement just as much as residents do in any other city. If the city of Washington is to be treated substantially as a local community, albeit a special one, rather than a federal enclave, then there is no reason to deprive local citizens of control over that fundamental local service, the police force.

Certainly the chief of a police force in a city of 800,000 residents is fully aware of the necessities of making the police force responsive to the needs of the community, including in the Washington case, serving the Federal interest. The police force is however basically a local force, charged with basically local responsibilities.

There are also arguments that the city would not be able to deal effectively with emergency situations. It is clear that the President has the inherent power to request the police force to deal with an emergency situation. It is also certain that the power to call up the National Guard would not be affected by H.R. 9682. The President could, under any circumstances, call up the Guard to protect the Federal interest. I have been assured of this, in a legal opinion, by the commanding general of the District of Columbia National Guard.

The implication, embodied in arguments that crime increases result from home rule, is a particularly serious one. Opponents of self-determination for the District are implying that the local government of the city, specifically the Mayor and City Council, would act in bad faith. That implication is malicious in intent, and has deep racist biases. Opponents would like, but are unable to state, openly, that a black elected official would appoint other officials of poor character, or of poor judgment and are biased in favor of black residents. Their arguments are entirely without factual basis and I personally resent the implication.

In short, arguments that crime would increase under home rule are simply subtle means for denying the full rights of citizenship to the residents of the District of Columbia.

THE DOUBLE 10TH

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. SPENCE. Mr. Speaker, the Republic of China marks its 62d birthday on October 10, a day to be celebrated not only by her own citizens and overseas Chinese elsewhere, but also in every Chinese community throughout the United States.

Led by Dr. Sun Yat-sen, young Chinese patriots changed the course of world history 62 years ago. Earlier attempts to overthrow the Ching Dynasty had failed. The uprising which began at Wuchang, a city in central China, on October 10, 1911 was finally successful. In less than 3 months the Manchus were gone and the Republic of China, the first republic in Asia, was born.

In commemoration of the uprising which led to the birth of the Republic, October 10 has since been chosen as the National Day of the Republic of China. As it is the 10th day of the 10th month, it is thus called the Double Tenth.

In San Francisco, Double Tenth brings forth one of the two major annual festivities—Chinese New Year being the other—observed in the Chinatown, attracting as a rule hundreds of thousands of tourists and local residents to watch the famous Chinese dragon dance, and the long parade. Traditionally each year in New York, in addition to celebrations in Chinatown, the mayor proclaims the Double Tenth as a special day in honor of the Republic of China. Since the Chinese Communists seized power on the China mainland, members of the Chinese communities in major American cities have observed the Double Tenth as a significant occasion to rededicate themselves to the spirit of freedom and democracy.

I am delighted today, on the occasion of the Double Tenth anniversary, to add my congratulations to those of my colleagues and to publicly restate my dedication to freedom and democracy and to the continued health and prosperity of the Republic of China. Truly, the entire free world owes to the Chinese people on the Island of Taiwan a great debt of gratitude for their courageous example in defense of freedom and democratic government and the spirit of peace and brotherhood in which they have assumed an increasingly significant place among the family of nations.

MIDDLE EAST SITUATION

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. PEYSER. Mr. Speaker, my conversations with the Defense Department this morning have made it unquestionably clear that the Arab nations committed the act of aggression in their launching of the attack against Israel on October 5, 1973.

The very fact that Israel had not mobilized its forces should be clear evidence to the world that Israel was not planning to launch an attack. I understand that the Israeli mobilization is now complete and that the Israelis are now on the offensive.

There is no question in my mind of the ability of Israel to overcome the Arab forces, as long as scales are not tipped by the introduction of additional Soviet equipment, particularly with more surface-to-air missiles. For this reason, I am calling for an immediate and continuing surveillance by the Departments of State and Defense of the Mideast situation, and if we receive reports that would indicate increasing support to the Arab nations by the Soviet Union, I am sure that Congress will immediately respond by authorizing necessary equip-

ment to be dispensed immediately to the Israeli armed forces. Furthermore, I am preparing a resolution to be introduced in the House should evidence of Soviet intervention become clear. I know where the sympathies of the American public lie in this matter and I am equally confident of the ability of the Israeli Government to gain victory against this naked aggression.

INCUMBENTS ARE HARD TO BEAT

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. FRENZEL. Mr. Speaker, in April of this year the Library of Congress completed a survey of elections which is available to Members. Of special interest is the following table, the last column of which shows the remarkably high percentage of incumbents who were reelected in general elections.

Some of these incumbents were unseated by other incumbents after redistricting. It is a rare case where a challenger defeats an incumbent.

The table follows:

	Total number of incumbents—				Percentage of incumbents running in general election, elected
	Defeated in primary	Running in general election	Elected in general election	Defeated in general election	
1956:					
House	6	404	389	15	96.29
Senate	0	28	25	3	89.29
1958:					
House	3	393	355	38	90.33
Senate	0	31	20	11	64.52
1960:					
House	6	400	374	26	93.50
Senate	0	29	28	1	96.55
1962:					
House	12	[1] 396	389	22	98.23
Senate	1	34	29	5	85.29
1964:					
House	44	389	344	[2] 45	88.43
Senate	4	32	38	4	87.50
1966:					
House	11	402	362	40	90.05
Senate	3	29	28	1	96.55
1968:					
House	3	401	396	5	98.75
Senate	4	24	20	4	83.33
1970:					
House	7	391	379	12	96.93
Senate	1	29	23	6	79.31
1972:					
House	[3] 13	[4] 380	[4] 367	13	96.58
Senate	2	25	20	5	79.31

[1] Figure excludes the reelection of the late Representative Clem Miller (D. Calif.). Miller died shortly before the election, yet he was still elected defeating Don H. Clausen (R). Clausen was subsequently elected in a special election Jan. 22, 1963.

[2] Figures include Oliver P. Bolton, formerly of the 11th District in Ohio, who ran at large and was defeated.

[3] Figure does not include the primary defeat of Representative William Conover (R. Pa.) Conover did not become a Member of Congress until after his primary defeat.

[4] These figures include the reelection of Representative Hale Boggs (D. La.) and Representative Nick Begich (D. Alaska), whose airplane disappeared in Alaska Oct. 16, 1972.

	Total number of incumbents—		Percentage of incumbents running in general election, elected 1956–72
	Running in general election 1956–72	Elected in general elections 1956–72	
House	3,551	3,350	94.34
Senate	261	221	84.67

	Total number of incumbents—		Percentage of incumbents running in general election, elected in a presidential election year, 1956–72
	Running in general election in a presidential election year, 1956–72	Elected in general elections in a presidential election year, 1956–72	
House	1,969	1,865	94.72
Senate	138	121	87.68

	Total number of incumbents—		Percentage of incumbents running in general election, elected in a non-presidential election year, 1956–72
	Running in general election in a non-presidential election year, 1956–72	Elected in general elections in a non-presidential election year, 1956–72	
House	1,582	1,485	93.87
Senate	123	100	81.30

ENERGY R. & D. ADVISORY COUNCIL GIVES SHORT NOTICE OF MEETING

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. OBEY. Mr. Speaker, the Energy Research and Development Advisory Council of the Energy Policy Office will hold a public meeting at 11:15 a.m. tomorrow in the Old Executive Office Building to discuss matters related to national energy R. & D. policy and programs, but it may be public in name only.

The effective way to turn a public meeting into a private gathering is to give either no notice of it or short notice, and the Energy R. & D. Advisory Council has done the latter. The meeting notice not only appears in today's Federal Register, just 24 hours ahead of time, but asks that members of the public planning to attend RSVP Dr. William McCormick, Executive Secretary of the Advisory Council, "prior to October 11."

I might note that the Federal Advisory Committee Act requires an advisory committee to publish "timely notice" of its meetings, which the Office of Management and Budget has interpreted to mean at least 7 days before the date of a meeting. The OMB guidelines allow for exceptions in emergency situations, which is reasonable, and for shorter advance notice "when 7-days notice is impracticable," which is not reasonable, because it simply provides a cover for sloppy committee management.

On a subject of such vital importance as national energy R. & D. policy, it behooves the Federal Government to comply fully with the advisory committee statute and give ample public notice that a meeting will take place. The fact that this meeting notice is dated October 5 suggests it was hardly "impracticable" for the notice to have been published earlier.

The text of the meeting notice in today's Federal Register follows:

ENERGY POLICY OFFICE: ENERGY RESEARCH AND DEVELOPMENT ADVISORY COUNCIL

NOTICE OF MEETING

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), the Energy Policy Office announces the following public advisory committee meeting.

The Energy Research and Development Advisory Council will hold a meeting on October 11, 1973, in the Old Executive Office Building, Room 248, 17th and Pennsylvania Avenue, Washington, D.C. The meeting will commence at 11:15 a.m. local time and last until 3:30 p.m., except for a one hour break for lunch at 1 p.m. The meeting will be for the purpose of discussing matters related to national energy research and development policy and programs.

The Advisory Council was established by the President on June 29, 1973, and announced in his Energy Statement of the same date. The objective of the Council is to help ensure the development of comprehensive technological programs to meet the Nation's energy needs. It would do this by providing independent advice to the Energy Policy Office on matters relating to energy R&D.

Members of the public will be admitted up to the limits of the capacity of the meeting room. Members of the public who plan to attend the meeting are requested to so inform Dr. William McCormick, Executive Secretary of the Advisory Council prior to October 11, 1973. Dr. McCormick can be contacted in Room 472, Old Executive Office Building, Washington, D.C., or on (202) 456-6575.

WILLIAM T. MCCORMICK, Jr.,
Executive Secretary, Energy Research and Department Advisory Council.

OCTOBER 5, 1973.

[FR Doc. 73-21633 Filed 10-9-73; 8:54 am]

IMPOUNDMENT OVERVIEW

HON. J. J. PICKLE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. PICKLE. Mr. Speaker, a recent article by Richard Lyons in the New York Times, gives an excellent overview of the impoundment controversy. Importantly, it mentions a forthcoming study which shows that the impoundments which are the subject of pending legislation in the Congress and which are now being contested in courts across the land, do not help in the fight against inflation. The report indicates that these impoundments not only have had little effect on the consumer price index, they may be costing us as much as 100,000 jobs.

I commend this article to my colleagues and include it in the RECORD at this time:

[From the New York Times, Oct. 7, 1973]

NIXON'S IMPOUNDING OF BILLIONS IN FEDERAL MONEY IS COMPLICATED ISSUE, ABOUNDING IN MISCONCEPTIONS

(By Richard D. Lyons)

WASHINGTON, Oct. 6.—In 1970 the Missouri Highway Commission sought Federal funds due the state from gasoline taxes to help complete Interstate 44 through St. Louis and for other roads. But the money was unavailable because the White House wanted to cut spending and thus put a brake on inflation.

The result of the seemingly mundane squabble was a lawsuit against the Department of Transportation that the highway commission won, a blizzard of similar suits by state and special interest groups against 10 other Federal agencies over the withholding of Federal funds. A major confrontation between the White House and Congress over which controls the purse strings, and the addition of the word "impoundment" to the Federal lexicon.

Viewed by an accountant, the issue might only be that of money—$28-billion worth, or $14.5-billion, or $18-billion or even $21-billion, depending on who is counting and how.

Some Congressmen have pictured the impoundment issue as an embattled Senate and House pitted against the "one-man rule" of President Nixon, as House Speaker Carl Albert put it.

Some constitutional authorities may regard impoundment merely as the interpretation of that section of Article I that states that "no money shall be drawn from the treasury but in consequence of appropriations made by law."

And to some in state government the issue is not only money but also deception, even outright "lying," by some Federal agencies about the amounts of Federal money due their local counterparts.

The impoundment issue is complicated, in part because practices dating back 170 years, to the conflicting wording of even recently enacted legislation, to the lack of a clear decision by the Supreme Court, and to the current struggle between the President and Congress over unrelated matters such as the Watergate tapes.

And the misconceptions about impoundment abound, among them the following:

That the Missouri highway fund case, one of the few to have been decided, was solely the result of Nixon Administration actions. The impoundments actually started during the Johnson Administration.

That Mr. Nixon started the impoundment technique. The ploy was first used by President Thomas Jefferson to defer gunboat construction in 1803 and has gone on for years.

That impoundment is impoundment is impoundment. There are at least four types, only one of which is currently at issue.

That the issue is one of liberals vs. conservatives, or Republicans vs. Democrats. Some conservatives or Republicans have come out against the President's position while some liberal Democrats have thrown in with him.

That impoundment does in fact hold inflation. A University of Florida study to be released next month shows impoundment has had a negligible effect on the Consumer Price Index and further, may be costing 100,000 jobs.

THREAT TO BUDGET

In seeking to curtail spending for water pollution control, education and health programs and highway and housing construction, Mr. Nixon has taken the position that to spend all the funds voted by Congress would be "budget breaking." In addition, he feels that the spending of vast sums would only contribute to rampant inflation.

But the executive impoundment project at the University of Florida's Holland Law Center claims otherwise. Its statistics show that if $8.7-billion in additional Federal funds had been spent during the fiscal year 1973 the effect would have been only one-tenth of a point on the Consumer Price Index.

Dr. Irving Goffman, chairman of the university's department of economics, added that "100,000 is a very reasonable estimate of the number of jobs that might have been created had there not been impoundment."

Perhaps the one point that is not at issue in the controversy is that the amounts of money at stake are undeniably huge. The Office of Management and Budget, the White House group that keeps the books, conceded on Feb. 5 that "budgetary reserves" for the various Federal agencies $8.7-billion, a figure that has been widely quoted as the size of the impoundment nut

This led Senator Robert P. Griffin, Republican of Michigan, to note that $8.7-billion was only 3.5 per cent of the total Federal budget, although previous Administrations had impounded over twice that figure.

The amount went unchallenged—then—but the Democratic Study Group pointed out the next week that the compilation of the Office of Management and Budget "left out the $6-billion of authorized contract authority which the Environmental Protection Agency has been ordered not to allocate to the states."

With the inclusion of the unused $6-billion in water pollution abatement funds, the magic number on impoundment rose—steadily.

"As far as I can tell the amount is between $12-billion and $13-billion," said Representative Brock Adams, Democrat of Washington. Other members of Congress, such as Represenative Paul G. Rogers, Democrat from Florida, detected what they believed to be overlooked impoundment funds in health and medical research programs.

The number then was set at $18-billion by Dr. Louis Fisher, an analyst at the Library of Congress, who said last week that it might have dropped back to $16-billion. Officials of some states that have filed impoundment suits say the figure is $21-billion because of O.M.B. errors.

"The perplexing thing is that everyone may be right because the complexity of the Federal budgetary process allows everyone to do his own arithmetic and come up with his own set of wholly justfiable numbers," said one long-time observer of the Federal numbers game.

Another undeniable fact is that the Nixon Administration has been impounding money, even by O.M.B. figures, at a greater rate than in the past: $53.2-billion during its first five years in office, vs. for example, the Johnson years when $39-billion was impounded.

According to the Democratic Study Group: "Following the Second World War, impoundment was used as a device to cut back defense appropriations no longer required for the war effort. In the following 25 years, impoundments by the executive grew slowly until the Nixon Administration came into office.

"Following the 1972 election the use of impoundment reached crisis level. The President decimated programs for housing, agriculture and water pollution control by refusing to spend funds provided by Congress."

The result during the last year has been the filing of more than lawsuits by at least 18 states and the District of Columbia. Perhaps a dozen other states have joined in the suits as intervenors.

New York City filed a suit in May against the Environmental Protection Agency seeking the allocation among the states of $11-billion in fiscal 1973 and 1974 funds to control water pollution. The United States District Court for the District of Columbia held that the Administration should allot the money. The case has ben appealed by the Justice Department, which has handled the suits for the various Federal agencies.

Irving Jaffe, acting head of the Justice Department's Civil Division, said it was working on about 40 impoundment suits with a staff of six to eight lawyers.

"This is new in law—the relatively novel question on basic issues," he said. "Congressional vs. executive responsibility has come up before but only broadly."

"We anticipate a Supreme Court ruling on this," Mr. Jaffe said, adding that it would help to clear the air because, for example, the issue of exactly what impoundment is not been defined.

Parliamentarians place impoundment in four categories, as follows:

Turning back to the Treasury funds left over after a program has been completed.

The freezing of funds by the President under specific orders of Congress under certain conditions, such as the failure of a school district to desegregate.

The leaving by Congress to the President discretion not to spend funds, customarily used in military appropriations.

The withholding of money, without Congressional authority, for programs that are considered by the President to be incompatible with his own set of budget priorities.

The result of the Congressional verbiage has been the passage of anti-impoundment measures by both chambers, although the House and the Senate versions differ markedly, The two versions would, with Congressional approval, allow impoundment of the type Mr. Nixon has employed, but the conditions vary radically. A House-Senate conference committee is to consider the differences next month.

If the differences are resolved by Congress and the result signed by Mr. Nixon, or vetoed by the President and the veto is overridden by Congress, the result could still the rash of suits.

"The states are in an uproar over impoundment,' said Lyle McLaughlin, assistant chief engineer of the Missouri Highway Commission, which brought the first suit, an action that netted the state $84-million.

A FORGOTTEN DAY IN AMERICAN HISTORY, THE BIRTHDAY OF THE CONSTITUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RARICK. Mr. Speaker, September 17, 1973, marked an important birthday in this Nation's history, yet it passes with little or no fanfare and was buried under the headlines of Watergate, the energy crisis, and inflation. That date was the birthday of the U.S. Constitution.

We are reminded almost daily that "grave constitutional questions" need answering. If Government operated on the basis of that document, rather than Executive order, bureaucratic fiat, congressional rubber stamping, those "grave constitutional questions" would already be answered.

At a time when Government has grown isolated from the average citizen, not only because of its massive bigness but because of its inability to listen to the wishes and desires of the people, we should do more than merely pay lip service to the document that began our tradition of freedom.

A return to the principles of the original Constitution is needed. If we are to disentangle ourselves from the overgrown web of centralized Government, and to regain that highest degree of individual liberty that the writers of the Constitution intended almost 200 years ago, the return must be now.

I insert the following related newsclipping at this point:

[From the Cincinnati Enquirer, Sept. 17, 1928]

(By Ed Wimmer)

WHO ARE—"WE THE PEOPLE"?

"The Constitution will last only so long as the ideals of its architects are dominant."

On September 17, 1787, the Constitutional Congress emerged from five months of secret deliberations, with a document which Gladstone was to describe as "the most wonderful work ever struck off at a given time, by the brain and purpose of man." Later, Abraham Lincoln was to say: "It will ever be no child's play to save the principles of the Constitution, and its framers."

Still later, Calvin Coolidge told Americans: "Our country is entering a socialistic era in which I do not belong. I am leaving public life forever," and, later, Herbert Hoover was to say: "We have builded up an economic autocracy, upon which a political autocracy will rise."

"We the people," the Constitution began, but our youth ask: "Who am I? How can I revere something nobody lives up to?" Yet, Edmund Burke wrote: "The Constitution was written for the world. It is a great and silent compact between the dead, the living and the unborn.... Its Divine purposes make it so."

James Madison, architect of the Constitution, warned oncoming generations to "Hold fast to programs, both rational and moral, that have as their central goal a constant diffusion of power." Jefferson, who authored the Declaration, echoed Madison's words when he said to "trust no man with power, but bind him down from mischief with the chains of the Constitution.... It is not to the advantage of a Republic that a few should control the many when nature has scattered so much talent through the conditions of men."

Jefferson: "The Constitution must be used to protect the people from swarms of officers who would harass them and eat out their substance."

On July 4, 1976, we will celebrate the Two-hundredth Anniversary of the Declaration as a Republic or as a monopoly-welfare state, and it will be "we the people" who will decide which it shall be.

Those 56 who signed the Declaration, feared undue power more than anything else. So did the 55 who signed the Constitution. They were predominantly decentralists—which both President Eisenhower and General MacArthur advised us all to become if we would save our Liberties.

Yet—we plan a Bicentennial of painted old buildings, political oratory, parades, parks and hoopla, instead of setting goals to end all deficit financing by July 4, 1976; turn our Indian and civil rights problem around; a turn-around of monetary and energy crises, with other such goals as a turn-around of the socialistic dependencies of the federal government, and a turning back to the widespread, independent ownership of farm, home, bank and other enterprise, wherever practical and possible.

On its 1973 Anniversary, the Constitution is in the greatest danger since its birth, for it is now argued that every crisis faced by we the people, by Congress, cannot be solved under its provisions. That "government of the people, by the people, and for the people" has failed—as Hamilton predicted it would, and which Washington feared more than he feared death.

If Jefferson, Madison, Franklin, and Washington were alive today, they would be saying: Decentralize For Liberty—the greatest Frontier that ever challenged the courage and patriotism of a free people. It is a race between the concerned; and the unconcerned; between apathy and purpose, and the stakes are The American Heritage.

MINIMUM WAGE COMPROMISE BILL

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. FRENZEL. Mr. Speaker, since the House's vote to sustain the Presidential veto of the minimum wage legislation, my colleague from Minnesota (Mr. QUIE) has introduced what appears to be a reasonable compromise bill. The bill offers a fair provision for increasing the minimum wage and includes a provision for a youth differential. In addition, it provides for a continued exemption from overtime for police and fire personnel, as was originally intended by the House. I hope that the House will be able to accept this measure and I would commend to my coleagues the following editorial on the bill which appeared in the Rochester Post-Bulletin of Rochester, Minn.:

QUIE'S COMPROMISE MINIMUM WAGE BILL HAS THE RIGHT IDEA

First District Rep. Albert Quie has co-authored what seems a good compromise to the minimum wage fight between Congress and President Nixon. The minimum wage bill passed by Congress was vetoed by the President earlier this month and the veto was then sustained.

The President wanted to increase the present $1.60 minimum wage to $1.90 immediately and then increase that to $2.30 over a period of three years. His plan included a youth differential.

But Congress didn't like his plan. It passed a bill to hike the minimum wage to $2 in November and then increase it again to $2.20 next July and didn't include a youth differential. President Nixon didn't like that plan and vetoed it as "grossly inflationary."

Nobody is arguing against increasing the minimum wage. However, a 60-cent-an-hour wage increase in less than a year's time (as Congress wanted) would only add more kindling to inflationary fires. It could also have the effect of eliminating jobs for unskilled workers since the minimum wage, increasing too fast, could put companies in a position of no longer being able to afford to hire the unskilled. Instead of hiring workers to do menial tasks, companies probably would go further down the road of automation and let machines do them.

Quie's compromise bill has many good points. It provides a youth differential of 80 per cent of the minimum wage. And that is important to students who are looking for jobs during the summer months. Under his bill (the only one introduced since Nixon's veto) the minimum wage would increase to $2 two months after enactment and then would increase to $2.30 over a three-year period.

Spreading the increase out over a period of years makes good sense. If the increase were to come in less than a year as the vetoed bill proposed, it could have a terrible ripple effect with increases at the bottom leading to larger increases at the next level and then on and up to the end of the line. And 1973's economic atmosphere is hardly the right time to spur a round of wage increases that start big at the bottom and spiral bigger to the top. Quie's bill would spread out a 70-cent-an-hour increase over a three year period and give the economy a chance to absorb it.

We think Quie has the right idea. If the Democratic Congress is as concerned as it says it is about the plight of the unskilled worker, then it will see the merits and the sense of the compromise bill instead of working for legislation that could hurt instead of help the unskilled worker and the economy.

THE GREAT PROTEIN ROBBERY: NO. 6

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. STUDDS. Mr. Speaker, at this very moment there are literally hundreds of foreign fishing vessels operating in this country's coastal waters. Using the most modern equipment and ecologically unsound techniques, these government subsidized fleets are systematically depleting our coastal marine resources and robbing this country and the entire world of an invaluable source of protein.

This is not just a New England problem, nor is awareness of the threat posed by foreign fleets limited to New England fishermen alone. Last August, the Organized Fishermen of Florida, a group of over 1,400 commercial fishermen passed overwhelmingly at their directors meeting a resolution support-

ing S. 1988. That bill, introduced in the Senate by Senator WARREN G. MAGNUSON, and by identical bill, H.R. 8665, would allow the United States to protect coastal fish out to a total of 200 miles from our shores—and also to protect anadromous species such as salmon—until effective international action is taken.

The Organized Fishermen of Florida recognize that we must control foreign fishing in our coastal waters by passing H.R. 8665 in order to stop the great protein robbery occurring right now off our coasts.

RESOLUTION OF ORGANIZED FISHERMEN OF FLORIDA

Whereas, the Organized Fishermen of Florida are cognizant of the serious depletion of United States fisheries stocks, and

Whereas, other United States fisheries stocks are being threatened by this same encroachment by foreign fishing fleets, and,

Whereas, it is apparent that the various commissions, and committees charged with actions to preserve our fishery resources have been unable to produce satisfactory results,

Now therefore, be it resolved that, by overwhelmingly favorable action, at a quarterly Directors Meeting, of the Organized Fishermen of Florida, on August 25th, 1973, at Tarpon Springs, Florida, we do support S. 1988, a Senate bill to extend on an interim basis the jurisdiction of the United States over certain ocean areas and fish in order to protect the domestic fishing industry.

Duly recorded in the minutes of the above mentioned meeting this 25th day of August, 1973.

THE MIRACLE OF THE METS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RANGEL. Mr. Speaker, in the midst of a turbulent and historical day, word has come of still another event which in its own way surpasses in wonder the resignation of the Vice President and the long awaited action by the House to provide for the establishment of democracy for the District of Columbia. This event is the winning of the National League pennant by the New York Mets.

The Mets have been responsible for the coining of a new slogan in New York City, "We Believe." Mired in last place as late as mid-August, the Mets rebounded to win the National League East and now have prevailed over the Cincinnati Reds, a team who during the season accomplished 17 more victories than the Mets and who, according to the analysis of baseball experts, has personnel far superior to the Mets.

Yet, today at Shea Stadium, a second miracle of the Mets took place, and tonight New Yorkers will have some good news to celebrate amidst the depressing realities of war, corruption, and the shaking of our fundamental institutions.

We need the miracle of the Mets this year more than in 1969, and as they go into the World Series against the American League champion. I can only wish them continued success, both for their sake and ours.

SUBCOMMITTEE REPORT ON SUPPLEMENTAL SECURITY INCOME PROGRAM

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mrs. GRIFFITHS. Mr. Speaker, the Joint Economic Committee's Subcommittee on Fiscal Policy, of which I am chairman, has just released the 10th in a series of staff studies on public welfare programs. This latest study is entitled "The New Supplemental Security Income Program: Impact on Current Benefits and Unresolved Issues." It is a thorough analysis of how the Supplemental Security Income—or SSI—program will work and what its impact on recipients and on other programs will be.

Effective January 1, 1974, the present State-administered public assistance programs for the aged, blind, and disabled will be replaced by SSI, a nationally uniform Federal program run by the Social Security Administration. Some States will supplement SSI benefit levels, which initially will be set at $130 a month for an eligible individual with no other income—$195 for a husband and wife. These amounts will be raised by $10 and $15 respectively in July 1974.

The launching of this new assistance program is a perfect example of how difficult it is to put a good idea into practice when both Congress and the executive branch try to deal with welfare problems in an uncoordinated, piecemeal way. When the House of Representatives passed the welfare reform bill in 1971, we passed a bill which promised comprehensive reform of all welfare categories—needy families, the aged, the blind, the disabled—an easing of the present administrative nightmare, and a better deal for the people with the lowest income. But after 2 years of conferences, Senate rejection of the family assistance plan, amendments in Congress and administrative interpretations at HEW, the new SSI program that emerged is not comprehensive reform—it omits families with children, who constitute 78 percent of current welfare recipients—and it may complicate more than it simplifies administration. Supplemental security income will make a number of the poorest aged, blind, and disabled persons better off, but in doing so will raise further questions about whether the relationship between welfare and social security programs makes sense.

The worst example of how administrative streamlining went awry is the food stamp situation. The SSI legislation called for a "cash out" of stamps to reduce the overall administrative burden and to give recipients more discretion in spending their income. But a recent amendment (P.L. 93-86), which was a genuine attempt to assure that the new system would preserve actual and potential benefits of the old system for the aged, blind, and disabled, will result in an administrative mess that is actually worse than the complexity of the current welfare programs. The amendment provides that recipients of the new SSI Federal income floor—$130 per person, $195 per couple—or of State additions to the floor are eligible for food stamps unless their new cash payments at least equal the total of the State welfare payment and the food stamp bonus that would have been received in December 1973. This sounds good in theory, but the problem is that these benefit comparisons will have to be made on a case-by-case basis, and for all future applicants as well as for the December 1973 caseload. In my judgment this is an impossible provision. It will be an administrative nightmare.

Presently, when an aged person applies for Federal-State old age welfare assistance, the State figures out the cash grant amount, certifies eligibility for medicaid, and, for those who want food stamps, computes their entitlement. This procedure has been made even more complicated under the new SSI program because of the food stamp amendment.

First. The applicant will go to the Social Security Office, where the agency will compute his SSI payment on the basis of uniform national rules.

Second. If the Federal Government also administers the State supplemental welfare payment, Social Security then must compute that payment using State rules which will be different from those that apply to SSI.

Third. Somebody will have to compute what the welfare payment for this person would have been under the still different set of rules which applied to the State's welfare program in December 1973, and the food stamp agency will have to compute what the food stamp bonus would have been under the old State program. The person need never have actually received this hypothetical amount, since this rule will apply to new recipients as well as old.

Fourth. The total of the old welfare payment and the old food stamp bonus will have to be compared with yet another amount: the total of SSI and State supplement amounts.

Fifth. If the new total is less than what would have been paid in cash and food stamps under the old program, the person is eligible to participate in the food stamp program.

Sixth. Finally, the food stamp bonus must be recomputed, this time on the basis of SSI and State supplementary payments—and any other income—using up-to-date food stamp rules.

HEW has proposed a change in the law which will greatly simplify the way in which food stamps are phased out for SSI recipients. This amendment is now pending in the Senate Finance Committee.

This subcommittee staff report should stimulate some serious thinking about the interaction between SSI and social security benefits. Currently, about 7 percent of aged social security beneficiaries also receive cash welfare aid. But, under SSI, this proportion will jump to 20 percent. Conversely, 71 percent of aged SSI recipients will receive social security as well. Furthermore, this group of almost 4 million beneficiaries will be receiving their two monthly checks from

the same agency—the Social Security Administration.

This sizable overlap of SSI with social security raises several questions in my mind. First, there is the problem of future social security benefit increases being offset by corresponding reductions in SSI payments, as happened last year under State welfare programs, causing great controversy. Since SSI fails to correct the problem, the controversy can only grow as more and more people see their cost-of-living social security increases disappear into smaller SSI checks. Even if Congress always increases SSI payment levels at the time of each social security increase, there is no guarantee that States will raise supplemental payment levels. If they do not raise them, the social security and SSI increases will simply save the States money by allowing them to reduce the supplemental amounts. But rather than pressure States to keep changing their payment levels, it might make more sense to require that a percentage of retirement benefits be ignored when calculating the SSI and State supplemental payments. This would assure that every SSI beneficiary would always see some gain from a social security increase.

A far greater issue for the long run is the structure of social security itself. It has never been purely a retirement pension because it offers proportionately more in benefits to the small contributors than to those who paid the most into the trust fund. But after SSI becomes effective, some of these welfare-type elements in social security will become increasingly questionable. Take the minimum floor on benefits, for example. The minimum of $84.50 a month is less than the SSI payment level of $130. Thus, if SSI reaches everyone who is eligible, the social security minimum will not help the low-income aged but, instead, will help only low contributors to the trust fund who have incomes too high for SSI, such as the retired civil servant who then works in a private job for a few years and acquires social security coverage. The wage-earner is paying for the ex-bureaucrat's high minimum benefit through the social security payroll tax, a rising burden to middle- and lower-income workers. SSI benefits, which are lowered because of the social security minimum, reduce SSI costs, and thereby substitute payroll taxes for revenue derived from the more progressive income tax.

Any social security beneficiary with income low enough to qualify for SSI will have only $20 a month more in total income than the basic SSI grant of $130. As more and more contributors to the social security trust fund discover how little their years of paying the payroll tax bought them, the roles of SSI and social security will have to be sorted out if the concept of contributory social insurance protection is to be maintained. These problems are very complex, involving how benefits are financed as well as how they are paid out, but they are the questions concerning social security that SSI will force us to consider.

The subcommittee report compares benefits under SSI with the benefits now available from public assistance, food stamps, surplus commodities, public housing, medicare and medicaid. The information on current programs was obtained from a questionnaire the subcommittee sent to 100 local areas across the Nation. A list of these 100 counties and cities follows my remarks. The report includes the data the subcommittee collected for each county.

When you see the variations in availability and amounts of benefits, it is easy to understand why it is so difficult to develop a more uniform, integrated welfare system. SSI is going to enter a world which now provides cash, food, and housing benefits totalling $324 a month to some aged individuals with no private income in Bergen County, N.J., but only $111 in Bolivar County, Miss. Variations in rules and procedures among programs and from place to place further compound the difficulties of welfare reform. We have made some headway by establishing SSI, but I think this report makes clear the need for better coordination among congressional committees and executive agencies in our future efforts at reform.

Copies of the report are available from the subcommittee office.

The list follows:

LIST OF 100 LOCAL AREAS INCLUDED IN SUBCOMMITTEE ON FISCAL POLICY STUDY OF WELFARE BENEFITS

State (or other State-level jurisdiction) and county (or other local jurisdiction)	Pages in subcommittee staff report showing benefits to aged as of: July 1972 (current law)	January 1974 (SSI)
Alabama: Jefferson	94	296
Arizona: Pima	96	297
Arkansas: Saline	98	298
California:		
Alameda	102	300
Contra Costa	116	307
Fresno	118	308
Kern	122	310
Los Angeles	100	299
Orange	112	305
Riverside	120	309
Sacramento	110	304
San Bernardino	114	306
San Diego	104	301
San Francisco	108	303
Santa Clara	106	302
Shasta	126	312
Ventura	124	311
Colorado:		
Denver	128	313
Pueblo	130	314
Connecticut: Hartford	132	315
Delaware: New Castle	134	316
District of Columbia: Washington (city)	136	317
Florida:		
Dade	138	318
Duval	140	319
Orange	142	320
Georgia:		
Burke	148	323
Fulton	144	321
Richmond	146	322
Telfair	150	324
Illinois:		
Cook	152	325
Hancock	156	327
Tazewell	154	326
Indiana: Lake	158	328
Iowa: Taylor	160	329
Kansas: Leavenworth	162	330
Kentucky:		
Calloway	166	332
Letcher	164	331
Louisiana:		
Iberville (parish)	170	343
Orleans (parish)	168	333
Vermillion (parish)	172	335
Maine: Kennebec	174	336
Maryland: Baltimore (city)	176	337
Massachusetts:		
Essex	182	340
Middlesex	180	339
Plymouth	184	341
Suffolk	178	338
Michigan:		
Gogebic	192	345
Monroe	190	344
Washtenaw	188	343
Wayne	186	342
Minnesota:		
Dakota	196	347
Hennepin	194	346
Mississippi:		
Bolivar	198	348
Tippah	200	349
Missouri:		
Pemiscot	204	351
St. Louis (city)	202	350
New Jersey:		
Bergen	212	355
Camden	208	353
Essex	206	352
Hudson	210	354
Morris	214	356
New Mexico: Bernalillo	216	357
New York:		
Albany	228	363
Erie	220	359
Monroe	226	362
Nassau	224	361
New York City	218	358
Rensselaer	230	364
Suffolk	222	360
North Carolina: Haywood	232	365
Ohio:		
Cuyahoga	234	366
Franklin	236	367
Guernsey	240	369
Montgomery	238	368
Oklahoma: Tulsa	242	370
Oregon:		
Lane	246	372
Multnomah	244	371
Pennsylvania:		
Allegheny	250	374
Dauphin	252	375
Lehigh	256	377
Philadelphia	248	373
York	254	376
Puerto Rico:		
Caguas (municipio)	260	379
Ponce (municipio)	258	378
Rhode Island: Providence	262	380
South Carolina: Beaufort	264	381
South Dakota: Shannon	266	382
Tennessee:		
Hamilton	270	384
Shelby	268	383
Texas:		
Bexar	276	387
Dallas	274	386
Hale	280	389
Harris	272	385
San Patricio	278	388
Virginia:		
Dickenson	284	391
Richmond (city)	282	390
Washington:		
King	286	392
Snohomish	288	393
West Virginia: Lincoln	290	394
Wisconsin: Milwaukee	292	395

TO UNIFY THE COUNTRY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. VANIK. Mr. Speaker, the Vice President's resignation provides President Nixon with an opportunity to unify the country and infuse confidence in the Government.

This is the time for a coalition government—a coalition of parties and branches of the Government. The President would be well advised to nominate a legislative leader such as our distinguished Speaker, CARL ALBERT, the distinguished chairman of the Ways and Means Committee, WILBUR MILLS, or the Senate majority leader, MIKE MANSFIELD.

GOOD NEWS ABOUT BILINGUAL EDUCATION

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. BADILLO. Mr. Speaker, in recent years we have talked a lot about bilingual education, a concept which says that special educational provisions should be made in areas of the United States where there are substantial numbers of persons whose native language is not English. The Bilingual Education Act which was passed in 1967 was perhaps the first important step in changing the old standard, but it was not enough in itself to completely remedy the situation. I am happy to report that, according to an article which appeared in a recent edition of the weekly newsletter of the American Association of School Administrators, bilingual education seems at last to be making some real, measurable progress. In addition to Federal legislation, new changes in State laws and success in the courts is improving the picture for non-English-speaking children whose special needs were previously ignored.

I would like to submit the full text of that article, since I believe it contains details of interest to many of my colleagues:

BILINGUAL EDUCATION COMES OF AGE

Bilingual education, seen as recently emerging from the "dark ages," is coming into its own. As few as five years ago more than 20 states—including some with the largest non-English speaking populations—had laws requiring all teaching in public schools to be in English. In seven states, a teacher risked criminal penalties or revocation of his certification for not teaching in English. And prior to 1968, there was no state or federal legislation pertaining to bilingual education. But with the passage of the federal Bilingual Education Act came the recognition that Puerto Ricans, Mexican-Americans, Orientals, American Indians and other foreign-language children were being short-changed and neglected by the American educational process.

A recent survey shows that 11 states now have legislation dealing with bilingual-bicultural education. Massachusetts has gone further than any state by requiring every district with more than 20 non-English speaking students to provide them with a bilingual education. Five other states—Alaska, California, Illinois, Maine and New Mexico—have what Rep. Herman Badillo, D-N.Y., calls "explicit and substantive" laws on the issue. Others, like Pennsylvania, provide for programs without legislation. That state's guidelines now require districts to have a bilingual or English as a Second Language program for any student whose native language is not English. The survey, conducted by the National Advisory Council on the Education of Disadvantaged Children, also concluded that most states would lose their programs without federal bilingual aid.

The right of a non-English speaking child to a meaningful education has come into national prominence in a case to be heard before the U.S. Supreme Court this term. The court will decide whether non-English speaking children have the constitutional right to special help—such as instruction in English by bilingual teachers—to enable them to learn. The case, *Lau* v. *Nichols*, involves 1,800 Chinese-speaking students in San Francisco. Parents say their children are being denied an equal educational opportunity. Lower courts have said all the district needs to do is provide the same facilities, textbooks and curriculum to these pupils as it provides to others. Edward Steinman, attorney for the parents, says: "Hopefully the decision will not only impose a duty on San Francisco to teach the children English, but will also be broad enough to cover the five million non-English speaking students throughout the country." The Lawyers' Committee for Civil Rights Under Law says the case should help define how the Constitution will be used as a tool to reform educational inequities.

Previous court cases have given bilingual proponents some hope. A federal court has said Texas' past discrimination against Mexican-Americans was unconstitutional, and has ordered the state to provide bilingual-bicultural education. In New Mexico, a federal court has ordered the Portales schools to reassess and enlarge their curricula to take into account the needs of Spanish-surnamed students. And, it has ordered the district to "develop programs with a bicultural outlook in as many areas as practical," including at least 30 minutes of bilingual instruction at the elementary level. Progress has also been made in places like El Paso, Tex., through HEW civil rights investigations (see ED USA, p. 12, 9/11/72), and through court suits against IQ tests given solely in English. Non-English speaking pupils may, in the words of one advocate, be on the verge of receiving the attention they deserve.

BASEBALL AND YOGI BERRA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. DERWINSKI. Mr. Speaker, as World Series fever grows in the country, any review of the baseball season certainly points to Manager Yogi Berra of the New York Mets as being a prime candidate for manager of the year. Therefore, I believe it is appropriate that I insert into the RECORD a column by Rick Friedman, managing editor of the Star-Tribune publications which serve south suburban Cook County, Ill. In his column of Sunday, September 16, Rick presents us with a very human and penetrating analysis of the development of baseball players.

The article follows:

BASEBALL AND YOGI BERRA

(By Rick Friedman)

A few weeks ago in our sports section Yogi Berra, former Yankee catcher and present manager of the New York Mets, had some interesting things to say about organized sports for kids.

Berra claimed leagues for 8–12 year olds were cutting down the caliber of hitters in professional baseball. "Look," Berra contended, "every kid plays every game. That means he bats once a game, or at the most twice. That is a waste of time. If these kids had T-shirts and a cap, went to a vacant lot and chose up sides, they would play all day. They would do their own umpiring and play in the daytime. They would bat maybe 15 times. They would learn baseball. It's too fancy now."

Berra was talking about the vacant lot he and Joe Garagiola played on in St. Louis before the two of them went into professional baseball. His comments sent my own mind spinning back 30 years to another world of kids' ball my own 11-year-old son, who is now in organized kids' sports, will never know.

My mind went back to a time when there wasn't a Little League and park district leagues and uniforms. Back to a time when parks tailor-made for kids were undreamed of. Back to a time when kids played on big, clumpy lots.

Those clumpy lots were a sports paradise unto themselves for us kids.

For me, it started a couple of years before America was pulled into the Second World War. The housing boom had just started but almost every neighborhood had a few empty lots which hadn't been touched by developers.

This was Philadelphia in the year 1939. (For a couple of years after that the lots did start to disappear at an alarming rate as houses went up on them. But with the advent of Pearl Harbor, construction came to a standstill and our personal ballfields were left for the most part intact.)

The lots had holes, stumps, lumps, clumps and bramble patches on them. High grass skirted their sides. We would organize the neighborhood gang each summer and clear the stumps, level off the lumps, dig up the clumps and fill in the smaller holes and ditches. With a borrowed roller from somebody's father, and borrowed picks and shovels from somebody else's father, we carved an infield onto those lots.

Part of each summer was spent working on those makeshift fields until the great day arrived when we could anchor down a mess of lumber for a backstop. Then it was time to get down to some serious baseball playing.

Our biggest problem was with foul balls. At least twice each day a ball would go sailing into the high grass, weeds and bushes growing around the perimeter of our field, Generally, the only ball we had to play with was somewhere in that growth. The game would stop, we would all spread out in a long line, and holding hands, we would walk forward into the grass. No lost ball could hide long against those kinds of odds.

The ball we played with was something else. If the cover started to come aff, and it always did, we used the ball until the string was showing completely. Then, black friction tape went around the ball. A few more games meant more black friction tape and before the summer was over the ball resembled the surface of the playing field—a lumpy rock that was responsible for more split fingers and sprained knuckles than most of our mothers could count in a summer baseball season.

And all the time there was this kid on the sidelines, tossing a genuine major league baseball up and down in the air, having a catch with himself. His father got it for him at Shibe Park and it had the names of all the Philadelphia Athletics on it. He'd never let us use this ball in a game.

This was the most hated kid in the neighborhood.

The bats were also something else. There never seemed to be more than two or three around at any time and if one split near the handle it made the trip to somebody's garage. Nails would be driven through it, the dependable black friction tape would be rolled around the cracked part, and back to the bat pile it went.

The day always came when the one good bat available would break and there was nothing else to do but grab a cracked, taped bat and hit away. A solid connection with the ball and the sting from the bat handle would shoot clear up from the hands to the shoulder.

Berra was right about playing all day. Once school was out for the summer, we got on the field right after noon and played until it was too dark to see the ball or we had to go home for supper. It usually took a damn hard rain to make us quit. But one

thing that did break up more ball games early was an argument.

A close play would end up with the kid who owned the only ball or good bat getting huffy and storming off the field with the immortal words: "If I'm called out I'm taking my ball and going home."

As the baseball season got rolling we took on such names as the Seventh Street Tigers or the Mayfair Red Devils and played other neighborhood teams with names like the Pennyback Pirates or Homesburg Marauders. The most original name I recall belonged to a club who played on a lot near a graveyard. They called themselves the Tombstone Athletic club. (To get to their field we had to ride our bikes through the graveyard.)

Then one day the war was over, the building boom was on again and overnight our baseball fields disappeared under two-story houses complete with recreation rooms. Playgrounds sprung up and the Little League moved into Philadelphia.

Kids' sports became organized.

The era of playing baseball on empty lots with taped baseballs and cracked bats was over for good.

Like Yogi Berra, I too, wonder how much of the initiative and desire to play baseball no matter what the odds died with it.

NEWSPAPER WEEK

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the Nation this week celebrates Newspaper Week.

We all should take time out and dwell a moment on the meaning to our democracy of a free press and the catastrophe that would befall us as a people if we allowed our precious first amendment rights to be weakened.

. . . were it left to me to decide whether we should have a government without newspapers, or newspapers without government, I should not hesitate to choose the latter.

I always have found Thomas Jefferson's sledgehammer blow on behalf of a free press an accurate gage of my personal feelings.

I would like to include in the RECORD at this time an editorial by C. Dale Noah, editor of the Brookline Journal, on what a free press means to him:

NEWSPAPER WEEK

(By C. Dale Noah)

Newspaper Week, October 7–13, will be met with its share of "So-what's?" but for those who like the taste of freedom, it will be a time to pay tribute to one of the most important guardians of free expression.

A newspaper's talents and responsibilities are many: It is a community soapbox, companion and entertainer on lonely evenings, bearer of both good and bad news on the local and international scenes, advertiser of needed goods and services and a governmental watchdog.

Every day the thunder of the nation's presses may be heard throughout the land as a free people let their voices be heard. So it has been for 200 years. Can any other country make the same claim? The answer, of course, is "No," for an alert, articulate press is the dictator's nightmare. It is our salvation.

Perhaps the editors and their staffs may be forgiven if they brag a little during their own special week. The newspaper you hold in your hand is part of a vast, independent information network that is a main pillar in the temple of human freedom as we know it in the United States.

CHROMIUM CRISIS

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. CLARK. Mr. Speaker, a series of articles by William H. Wylie have appeared in the Pittsburgh Press recently on the chromium situation and its effect on domestic producers of specialty steel in the United States. I insert these excellent articles in the RECORD at this point so that my colleagues may have the opportunity to read them.

[From the Pittsburgh Press, Sept. 18, 1973]

MOVE TO BAN RHODESIAN CHROME PERILS JOBS HERE

(By William H. Wylie)

(NOTE.—Few Pittsburghers are aware of the "chromium crisis," yet the outcome could give the local economy a bad jolt. The issue centers around efforts of civil rights interests in Congress to cut off the flow of chromium from Rhodesia to the United States. If the move succeeds, the specialty steel industry would be wounded and thousands of district jobs might go down the drain. This is the first of three articles about the chromium crisis and Pittsburgh's stake in it.)

It's a small world—small enough that thousands of district steel jobs owe their existence to a vital import from the African nation of Rhodesia.

This rare commodity is chromium. Specialty steels—stainless, electrical and tool steels, etc.—cannot be made without it. Ironically, a move is under way in Congress to cut off the specialty steel industry from its Rhodesian chromium supply.

But this effort will be blunted if E. F. Andrews, an Allegheny Ludlum Industries vice president, and other leaders of the specialty steel industry have their way. Recently Andrews carried the fight to the Senate Foreign Relations subcommittee on African Affairs.

His testimony focuses attention to the stainless steel industry's Achilles heel—the shortage of chromium in the U.S. In fact, no other commodity pinpoints the emerging role of the United States as a "have-not" nation more drastically than chromium. None of this precious ore has been mined in this country since 1961 and the national stockpile is dwindling, Andrews said.

In Rhodesia, it's a different story. That nation has 67 per cent of the world's supply of metallurgical grade chromite—the kind used in specialty steels. The rest is scattered among Republic of South Africa, 22 per cent; the Soviet Union and other Communist countries, 6 per cent; Turkey, 2 per cent; the Philippines, 3 per cent, and other nations, about 2 per cent.

On the basis of these figures, one would expect chromium users to beat a path to Rhodesia's door. But there are some complications.

That nation has fallen into the bad graces of the international community because of its racial policies. The situation boiled over in 1967 when the United Nations slapped economic sanctions on Rhodesia, making it off limits to world traders.

The United States and practically all of the U.N. members signed the embargo. With a stroke of the pen, the State Department wiped out the stainless steel industry's best source of chromium.

There were some painful years from 1967 until 1972, Andrews said. Specialty steelmakers dipped into the national stockpile and made a trade deal with Russia.

But chrome and ferrachrome prices soared and foreign steelmakers captured big chunks of the domestic market because they were able to underprice American mills in specialty steel products.

Where did foreign steelmakers get metallurgical chromite?

From Rhodesia, of course. Andrews said the U.N. sanctions gave Americans a cynical lesson. Despite signing the sanctions pact, many nations carried on business as usual with Rhodesia.

As Andrews quaintly puts it, "I learned a long time ago as an Indiana country boy that when you're in a crap game behind the barn and everybody else is using loaded dice you find another game."

Last year the stainless steelmakers got their story across and Congress passed the Byrd amendment which exempts chromium and ferrachrome from the sanctions. But now there's a move led by Sen. Hubert Humphrey, D-Minn., to repeal the exemption.

If the effort succeeds, there would be serious repercussions for stainless steelmakers, Andrews said. The pinch would be much more binding than in the late '60s and early '70s, he added.

"The issue will probably be decided within the next 30 days," Andrews said. If the ball bounces the wrong way, Pittsburgh's economy will suffer, he warned.

[From the Pittsburgh Press, Sept. 19, 1973]

U.S.A. "HAVE-NOT" IN CHROME GAME

(By William H. Wylie)

"The irony will not be humorous to a black steelworker in Pittsburgh who loses his job if the sanctions are reimposed."

That statement was taken from the testimony of E. F. Andrews, an Allegheny Ludlum Industries vice president earlier this month, before the Senate Foreign Relations subcommittee on African Affairs.

Andrews was referring to efforts by Sen. Hubert Humphrey, D–Minn., and other senators to repeal the Byrd Amendment which permits the United States to buy chromium and processed chromium from Rhodesia.

That African nation was shackled with economic sanctions by the United Nations in 1978 as punishment for its racial policies. As a result, Americans specialty steelmakers were prohibited from importing chrome from Rhodesia from 1967 to 1972.

Since that country has 67 per cent of the world's supply of metallurgical chrome, and since chrome is essential for making specialty steels, U.S. Steel, Allegheny Ludlum, Crucible, Cyclops, Armco and other specialty steelmakers were in a bind.

In 1972 Congress passed the Byrd Amendment which exempted chrome from the sanctions because it is the No. 1 strategic material. Since then the chrome squeeze has eased. But now a new attempt to bar chrome imports is under way in the Senate and specialty steelmakers are waging an all-out fight to head it off.

Andrews used the word "irony" advisedly in his testimony. He poses the question: Is an American steelworker willing to give up his job to further the civil rights of a Rhodesian black? In the case of a black American steelworker, this would be ironic indeed.

The steel executive says repeal of the Byrd Amendment constitutes a real threat to Pittsburgh because this area is a center of specialty steelmaking. Cut off the chrome supply and district mills would have to lay off workers, he said.

The problem is really simple. Specialty steel cannot be made without chrome. In fact, stainless steel must contain no less than 10½ per cent chromium to be classified as stainless, Andrews said. Actually most

stainless steel is comprised of at least 18 per cent chromium, he added.

Andrews points out that Rhodesia has 67 per cent of the world's metallurgical grade chromium and the United States has none.

During the chromium crunch of '67–'72, the U.S. managed to live off the national stockpile and get ore from Russian which controls about 6 per cent of the world's supply. But the price of chrominum doubled during that period, Andrews said.

He cited a 14-cent-a-pound rise in prices and noted that each penny increase raises the price of finished stainless $8 a ton. A little simple arithmetic reveals that five years of sanctions tacked $112 onto the price of a ton of stainless steel.

During that period, foreign steelmakers, who continued to buy ore from Rhodesia even though they had signed the embargo too, grabbed sizable chunks of the American specialty marked, Andrews said.

"We lost 60 per cent of the market for some of our products," he continued.

If the sanction on chromium imports were reimposed, Andrews believes prices would zoom at least 10 cents a pound. And the pinch would be much tighter this time, he said, predicting that the national stockpile would last less than a year.

Actually, the U.S. hasn't recovered fully from the '67–'72 cutoff, Andrews said. Chromium must be processed into ferrochrome before it can be used by steel mills.

Before 1967, chromium was imported and refined by American companies. But during the "famine," a lot of domestic ferrochrome plants closed, eliminating more than a thousand jobs. Few of these plants have reopened.

Rhodesia took advantage of the U.S. boycott to establish its own refining plants which have since won a place in the world market. Now American businessmen believe Rhodesia would take the next logical step and set up their own specialty steel industry if sanctions were revived.

And that would be bad news in Butler, Vandergrift, Brackenridge, Midland and other district milltowns.

[From the Pittsburgh Press, Sept. 20, 1973]

CHROME KEY TO AIR, WATER CLEANUP

(By William H. Wylie)

Not all battles for survival are fought in the main arenas of the world.

This is true of a rather quiet but determined effort to ban chromium imports from Rhodesia. The stainless steel industry, which would be the victim of such a ban, is fighting for its life to keep these valuable imports flowing to the United States.

The struggle is being waged in the back halls of the Senate where civil rights interests led by Sen. Hubert Humphrey, D-Minn., want to punish the African nation for its harsh racial policies.

This appraisal of the Capitol Hill conflict comes from E. F. Andrews, an Allegheny Ludlum Industries vice president and spokesman for the Tool and Stainless Steel Industry Committee.

Since production of specialty steel creates employment for 50,000 to 60,000 workers, Americans have a vital stake in the industry's future. This is especially true in several Pittsburgh-area communities where mill jobs keep meat and potatoes on the table.

The Senate battle centers around a movement to repeal the Byrd Amendment which was passed to let us buy Rhodesian chromium. It exempts chromium, a strategic material, from economic sanctions imposed on Rhodesia in 1967. As a signer of the embargo, the U.S. agreed not to trade with the African nation.

Andrews said the stainless steel industry isn't fighting the repealer on moral grounds. "We certainly deplore the racial situation in Rhodesia," he said.

The industry's fight is being waged on economic grounds. Steel men are saying the U.S. can't afford to turn its back on Rhodesian chromium which represents 67 per cent of the world's supply. South Africa has the next largest source—about 22 per cent. The U.S., which has none, turned to Russia, which has about 6 per cent, during the 1967–72 Rhodesian chrome blackout.

Andrews argues that it's inconsistent to put Rhodesia off limits while permitting trade with South Africa whose racial policies are equally distasteful to Americans.

He also noted that most industrial nations have continued trading with Rhodesia any way. "Since imposition of the sanctions, over a hundred cases of evasion have been reported to the United Nations by Great Britain," he said.

"These represent only the tip of the iceberg; sanction-busting continues to occur on a monumental scale," he added. Steel men make these points:

South Africa and Portugal ignored the embargo from the beginning. They were followed by Eastern European nations and parts of the Middle East. Finally, Western Europe and Japan entered the Rhodesian market, doing a big business every year since 1968.

Why all the excitement over chromium? Can't steel men use a substitute?

The answer is "no." Chromium, or ferrochrome as the processed ore is called, represents about 18 per cent of a ton of stainless steel. Nothing else will do.

In their struggle to preserve a supply of chromium, steel men can't understand why they are fighting virtually alone. They look for support of environmentalists, power generation people, transportation interests, food processors, chemical and petroleum firms. Products of all these industries use some specialty steels.

Equipping new cars with catalytic converters will require an additional 50,000 tons of ferrochrome annually, Andrews said. Almost all equipment for cleaning air and water of industrial pollutants contains some specialty steels.

One steel executive said, "We're scared about that 350,000 tons of additional ferrochrome that will be needed in the immediate years ahead. We don't know where it will come from."

Andrews believes the issue over the Byrd Amendment repeal will be decided within 30 days. Nobody has a bigger stake in the outcome than western Pennsylvania.

[From the Pittsburgh Press, Sept. 21, 1973]

USW FIGHTS STEEL ON CHROME BAN

(By William H. Wylie)

As often happens, union and management are on opposite sides in the battle over banning chromium imports from Rhodesia.

To the casual observer, this may seem surprising in view of the specialty steel industry's argument that cutting off the rare ore from the African nation would jeopardize thousands of American jobs.

But to those who have followed the Rhodesian issue, testimony earlier this month by John J. Sheehan, legislative director of the United Steel Workers (USW) of America, before a Senate Foreign Relations subcommittee contained few, if any, surprises.

Two years ago the union opposed passage of the Byrd Amendment which ended the Rhodesian chrome blackout. And the USW's position hasn't changed, Sheehan said.

The issue erupted in 1967 when the United Nations imposed economic sanctions on Rhodesia. The United States signed the agreement aimed at forcing the Ian Smith government to reform its racial policies.

In 1971, mainly at the insistence of specialty steel companies, Congress exempted chromium from the sanctions.

At that time USW President I. W. Abel was critical. He told Sen. Gale McGee, D-Mont., another opponent of the exemption, that "the price of human dignity should not be measured in terms of the cost of chromite in the United States market."

As Abel suggests, the USW opposes trade with Rhodesia on moral grounds. The union's position also is braced with economic arguments.

In fact, the moral and economic arguments are intertwined in the union's charge that Rhodesia permits "slave labor." The USW alleged that Union Carbide in 1970 paid black workers in the chromium industry $46 to $130 a month compared to $122 to $750 for whites.

The USW appears to make two points. First, Rhodesian pay scales are unfairly keyed to a "double standard". And, second, cheap foreign labor is eliminating American jobs.

Some background on chromium and how it is used is needed to clarify the second point. Steel mills don't buy chromium ore. Instead, they purchase ferrochrome, a crude alloy of chromium and iron.

Over the years, most of the domestically used ferrochrome was produced by American companies and sold to specialty steel makers. But, for various reasons, the ferrochrome industry has fallen on hard times and a lot of ferrochrome is imported from Rhodesia.

"The impact already is very real for some of our members," Sheehan testified.

"Ohio Ferroaloys in Brilliant, Ohio, has already shut down its ferrochromium process, switching instead to silicon process exclusively.

"Foote Mineral is planning on completely closing its Steubenville, Ohio, plant by the end of this year," he said, noting an expected loss of 313 jobs.

Obviously the USW feels that reviving the ban on Rhodesian chrome would give this country's ailing ferrochrome industry a badly needed lift.

The union shrugs off the companies' charge that cutting off Rhodesian chrome would give foreign competitors an advantage and threaten domestic jobs, saying the industry is protected by the voluntary import quotas agreement.

The union denies that while the embargo was in force from 1967–72 it cost some USW members jobs.

Sheehan also contends—although Rhodesia has 67 per cent of the world's chromium—the U.S. can find other sources. He cited Russia, which exports chromium to this country, and the national stockpile.

The USW spokesman concedes sanctions may cost industry and consumers more, but he said, "It is a price we should be willing to pay in order to uphold the integrity of our ideals and the ideals of the United Nations.

NEW VICE PRESIDENT

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. FROEHLICH. Mr. Speaker, in selecting a new Vice President, there is an imperative need to nominate a strong national leader who is fully capable of serving as Vice President or President in the months ahead. In a period of national and international tension, the Vice President must be prepared to assume the heavy burdens of the world's most powerful office without faltering. In a period of political demoralization, the Vice President must be able to rekindle public confidence in our National Government.

HOWARD BAKER, John Connolly, Melvin Laird, Charles Percy, Ronald Reagan, and Nelson Rockefeller are among the major national Republican leaders who are worthy of serious consideration. Under no circumstances should the President, the Congress, or the American people settle for a figurehead or a political eunuch.

In order to secure the confirmation of a strong leader, the Republican Party must unite behind the President's nominee. To achieve this unity, I believe the President should seek the formal advice and participation of Republicans in the Congress, in the governorships and in the National Committee. Only an open process of selection will produce the legitimacy that is necessary to assure support.

I call upon the President and the chairman of the Republican National Committee to convene a meeting of Republican Governors, Senators, Representatives, and officials of the National Committee to assist the President in the nomination of a new Vice President of the United States.

POLISH IMMIGRANTS

SPEECH OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mr. MINSHALL of Ohio. Mr. Speaker, it is a pleasure to pay tribute to our wonderful Polish-American friends across the Nation as they observe this month the 360th anniversary of the arrival at Jamestown, Va., of the first Polish immigrants in America. For nearly four centuries, our friends and neighbors of Polish descent have been major contributors to our national progress and their first efforts in behalf of the rights of man, are indicative of the strong Polish characteristic of independence and self-reliance. Last May 6, on Polish Constitution Day, I was scheduled to address the large Polish community in Cleveland. At the last minute, laryngitis prevented me from delivering the address, but my oldest son, William E. Minshall III, pinch-hitted for me, and I would like to include the text of that speech as appropriate to this month's observance:

POLISH CONSTITUTION DAY

(Given by Bill Minshall for his father, who had laryngitis:)

It is a tremendous honor to be included in your observance today, commemorating the signing of the Constitution of the Polish Nation.

This great document was signed May 3rd, 1791, two years after the adoption of our own American Constitution. I have been struck by the similarity in purpose of these two noble landmarks in man's quest for liberty.

The Polish Constitution says, in part:

"All power in civil society should be derived from the will of the people, its end object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

We think of our American system, under our Constitution, in those same terms—and so it has been throughout the last two centuries of history in Poland and the United States. The people of our two nations are bound together in their striving to achieve and maintain liberty and justice for all of our citizens.

Only geography has hampered Poland from translating the promise of its Constitution into reality. Since 1791 our Polish friends, though united with us in spirit, have been trapped in the middle of the European struggle for expanded power. Since the end of World War II, freedom-loving Poland has been held fast in Russia's grip. But the Polish people have never—and will never—forget the high purpose of their Constitution: free and open elections, religious tolerance and justice for all under the law.

Poland never has been permitted to realize these goals for any length of time. Lesser people would have long ago despaired, but Polish men and women carry in their souls a love of liberty that tyranny cannot extinguish. This love of liberty, is as bright today as in 1791.

Polish immigrants to American soil have brought this love of freedom with them. Our nation might well have gone the route of a rigid class system had it not been for a band of stalwart Polish immigrants whom Captain John Smith brought to the New World in 1610. Smith brought the Polonians, to Jamestown, Virginia, to work in the first factory in America, the glassworks at Jamestown Colony.

From 1610 to 1619 the Polonians worked in the factory. They were permitted no rights of citizenship, forbidden to own land, and had no guarantees of freedom. Finally they took matters into their own hands and staged the first sit-down strike in American history—not for higher wages or shorter hours, but for human dignity and liberty. John Smith hurriedly summoned the House of Burgesses, which was the legislative body at that time, and urged the House to act in favor of the brave and determined Polonians. As a result, they were given full rights of citizenship, including property rights and the right to participate in elections. The document that gave those early Polish immigrants their freedom is today preserved at the Library of Congress. It is a constant reminder that wherever Polish people are found, their voices will be strong and clear in behalf of human dignity and human rights.

This is but one of the countless, lasting contributions made by Polish-American citizens. Polish-American genius has helped build our cities, create our industry, and enrich our cultural lives. There is not a single facet of our good life in America that Polish American hands have not helped shape.

Sadly we look to the nation of Poland, so rich in its human resources of brave, inventive, artistic, skilled, freedom-loving people, yet so impoverished physically and spiritually by the government that controls them.

It seems as though fate has designed to test the Polish people—their endurance, their courage, and their faith in freedom. Few nations have suffered such continuous ordeals as have been heaped upon Poland. But the dauntless Polish spirit survives—it surmounts all obstacles. We in America, can only hope that under similar circumstances our own determination would be as great. With the vast number of Polish-American citizens in our population, I know it would.

Throughout my father's years in Congress he has worked for enactment of legislation which would work, through peaceful means, for the resolution of the problems of all Captive Nations. I am particularly hopeful that the Congress will take action of my Fathers H. Con. Res. 29, which would authorize our Ambassador to the United Nations to urge that the U.N., insist that the Soviet Union abide by its U.N. membership obligations, concerning colonialism and interference with the sovereignty of other nations, by withdrawing its troops and agents from captive nations, and returning home all political prisoners.

Dad also has introduced in this Congress H. Res. 66 authorizing the President to proclaim May 3rd of each year as "Polish Constitution Day" as a reminder to all citizens of the mutual love of freedom we share with the people of Poland.

I ask for your good will and your support of his efforts. It takes more than one Member of Congress to pass a bill. Others on Capitol Hill must be enlisted to help. Your letters to your Representatives and Senators can help awaken their interest in these measures,

Every step taken in the direction of freedom is an important one, no matter how small. By working together, all of us, who desire liberty and equality for all men, thoughout the world, I am confident that Poland once again will be free—that one day we will have the answer to the old prayer—

"Niech zwyciezy Orzel Bialy!"

"May the White Eagle Triumph!"

DR. BENY J. PRIMM: METHADONE IS NO ANSWER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RANGEL. Mr. Speaker, because of the serious addiction problem in the United States, many people are looking at methadone as the miracle solution to heroin addiction. Regretfully, there are no easy answers to drug abuse, and methadone should not be considered a panacea.

There are many misconceptions about this powerful narcotic substitute, both in terms of its uses and of its dangers. Dr. Beny J. Primm, an authority in the use of methadone as one of many modalities of treatment for addicts has written a perceptive article on the strengths and limitations of methadone. I hope that Dr. Primm's observations will help clear up some of the misunderstanding and confusion about methadone and I am pleased to share it with my colleagues. Dr. Primm's article was published in the Amsterdam News on September 15, 1973, as part of the newspaper's series, "Blacks in America."

The article follows:

METHADONE IS NO ANSWER

(By Beny J. Primm, M.D.)

The use of methadone as one modality of treatment for narcotics addiction carries with it very tangible benefits. Probably outstanding among these has been the conceptual transformation of the "junkie" from criminal to patient—and not only because addiction is finally being viewed as a condition requiring medical intervention, but also because methadone enables the addict to stop committing crimes in order to treat the illness himself.

Yet, even assuming that none of this powerful narcotic reaches the illicit market, that no person not previously addicted to heroin becomes addicted to methadone, that the use of methadone does not reinforce drug-taking behavior, that those who receive methadone do not continue to use other

drugs in addition, and all of the other potential hazards which are now so often discussed—even neutralizing these possibilities for a moment—there remains, on a more abstract level, a number of liabilities in the actual operation of a methadone program.

ILLS OF SOCIETY

These liabilities are the ills of society. They are founded in racism, ignorance, exploitation and oppression. Their effect is to present nearly insurmountable obstacles to the treatment process. As director of a large ghetto treatment center which uses methadone therapy as one of many treatment modalities.

The Addiction Research and Treatment Corporation is located in the Ft. Greene/Bedford Stuyvesant area of Brooklyn and Harlem in New York City. Created in late 1969 as a program specifically aimed at the hard-core addict in the urban ghetto, ARTC provides a wide range of ancillary services.

These services include psychosocial counseling, complete medical care, psychotherapy, group therapy, vocational training and placement, educational counseling and tutoring, legal assistance and residential treatment as well as short and long-term therapy.

METHADONE NOT A SOLUTION

Our attitude toward methadone, however, has always been that it is an effective catalyst for bringing addicts into treatment and a useful agent for satisfying drug hunger, both physiologically and psychologically, but it is not a solution to the problem. For the most part, the program is run by Blacks.

This situation appears ideal, yet we cannot insulate ourselves from the attitudes of the establishment nor from the psychopathology that is racism. It affects our every response to life within and without the sphere of treatment and, naturally, it affects our patients' response to us.

But, even more crucial to the issue today, is that it severely limits the success of any treatment effort for Black addicts. I have great respect and admiration for the pioneers of methadone treatment. I also believe that the result of methadone treatment has been positive.

Yet, I am faced with the reality that methadone is only buying time for my patients—that ARTC can affect only a small part of their lives. Even if we are able to overcome the patients' lack of self-confidence, the lack of basic skills and the lack of acceptable patterns for dealing with society's demands, we have not altered the environment in which they have developed and in which they must survive.

SOCIETY DOESN'T WANT THEM

Thus, we are placed in the position of attempting to prepare individuals, intellectually and emotionally, to enter a society which really doesn't want them, and even if it accepts them, is not willing to adequately reward their contributions.

What we face daily is a group of patients, mostly products of the ghetto, who have internalized society's negative opinion of them. They have lived in a hostile relationship to white institutions—jails, courts, welfare agencies and schools—which have profoundly influenced their lives.

They have been stigmatized in their own eyes, not only because they are addicts, but also because they are poor, under-educated and often criminals. What they need is not methadone, but the removal of the stigma so that they can develop a sense of worth.

Society—and I'm talking about the white establishment—has made the Black ghetto resident a deviant to begin with. Thus, it is of little consequence, in the eyes of society and in the individual's own mind, that he becomes an addict, a criminal or dependent on welfare.

WHAT OPTIONS ARE THERE?

Can I honestly tell my patient that his life will be more "fulfilling" if he works and studies hard, obeys laws and stops messing with drugs? He may not have learned much in school, but he's not easily fooled. He grew up in the streets and survived.

I know, my staff knows and my patients know that few employers are willing to hire an ex-addict or ex-convict. In addition, many jobs are inaccessible to these individuals by law.

These realities, aside from the psychological implications of other kinds of deprivation, present those of us attempting to treat this group, as well as those in treatment, with a virtual dead-end. Our success must be dependent on others who have, for the most part, remained uninvolved—out of apathy, out of fear, out of prejudice.

DEFECTS IN METHADONE PROGRAMS

Looking beyond my own experience and environment, I see a number of possible defects in other methadone programs as they relate to the Black addict.

The majority of methadone programs are administered by whites, yet, large numbers of those in treatment are Blacks. The very fact that these programs treat both Blacks and whites means that the assessment of needs and the development of therapy is based on some sort of composite addict, part Black and part white.

The problem is that the two "races" have different problems arising from two very different frames of reference. The Black addict knows that most other Blacks spend their lives outside of society's mainstream.

He will not return to society as the white might, but he must attempt to enter a society which is hostile to him for the color of his face and the failure of its institutions. His treatment must begin at a baseline different from that of his white counterpart.

It is a simple fact that most Black addicts need intensive training and psycho-therapy to overcome the damage which occurred before they became addicted. More importantly, if they can be treated successfully, then there must be a place for them in society for them to prove that their new life-style is preferable to the old.

COMMUNITY ACCEPTANCE NEEDED

The answer is not ever-expanding numbers and kinds of addiction treatment facilities because this approach can only lead to ever-growing numbers of patients with nowhere to go. It can only lead to a segregated class of citizens who must be dependent on institutions outside of productive society.

The answer must come from the community acceptance of the rehabilitated addict into its economy. And, if the economy cannot support these individuals, then the community must work to expand its economy through the creation of businesses providing needed products and services.

It is in this area that I see a growing concern among government agencies and it is in this area I believe government as well as private funds will become available.

In order for our treatment efforts to be successful, those with some measure of power, wealth and influence within and outside of the affected communities must demand this course of action, and residents of these communities must support their efforts. This means that communities must begin to accept treatment programs in their midst.

FELLOW CITIZENS AND WORKERS

Community residents must accept ex-addicts as fellow citizens and workers, and finally that communities must work closely with those in the treatment field to insure their mutual understanding and coexistence.

As I see it, this kind of concerted effort, which requires the participation and collaboration of all members of the community, is our only hope for getting addicts out of treatment and into living, and for getting a multitude of harmful drugs out of the hands of our children.

ST. NORBERT COLLEGE'S 75TH ANNIVERSARY

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. FROEHLICH. Mr. Speaker, the most successful experiment in self-government that has ever taken place in the world is almost 200 years old. The success of the United States of America is in a large part due to the outstanding educational institutions and opportunities that exist in this country. In particular, these institutions have kept our citizens acutely aware of the many issues which face our Nation and have provided us all with the skills to evaluate the performance of our Government. Today, I would like to commend one of these institutions, St. Norbert College of DePere, Wis., on the occasion of its 75th anniversary.

St. Norbert is scenically located on a 25-acre plot along the west bank of the historic Fox River in DePere, Wis. This is an area rich in history dating back to the famous Indian tribes which inhabited the countryside for centuries before the arrival of Father Claude Allouez in the mid-1600's. The city of DePere, itself, was named for the French Catholic missionaries who settled and evangelized in the Green Bay area. For the past 75 years, St. Norbert College has formed an integral part of this long religious legacy.

St. Norbert College was founded on October 10, 1898 when Abbot Bernard Pennings gave the first latin lesson to Francis Van Dyke. However, the educational tradition that Father Pennings followed is centuries old. St. Norbert College is, in fact, the direct successor to a historic line of European seats of learning established in 1120 A.D. when the Norbertine Order was founded in Premontre, France.

In the years since 1898, St. Norbert has grown from a student body of one to over 1,600 individuals coming from all over the United States, as well as five continents. Today, it is one of the outstanding private institutions of higher learning in the State of Wisconsin. Students are exposed to a variety of courses of instruction which prepare them to capably deal with a multi-faceted world.

In the traditional classroom approach, students are offered subjects of study ranging from business administration and computer science to oriental literature and classical languages. Through innovative programs such as "Education by Objectives," St. Norbert helps the individual to discover his or her own educational goals and the most satisfying means to achieve them. And for those who might find a totally academic life not to their liking, the college allows students to combine occupational experiences with classroom work to create their own course of study.

Part of St. Norbert's success is the added dimension of spiritual guidance that it offers to students. Each individual's spiritual conduct is, of course, a personal matter, but the opportunities for guidance and participation in religious

activities are abundant. The religious community on campus offers the students, faculty, and administration an opportunity to practice their religious and moral beliefs as part of their educational experience.

Students are also encouraged to actively participate in the social and administrative aspects of the college. Representatives from the student body sit as full voting members of every collegewide committee. Likewise, students determine the policies which govern their own campus living through the efforts of the Student Life Committee. Further, the Student Government Association offers the students a voice before the boards of administration and trustees. At St. Norbert, students have an important role in policy determination which helps the college respond to student needs and certainly enriches the educational experience.

St. Norbert College represents the type of forward-looking and imaginative educational institution which is vital to our Nation and our people. It is a vibrant institution which has helped to prepare our young people to face the challenges of an everchanging world for 75 years. St. Norbert has not done this through educational rigidity, but through a flexibility which allows individual growth and participation.

I congratulate St. Norbert College on the outstanding job it has done in providing quality liberal arts education to the people of Wisconsin and the United States. I want to commend the students, faculty, and administration for the contributions they have made to the quality of life in northeastern Wisconsin and I wish them the best of luck for an even more promising and resourceful future in education.

FIRST POLISH SETTLERS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 3, 1973

Mrs. GRASSO. Mr. Speaker, our history books recount the trying times endured by those settlers who came to Jamestown in October 1607 and developed the first permanent English colony in North America. Yet, very few of these books record the contributions of settlers from other European nations to the growth and prosperity of this important settlement.

Among the first non-English settlers in Virginia were a handful of Polish artisans who arrived on October 1, 1608—365 years ago. Unlike the English adventurers, these settlers were expert craftsmen and instructors in the arts of glass making, carpentry, pitch and tar making. Their industry and resourcefulness helped the small settlement weather the hardships of that second year in the New World and won for the Poles the admiration and gratitude of Capt. John Smith, Jamestown's most famous citizen.

The hard work and determination of this small group of Poles prefaced the contributions that so many thousand of their countrymen would make to this country—from Pulaski and Kosciuszko during the American Revolution, to those immigrants' sons and daughters and grandchildren now occupying trusted positions in all segments of our society.

With awareness of the dedication and sacrifices of all those people who journeyed to America in search of a better life, I pay tribute to the first Polish settlers and to succeeding generations of Polish-Americans who have contributed so much to our country.

TRADE REFORM ACT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. DERWINSKI. Mr. Speaker, the climactic debate on the Trade Reform Act of 1973 is rapidly approaching. I have been very concerned over the disregard for a number of key issues involving economic relations with the U.S.S.R.

My attention has just been directed to an article in the "Money Manager" by Paul Heffernan, who is a recognized authority on East-West finance and who for 17 years was the bond expert for the New York Times. His very pertinent article directs itself to a very major but largely overlooked section of the pending Trade Reform Act.

The article follows:

DEBT DEFAULTS: A TOPIC IGNORED IN SOVIET-U.S. TRADE DEBATE

(By Paul Heffernan)

ZURICH.—From the standpoint of international relationships in a world of government debt contracts, the proposed United States financing of immensely enlarged trade with Russia and a concurrent granting of most-favored-nation trading status to the Soviet Union truly bespeaks a most extraordinary financial excursion into unexplored regions.

Viewed in full context, the rapprochement with Russia on the financial terms agreeable to Washington may outstrip even the grand scope of the Marshall Plan, which was conceived primarily as the gift of financial mercy, one from a nation that was relatively unscathed internally by World War II to its partners and other nations ravaged by the great conflict.

The fresh-money-to-Russia negotiations are coming to a head at the same time that a delayed pile-up of dollars has become such an embarassment to the free world that proposals have been made in realistic and friendly seriousness that the time may be ripe for a reciprocal gesture—a "Marshall Plan in reverse," so to speak. Under such an arrangement, much of today's $70 billion overhang of unusable dollars held abroad could be written off by Marshall Plan beneficiaries by one accounting means or other.

A device of such kind—one brought into being by one of yesterday's postponed days of reckoning—has just been agreed upon by the United States and India to shrink away much of the postwar debt of rupees owing to the United States. This debt is so mountainous that if it were ever paid, the rupees could never be spent without debauching India's economy.

But it is something quite different for the United States, in its present international financial bind, to underwrite credits and to award a prime trading status to a nation, which, by official U.S. certification, has in the past confiscated more than $100 million of property of U.S. nationals without compensation, and, further, has dishonored for more than a half-century billions of dollars of external debt owing to private investors here and abroad.

The annual reports of the British Council of the Corporation of Foreign Bondholders set forth in sorry detail the story of Russia's unequaled contempt for external debt contracts. It is the story of the financing of the building of Russia's railroad system on about $2.5 billion of bonds of more than 40 issues sold in the markets of Europe between 1867 and 1914 and payable in non-Russian money. What the Russians spent, they had: What the investors saved, they lost.

In the light of this contempt for external debt, how can new credits be justified? Must it be that the Man from La Mancha, this time outfitted in red, white and blue, is faring forth once more? Swaying in a Moscow saddle early this month will be Secretary of the Treasury George Shultz, who has conceded that the United States "got burned" in the recent wheat sale to Russia, but who has since pledged that "It will not happen again." Let us pray.

To impart suitable scent to this courting of the most notorious governmental outlaw in international financial history, certain cosmetics of commensurate, distinctiveness must have been contrived in Washington.

First of all was the "executive clemency" proffered under President Nixon's sponsorship. The official state bank—the Export-Import Bank—was quick to get the signal. Its functionaries came up with a triple-A credit rating for the Soviet state. The International Bank for Reconstruction and Development, in which the U.S. government has a multi-million-dollar capital subscription, had nothing to say. Russia is not a member of the World Bank and the World Bank presumably was not consulted about the Russian credits.

Silent, too, were certain major commercial banks whose stockholders were defrauded of millions of dollars in Russia's 1919 confiscation of foreign-owned bank property. On the contrary, many big banks responded to the Washington green light and rushed in to grant private credits to Russia on terms—mostly not fully made public—that could be open to question in respect to conforming with the spirit, if not the letter, of the Johnson Act.

The Johnson Act prohibits the extension of private credits of other than "conventional"—that is, short-term—kind to nations in default of obligations owing to the U.S. government. There has been a flood of public Washington announcements about the settlement (provisional) of Russia's World War II Lend-Lease debt, but not a word about Russia not having paid its $192 million World War I debt to the United States, a debt it refuses to recognize.

The Johnson Act was amended to exempt from its provisions nations joining the World Bank, an institution that Russia has never seen fit to join. Why should it, if the World Bank's policy is to shy away from credits to nations in default of their external obligations and if Russia can get what it wants direct from old Don Quixote himself? Take the wheat deal, for instance.

If the Department of Justice, either on its own or at the prodding of the White House, has ever seen fit to look into the private bank credits being extended to Russia, this must at least be one item that has succeeded in being sheltered from leakage to the press.

It certainly would be a stirring post-Watergate comeuppance if some of the ball-carriers now responding to the Nixon "Executive clemency" signals—and even members of Congress, too—were some day, like recent

members of the President's cabinet, summoned before a Federal grand jury to answer questions bearing on "obstruction of justice" to private U.S. citizens whose 50-year-old claims against the Soviet state—now fully accredited—were pushed farther in the deep freeze as part of the Nixon international game plan.

So far, only three voices of influence in the world of international finance have questioned—if only by implication—the prudence of the sudden surge of loans by the Export-Import Bank and by private U.S. commercial banks to Russia under the circumstances now prevailing—circumstances essentially unchanged over 50 years.

One of these voices—that of Eugene R. Black, former executive of the Chase Manhattan Bank and former president of the World Bank—was expressed in generalities, while serving in 1965 on President Johnson's Special Committee on U.S. Trade Relations with East European Countries and the Soviet Union, Mr. Black joined with the other members of the committee in the position that nations in default of external debt and asking new credits should settle their old debts. But Mr. Black—alone—went further and declared that such nations should settle their old debts before being granted new ones.

A second voice was that of Gabriel Hauge, chairman of the Manufacturers Trust Co., who questioned specifically the terms on which Russia is being granted loans by private banks. Mr. Hauge was one of President Eisenhower's economic advisers.

The third voice is that of George D. Woods, former chairman of the First Boston Corp. and another former president of the World Bank. In a statement to the "New York Times," Mr. Woods said:

"The matter of privately held Russian debt is still unresolved. In 1916, U.S. private investors purchased $75 million of Imperial Russian government notes, which have been in default as to both principal and interest since 1919. In addition, there are claims of U.S. citizens against the Soviet Union amounting to about $120 million, which were certified by the Foreign Claims Settlement Commission some years ago.

"In the recent Nixon-Brezhnev communique," Mr. Woods said, "there is a statement of agreement 'that mutually advantageous cooperation and peaceful relations would be strengthened by the creation of a permanent foundation of economic relationships. . . .' "

Finally, the former World Bank president said: "An important building block in such a permanent foundation would be acknowledgment of debts to private U.S. creditors accompanied by an expression of intention by debtor U.S.S.R. to negotiate a settlement of them."

Why have opinions of such high professional authority as those expressed by this trio of bankers of international renown won so little notice or provoked so little thought or so few questions?

The contrast with outcries raised against Russia's charging export fees for emigrants and against Russia's oppression of free speech and a free press—issues which are of direct and legal concern only to Russia's own resident citizens—is truly remarkable.

These protests have prodded Washington into attaching strings to trade favors in behalf of matters concerning Russian—not U.S.—nationals. But no voice is raised in Washington to protest the lasting injustice being done by Russia to citizens of the United States whose property was confiscated by Russia in 1919 or who hold—either through primary subscription, inheritance, or by subsequent market purchase, defaulted bonds of the Russian state.

What can be the reason for the Washing silence about (1) Russia's unpaid World War I debt to the U.S. Government? about (2) The continuing applicability of the Johnson Act to private credits to Russia? and, (3), About the awards made by the U.S. Foreign Claims Commission to American citizens stemming from the confiscation of American property in Russia in 1919 and the repudiation of Russian bonds held by the United States and payable in dollars, in other non-Russian money, and even in Russian rubles?

Probably most people in the United States, if asked about such things, would shrug it all off. Bonds? rubles? the Czar? Why ask me? Even in Wall Street, whose business more than any other is based on the honoring of contracts made over the telephone, there is mostly indifference—indifference stemming from non-involvement rather than from ignorance of the code.

Wall Street and commercial banks have to live mostly in the world of today and tomorrow, and it is easy in their vision for the past to get blurred. The Washington political telescope is sharp enough to note this. Thus, Washington can maintain expedient silence safely about the enormous injustice of Russia's contempt of international debt contracts because no force of prominence is likely to bring the matter up.

Even if "believe-it-or-not Ripley" were to come out and proclaim that a bond issue by the Government predecessor to that of the Soviet Union is just as binding a contract as a U.S. Government bond, the reaction would be one of bemused misapprehension and disbelief.

Yet that's what the Foreign Claims Settlement Commission has ruled repeatedly in fulfilling a Congressionally-directed chore that took years to complete. If the Commission is right in implying that a bond issued by the Czarist government is just as good, legally, as a U.S. government bond, then it follows that a U.S. government bond, legally, is no better than a Russian Czarist bond.

But even for people willing to concede these legalisms, the practical further question persists:

In established practice, has a successor government—or have successor governments—to a state overturned by an unsuccessful war or by a successful revolution assumed responsibility for the external debts of the predecessor government? Anybody in the State Department will answer "Of course" in private conversation or correspondence, but any public affirmation of the duty of statecraft to enforce this elementary precept of international law seems to be enjoined effectively by the "executive privilege."

In historical fact—not mere legal theory—the responsibility of successor governments for the debts of predecessor governments is written today all over the maps of Europe and Latin America.

In Europe, conspicuous instances are the external debts of the extinct Ottoman and Austria-Hungary empires and the debt of pre-World War I Austrian Sudbahn Gesellschaft—all settled by international conventions in 1923. In each instance, the primary debts were taken over first by successor states greater in number. Subsequently, governments of such states—among them Hungary, Poland, Yugslavia, Czechoslovakia and Rumania—were superseded by revolutionary Communist governments.

Nevertheless, the bond payment commitments taken on by the predecessor noncommunist governments were adhered to by all of the communist states mentioned, and, as a result, virtually all of the bonds—some going back into the 19th Century—were paid off by 1972.

It looks as if the Nixon Administration, in its zeal to lure a prodigal son back home to the market economy by the proffer of new goodies, is gambling imprudently in sponsoring executive clemency for the 50-year-old unpaid debts of a rich state that commands one-sixth of the Earth's surface.

If the gamble pays off—that is, if Russia's debts both new and old are in the future serviced in full and on time—well and good. But if the old debts persist in default, the gamble will not be just another Washington miscue, like the wheat deal.

Unwittingly, the Nixon Administration, like the sorcerer's apprentice, may have contrived a financial innovation whose consequences, when emulated sufficiently throughout the debt or world, could wipe out for all time that centuries-old cultural phenomenon known as the government bond contract subscribed willingly by private investors.

SECRECY BREEDS SUSPICION

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. HANRAHAN. Mr. Speaker, as public officials, it is our duty to keep our constituents informed of our activities. Under the Freedom of Information Act, every citizen has the right to know what its Government does. Too often in the past, we have seen the act abused. It is the responsibility of each one of us here in Congress to keep secrecy to a minimum. For our system can only function properly in an open atmosphere.

A recent editorial in the Economist Newspapers, one of the fine publications in the Third Congressional District, serves to illustrate this point:

SECRECY BREEDS SUSPICION

"Secrecy breeds suspicion." How true it is. No matter where or when a cover-up attempt appears—be it Washington or your own block—the public's curiosity is aroused and the assumption is that somewhere in the wood pile someone is guilty of something.

There is a difference, of course, between Washington and your own block. What happens at the home of your next door neighbor is usually something personal that doesn't affect you and is really none of yours or the public's business.

However, when public officials (and we don't only mean the Watergate crew) try to keep a secret from the people that's a different story.

Public officials—men and women who have been selected by the voters to carry out their wishes and run government honestly and openly with the best interests of all in mind—presently stand on a very low rung in public opinion. Polls disclose that most people just don't seem to believe that their elected officials actually do run the affairs of government honestly, openly and with the best interests of all in mind.

Public officials must learn that the truth is not something they may bestow upon their "subjects" at their pleasure. Nor is it something sought after to embarrass officeholders. It is the right of every citizen to know what's going on and for what purpose.

Those in the news media become painfully aware when the cover-up and the dodge are employed. The press has an obligation to present the truth to its readers, let the chips fall where they may. Thus, when the truth is not there for the asking, it must be pursued and incidents like the Watergate affair are born.

On the local level, public officials are usually part-time officeholders, and they sometimes find it hard to realize that they too have an obligation to the general populace. Actually, most of the time a decision

made by local government or local officials has more affect on the people than some foreign policy decision made by the President. For this reason local officials may have more of a responsibility to their constituents than national leaders. Considering that many local officials serve without pay and that the salaries of those who are paid are low in comparison to the pay scale for state and national officeholders, this situation is ironic indeed. Nevertheless, it is still true.

All too often smugness and secrecy take the place of openness and honesty. Many people say they would rather have so-and-so in office because they "know where he stands" on an issue even if they don't agree with him, rather than someone who obscures his real feelings on a subject. It appears that this attitude will hold sway more and more in the future as a criterion for selecting public officials, and with good reason.

Old axioms like "secrecy breeds suspicion" don't fade away. They just haunt people again and again. Particularly public officials.

Let me urge each and every public official to set for himself the goal of reducing secrecy at every level of government.

FUEL SHORTAGE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. ASPIN. Mr. Speaker, while much of the Nation braces for a major fuel oil shortage this winter, major petroleum companies are dramatically increasing their exports of fuel oil.

According to statistics developed by the Bureau of the Census of the Department of Commerce, more than 400,000 barrels of fuel oil were exported from the United States during the months of June, July, and August of 1973. During the same period of 1972, only 31,000 barrels of fuel oil were exported. Any export during a shortage is a tremendous disservice to the American consuming public. The continuation of these exports is all part of big oil's public be damned attitude. They simply do not care about alleviating the shortage through export controls.

As some of my colleagues may know, I have introduced legislation which would prohibit petroleum exports during the current shortage. But, President Nixon, according to the Export Control Act of 1969, could stop petroleum exports immediately.

It is interesting to note that in the past summer exports of propane declined from approximately 900,000 barrels in 1972 to 620,000 barrels in 1973. But frankly, Mr. Speaker, we cannot afford any propane exports as long as there is a shortage. One of the inducements to exporting propane is the fact that the average export prices have doubled in the last year from $2.70 per barrel to $5.40 per barrel.

These propane exports are occurring in a time when agricultural demands for propane are particularly high because of the heavy rainfall during September. For instance, in the State of Wisconsin there were 4.5 inches of rainfall this September compared to the normal 2.7 inches.

Mr. Speaker, during a shortage, all petroleum exports should be halted.

ARE JOB SAFETY STANDARDS UNDERSTANDABLE?

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, I was indeed interested to read a speech by Robert D. Moran, Chairman of the Occupational Safety and Health Review Commission, given at the 23d annual meeting of the Southern Production Program, Inc., on October 4, 1973.

Essential to the success of OSHA's program of voluntary compliance is the ability of employers to know exactly what is required of them to comply with the law. I feel Mr. Moran's comments are worthy of consideration by Members of the House. The speech follows:

ARE JOB SAFETY STANDARDS UNDERSTANDABLE

It was only three years ago this month that the job safety and health field began to occupy any significant portion of my attention. For two years prior thereto, I held a supervisory position in the Department of Labor. My only training had been that of an ordinary lawyer. I had neither education nor knowledge nor training in any technical field. Although my responsibilities included overall authority for the Department's rather limited role in job safety enforcement, I was somewhat ashamed to admit that I had considerable difficulty understanding the job safety standards that we were supposed to enforce under the Walsh-Healey Act, the Maritime Safety Act and a few others.

Fortunately, however, this shallowness never proved to be a source of either personal or official embarrassment, for the person immediately and primarily responsible for the job safety aspects of my office was George Guenther who many will remember as the man who later became the first head of OSHA. When it became clear that Congress would enact an omnibus job safety and health law that would overwhelm in importance all the other laws we were then administering, and when I was placed in charge of planning for the implementation of that law, I felt reasonably comfortable with the assignment knowing that George was there to oversee the development and promulgation of the safety standards to be issued under the new law.

We had a lot to do. Hiring people to help run the program. Planning the investigation and compliance strategy. Developing guidelines for State plans. Figuring out a budget and seeking approval thereof. I was up to my neck in these things—for I was sure that they would be the key to the success of the big new program. And yet, I don't think a single day went by during October, November and December of 1970 when I didn't hear George Guenther say "The standards will be the heart of the new law."

I think the reason I wasn't convinced of this was the same as the reason I never said a word when he made that statement: my own inability to comprehend the job safety standards.

Well, I've learned a lot in 3 years. I am still an ordinary lawyer with no technical knowledge but I think I am now smart enough to know that George Guenther was right. Standards *are* the heart of the Occupational Safety and Health Act of 1970.

I've had many occasions over the past 2 and one-half years to examine the make-up of this "heart of the Act" and it is this subject upon which I wish to speak today. In my present capacity as an adjudicator and interpreter of the Act, I've rendered many opinions and given a number of speeches on job safety standards over this period. Those of you who have any familiarity with the views I've expressed on these occasions won't be surprised to hear me say that I don't like many of the standards.

My principal objection is that too many of them don't do what they are supposed to do. Before I get down to specific cases, let me state what I think job safety and health standards are supposed to do. A standard is developed and promulgated because of the existence or potential existence of a condition which is hazardous to the safety or health of workers. The purpose of the standard is to tell employers what they must do to eliminate, reduce or prevent the hazardous condition.

For example, experience has shown that it is hazardous to work as a painter on the Golden Gate Bridge as well as on similar structures. The hazard is that you could easily fall several hundred feet to almost certain death. We know that this hazard could be reduced if a net capable of catching falling workers were strung under the bridge or if we required the painters to wear safety belts hitched in such a manner that a fall from the bridge structure wouldn't mean a plunge into the depths of San Francisco Bay.

Now, writing a safety standard for this is not an insurmountable problem. The hazard to be prevented is falling from the bridge to the Bay below it. The standard should specify what must be done to prevent the fall or to interrupt it before it can cause injury or death.

We therefore can see that there are two rather basic ingredients which I maintain are essential to every vaild job safety and health standard: first—identify the hazard, and second—specify what must be done to prevent its occurrence.

If all standards included these two fundamentals in understandable language, I am certain that the number of OSHA inspections which result in citations for alleged violations thereof would be dramatically reduced.

And that, of course, is what everybody wants: more compliance and fewer violations. The purpose of this law cannot be achieved if we rely exclusively upon traditional enforcement techniques where OSHA inspectors find and punish violators and then get them to abate the conditions causing the violation. Even if OSHA tripled its staff, a rather unlikely prospect, they could only inspect 10 percent of America's workplaces and could do so only once a year. This wouldn't go far enough toward achieving the Act's purpose of eliminating injuries and diseases which workers receive from their jobs. Only when every employer complies with every standard during every moment of every working day and makes sure his employees do likewise can this purpose be within reach.

It is gratifying to note that this concept is recognized by the man presently responsible for enforcement of the law. Mr. John H. Stender, Assistant Secretary of Labor for Occupational Safety and Health, stated in August that "In our efforts to cooperate with all segments of the private sector, we in the Occupational Safety and Health Administration are stressing voluntary compliance with our standards." From what I've seen, I know Mr. Stender will find a cooperative spirit among the employers of America. They don't want their employees hurt and they don't want to violate the law. The problem is that they are uncertain as to exactly what they are supposed to do in order to comply with the law.

Cooperation is, of course, one of those things—like motherhood—that everyone is for. But cooperation, again like motherhood, takes two, at least to get it started.

While OSHA hopes for voluntary compliance with Federal job safety and health standards, far too many of those standards are, to paraphrase Churchill, "riddles

wrapped in mysteries inside enigmas." They don't give the employer even a nebulous suggestion of what it is he should do to protect his employees from whatever-it-is, also left unexplained, which represents a hazard to their safety and health.

For example, what does the following standard tell you to do in order to avoid conditions at your place of employment which are potentially hazardous?

. . . no contractor or subcontractor . . . shall require any laborer or mechanic . . . to work in surroundings or under any working conditions which are unsanitary, hazardous, or dangerous to his health or safety. (29 CFR 1926.20(a)(1))

These are laudable sentiments, but nowhere does the standard hint at what these unsanitary, hazardous, or dangerous conditions might be. Apparently, that has been left to the employer to guess at, and for OSHA to decree with hindsight if he guesses wrong. With this sort of direction, the most safety-conscious employer in the world could have no idea what to do in order to voluntarily achieve compliance with its requirements. Perhaps, such a standard can be complied with by saying "amen" and hoping for the best. Unfortunately, OSHA issued at least one citation against an employer for his alleged failure to comply with this standard and proposed a $500 penalty. His alleged offense was that his employees were "required to work under an unsupported concrete placing pipeline." Clearly, there isn't an employer in the world who can look at this standard and know that it tells him to keep his employees out from under unsupported concrete placing pipelines.

Fortunately in this particular case, the employer contested the charge and the Review Commission dismissed the case, but unfortunately this standard is still on the books and I wouldn't be the least bit surprised to see OSHA use it again—and to use it in a case which doesn't involve unsupported concrete placing pipelines.

A similar standard places on employers the requirement that they ". . . be responsible for the safe conditions of tools and equipment used by employees, including tools and equipment which may be furnished by employees." (29 CFR 1910.242)

An OSHA attempt to enforce this standard was overturned by the Review Commission with an opinion that included the following:

Congress did not enact the Occupational Safety and Health Act to create guarantors upon whom to fasten responsibility for illnesses or injuries or deaths. Their purpose was remedial. The Act is a broad scale effort to *prevent* "personal injuries and illnesses arising out of work situations." The first-stated purpose of the Act is to encourage and stimulate *"programs* for providing safe and healthful working conditions. . . ."

We concluded in this decision that the employer could not be found guilty of violating this standard when one of his employees was electrocuted while using a power tool if the standard did not tell the employer what he was supposed to do to avoid the occurrence.

Another standard requires that ". . . in the absense of an infirmary, clinic, or hospital *in near proximity* to the workplace . . . a person shall be adequately trained to render first aid." (29 CFR 1910.151(b))

All right, I think that tells employers to make some provision for emergency medical care for employees, but it sets forth neither the practice required nor the conditions necessary for the implementation of that practice.

What constitutes a person "adequately trained to render first aid?" The standard doesn't answer that or tell whether or not that person is to be an employee or whether, once trained, he should be constantly present at the workplace, nor does it give any indication of what might constitute "adequate" training. It doesn't even really require that this person ever render first aid to an injured employee, just that he be "trained."

What is still more difficult, however, is the fact that this mandate is operative only when the mentioned facilities are not "in near proximity" to the workplace. Exactly what constitutes "in near proximity" is nowhere defined in the regulations.

An employer is left to guess at the practices required of him. Should he maintain a first aid person on his payroll, at his office or at the worksite? Once he knows the answer to this, he must determine if it is necessary, when there is a hospital only two—or perhaps ten miles away. On the other hand, even a half mile may be too far away for emergency treatment if the location of the worksite requires travelling through a crowded urban area to reach the medical facilities. Conversely, a worksite located ten miles from a hospital may not require first aid personnel if the worksite is located on a superhighway that never suffers from congestion. These examples, of course, assume that an employer has a vehicle at his disposal. What conduct is demanded of an employer with no vehicles at the worksite? Does the availability of police, fire department or ambulances then become the major point of consideration? What effect does the growing civilian use of medevac helicopters have on the question of "near proximity?"

Merely to raise these questions, and I'm sure you could add many more, is to suggest the dilemma a vague and ambiguous regulation such as this places upon employers. It does no good for employees, either, when employers can interpret it as loosely as these questions suggest. I submit that if this standard applies to a million employers, there are a million different ways of voluntarily complying with it—and if there are 1,000 OSHA inspectors, 999 of them would find fault with the method any individual employer has chosen to achieve compliance.

What can happen when someone takes steps that he thinks meet the requirements of one of these vague standards was illustrated in a case which was decided by the Commission last August.

The standard prohibits an employee from working "in such proximity to any part of an electric power circuit that he may contact the same in the course of his work unless the employee is protected against electric shock by deenergizing the circuit and grounding it or by guarding it by effective insulation *or other means*. . . ." (29 CFR 1518.400(c)) (emphasis added)

In this case an employee spliced a live electrical power line, a line neither owned nor controlled by his employer, and in performing this job he protected himself from electric shock by placing a piece of plywood on the ground upon which to stand while he made the splice. Even though the means he chose were successful, since he suffered no shock or other ill effects, OSHA charged his employer with a violation of the standard because the splice was allegedly made in a manner inconsistent with the requirements of the safety regulation. This charge, of course, was the result of hindsight. OSHA gave no hint in advance that plywood was not a means of obtaining effective insulation when splicing wire.

It is my view that when a standard simply lists "other means" as an acceptable criterion for meeting its requirements and does not precisely list or limit the "other means" contemplated, OSHA must accept as compliance the method chosen by the employer. If it doesn't do this, it clearly fails to provide the guidance which is essential so that employers can know what it is OSHA expects them "voluntarily" to do. If we don't get more specific, no one will know what will and what won't prevent the existence of the hazard. In addition, the employer is left at the mercy of the inspector whose interpretation of what constitutes "other means" is never known in advance and will, of course, vary from inspector to inspector. In this particular case OSHA, in effect, claimed that this standard means that the guarding shall be by effective insulation or other means as determined in each individual case by the particular OSHA Inspector who happens to investigate the matter. There is no way under the sun an employer can voluntarily comply with a standard which is applied in this manner.

It seems to me that OSHA ought to pay some attention to Judge Cardozo who ruled in a decision issued over 50 years ago that "A prohibition so indefinite as to be unintelligible is not a prohibition by which conduct can be governed. It is not a rule at all; it is merely exhortation and entreaty."

Let me turn now to one of OSHA's favorite standards. It must be one of their favorites for it turns up in so many of our cases. This particular standard is so nebulous that almost anything is covered by its umbra. I apologize for reading it in full, but one has to hear it all to appreciate its all-encompassing richness:

"Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices and protective shields and barriers, shall be provided, used and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact." (29 CFR 1910.132(a))

Its vague constituent parts coalesce in a masterpiece of indefiniteness. (I suppose there are some who would substitute "nightmare" for "masterpiece" depending upon whether one is on the side that makes the charge or is charged under it.)

Take "protective equipment," for example. This protean concept, depending on who's defining it, can include everything from sun glasses or flowered parasol as protection from the sun, to a case-hardened steel capsule with contained individual life support system. "Hazards of processes or environment" excludes even less, covering at least everything under the sun. I suppose it could cover the sun, as well, since there are indications that skin cancer may be more prevalent among people, such as farmers, merchant seamen, and muscle-beach lifeguards, who are exposed to its rays for prolonged periods.

What do you think it tells you to do? I have no idea and I don't think OSHA could tell you, either, before an inspection, citation, complaint, hearing, and post-hearing brief.

Let's take a press room as a hypothetical example, and see what a few possibilities are. "Hazards of process or environment" from which employees must be protected "wherever . . . necessary" could include noise, oil mists, ink mists, mechanical presses, perhaps heat, maybe electrical equipment, dust from newsprint, airborne toxic metal particles, the rope or wire used to bind up stacks of newspapers, or anything else that might be the particular favorite of whichever compliance officer is making the inspection.

"Protective equipment" to shield employees from these "hazards" could range, depending on who has the say, through the whole gamut of anyone's imagination, perhaps starting with a hairnet or earmuffs, or gloves, or a surgical mask. Maybe a steel helmet or rubber boots or safety glasses? How about steel-toed shoes, shin guards or rubber apron? The point is: you don't know and I don't know and no one can tell you what that OSHA inspector thinks the term "protective equipment" means until he looks your workplace over and issues the citation.

It is sad but true that the language of this standard does not circumscribe the conduct of the inspector in any way, which may explain why it is such a big favorite with OSHA people.

This standard would be almost funny were it not for the fact that it has been successfully enforced by OSHA, although no one knows what will happen if an aggrieved party exercises his right to appeal an affirmed action under it to the U.S. Court of Appeals. I personally think it is unconstitutionally vague but the Courts are going to have to say so, I think, before OSHA stops using it or decides to make it more specific.

A non-hypothetical application of this particular standard occurred in a case decided by the Commission less than two months ago. An OSHA inspector looked at a freight loading operation at one employer's terminal and made an *ad hoc* and, I think, purely subjective determination, that there was such "a hazard of environment" (boxes of freight that might be dropped and wheels of various kinds of material-handling equipment that could possibly roll over someone's toes) for which "extremities" (feet) required "protective equipment" (he said that meant safety shoes but although there are many different kinds of safety shoes he didn't get more specific). Thus, although "freight" and "wheels," "feet" and "safety shoes" are nowhere mentioned in the standard, OSHA charged that the employer violated its requirements because the employees did not have their feet covered by safety shoes so that their toes wouldn't get hurt if freight was accidentally dropped.

Now you've all heard about the due process clause of the Constitution. It requires that a potential offender have fair warning that the conduct he engages in is a violation of law. To me, the substance of this regulation simply does not afford any advance notice of the conduct which it either requires or prohibits.

To permit the enforcement of so vague a standard is to subject the employer to the unbridled discretion of the OSHA inspectors in the determination of what constitutes compliance. How can an employer voluntarily comply with standards that he could not possibly understand until after he has been cited for a particular *inspector-determined* infraction? And what must he do to satisfy the interpretations of the next inspector? There are many kinds of protective equipment for one's feet. For example, stockings may guard against infections such as athlete's foot and sandals will protect you against picking up cuts on the bottom of the foot, but neither will help your toes if they come in contact with a dropped brick or an immoveable object. One inspector could say that neither stockings nor sandals constitute protective equipment for extremities but that only leather shoes with iron toes meet the requirements of this occupational safety and health standard. The next could specify that only shoes with certain non-skid soles would suffice. Another could say that only shoes purchased from a named manufacturer or retailer could meet the requirements of this standard. I think you can see the danger in this type of standard. The inspector tells you what the hazard of the environment is—then he tells you what protective equipment your employees should have been wearing when he made his inspection.

Before anyone says that it is up to the Review Commission and its Judges to interpret whether any particular charge constitutes a violation of this standard, let me quote from the Supreme Court's 1936 decision in the case of *Giaccio v. Pennsylvania*:

"It is established that a law fails to meet the requirement of the Due Process Clause if it is so vague and standardless that it leaves the public uncertain as to the conduct it prohibits or leaves judges and jurors free to decide, without any legally fixed standard, what is prohibited and what is not in each particular case."

One of the principal evils of vague regulations is that they leave the definition, and therefore the creation of crimes, to the unbridled discretion of cops on the beat or local inspectors or trial-court judges.

I submit that this is one reason why OSHA has been criticized for police state tactics. The generally accepted definition of the term "police state" is a place where the police decide what the law is—and the law may vary from policeman to policeman and from victim to victim. We have always prided ourselves on having a government of laws—not of men. This means the laws must be exact enough so they cannot be improvised or amplified by the police. Until all occupational safety and health standards are thus, employers are likely to be at the mercy of the inspectors and cries of police state will no doubt continue.

But let's not forget the employer's plight for the moment. The purpose of this law is to protect employees. This will be accomplished by providing safe and healthful working conditions for all. Unfortunately, however, such a state of affairs can never be achieved until employers are regulated by job safety standards which set forth meaningful and clearly discernible requirements by which they can guide their conduct; and the full scope of these requirements must be obvious upon a reading of the standard to every ordinary prudent employer.

Presenting employers with the quicksilver of standards such as the ones I've described to you today cannot save a limb and will not save a life. Indeed, such standards may serve to delay improvements in job safety and health conditions, as puzzled employers either await clarification of what is expected of them or think they are presently doing all that such standards require. In the meantime, I'm afraid that any hoped-for trend toward voluntary compliance must also await clarification and revision of the existing requirements.

It is my firm conviction that so long as the heart of the Act—the standards—remain shrouded in ambiguousness, the gains we make in job safety and health will be equally ambiguous.

CONGRATULATIONS TO NAYTHINUEL EVERETT

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. STARK. Mr. Speaker, I wish to call the attention of my colleagues to the hard-working dedication of Naythinuel Everett.

He is the kind of person you can never thank enough for the assistance he has given to the people of his community and Democratic candidates he believes in. Nate is active in civil rights activities, consumer protection and community action programs. His long list of memberships and activities include the East Oakland Neighborhood Organization, the East Oakland Credit Union, the Oakland Black Caucus, the CBS and Mule Skinners Democratic Clubs, the Oakland Tenants Union, the Elmhurst Business and Professional Association, OCCUR and the NAACP.

Nate grew up in Choctaw County, Ala., spent some years in Mississippi, New York, and Detroit. He moved to East Oakland in 1959.

As a black man and a workingman, he has a keen sensitivity for the problems which confront hard-pressed minorities in America. He has been a front-runner in the civil rights movement, participating in such affirmative actions as the Birmingham bus boycott and the People's March on Washington, D.C.

I congratulate Naythinuel Everett, who lives in the Eighth Congressional District of California, which I am proud to represent.

GEN. GERALD W. JOHNSON, U.S. AIR FORCE

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. WON PAT. Mr. Speaker, Lt. Gen. Gerald W. Johnson, U.S. Air Force, commander of Andersen Air Force Base, Guam, has recently been reassigned to Washington, where he will become the new Inspector General of the Air Force.

During his tour of duty at Andersen, General Johnson earned the respect and friendship of not only his command, but of the civilian population as well—a feat which, in this day of disharmony in the ranks and tension between many civilian and military officials, deserves a special commendation.

As Guam's Delegate to Congress, I have come to know General Johnson personally and I found him to be a man of the highest character and sense of responsibility; a man who knew his duty and how to carry it out; and equally important, a fine officer who understood the importance of maintaining an effective liaison with the civilian community on the island.

I would also like to briefly mention the vital role which General Johnson had in protecting our troops in Southeast Asia. As commander of the Andersen Air Force Base, the general had direct responsibility for maintaining the B–52 bombing missions aimed at destroying Communist forces.

I am certain that General Johnson will bring to his new post the same sense of dedication and hard work that he has always shown in his work. Guam will truly miss such a fine officer, and I congratulate the general on his new appointment while wishing him every success in the future.

The 12th Guam Legislature, in recognition of General Johnson's outstanding accomplishments as commander of the 8th Air Force and his services to Guam, has adopted a resolution commending him. At this point, I would like to insert that Resolution 142 of the 12th Guam Legislature in the RECORD:

THE 12TH GUAM LEGISLATURE: RESOLUTION No. 142

(Relative to commending Lieutenant General Gerald W. Johnson, United States Air Force, for his record of outstanding accomplishments as Commander of the Eighth Air Force and to express the best wishes of the

people of Guam upon his departure from the territory to assume new responsibilities in the service of his country)

Be it resolved by the Legislature of the Territory of Guam:

Whereas, Lieutenant General Gerald W. Johnson, Commander of the Eighth Air Force, Strategic Air Command at Andersen Air Force Base, Guam, is leaving the territory to assume new duties as Inspector General of the Air Force in Washington, D.C., and having commanded the base during the two years of its heaviest involvement in air missions over Indo-China, and with its many problems concerning logistics, operations and morale; and

Whereas, one of the highlights of his tenure was the participation of the B–52's in Linebacker II, a mission of unrelenting pressure upon military supply lines and installations in Vietnam, Laos and Cambodia, Linebacker II, having been responsible for bringing the North Vietnamese back to the peace table, at great risk to the safety and lives of American men, and which led ultimately to the long-sought cease fire in that troubled part of the world; and

Whereas, this mighty build-up of the Air Force here on Guam placed a tremendous responsibility on General Johnson who faced problems of overcrowding of planes, equipment and men, requiring various expedients, adjustments and adaptations, all of which taxed Andersen Air Force Base to the outer limits, this tense situation naturally having an effect on the civilian sector of the territory compounding the pressures which hung heavily over General Johnson's administration; and

Whereas, despite the heavy burden of directing the critical activities of the Air Force mission, General Johnson did not lose sight of the Air Force's normal relationship to the overall territorial problems and maintained outstanding public relations with the various segments of the civilian community, this being accomplished in part through the appointment of a Civilian Advisory Council which responded to some of his requests by becoming keenly interested in some of these overlapping problems, serving as gatekeepers of public opinion and taking action in other areas where appropriate; and

Whereas, a portion of the Andersen Air Force Base in the vicinity of Pati Point, was designated as a nature and wildlife preserve, this being a fine gesture in the interest of environmental protection for the people of Guam; and

Whereas, General Johnson has contributed in many ways to the solving of a myriad of minor, local contingencies; this splendid spirit of cooperation and sincere interest in the problems of the people of Guam has won the admiration and friendship of the local people, especially since all are aware of the tremendous responsibility he shouldered as a leader of the B–52 bombing missions in the Indo-China theater; and

Whereas, General Johnson has compiled a remarkable record in the United States Air Force, being a World War II hero and the holder of many decorations and awards, including the Distinguished Service Cross, the Legion of Merit and the French Croix de Guerre, having been shot down over Germany and spending 13 months in a prison camp, and returning to the United States where he held numerous positions of increasing responsibility leading up to his present high-ranking command of the Eighth Air Force at Andersen, and with this background, the people of Guam are certain that he will go on to even higher laurels in his new assignment in the high echelons of the Air Force headquarters in Washington, D.C.; and

Whereas, his careful attention to duty, his quality of human understanding, his desire for good public relations and his concern for total community involvement will insure his future success; now therefore be it

Resolved, that the Twelfth Guam Legislature does hereby on behalf of the people of Guam express to Lieutenant General Gerald W. Johnson, United States Air Force, Commander, Eighth Air Force (SAC), the sincere commendation of all upon the completion of his successful tour of duty as Commanding General of Andersen Air Force Base and does further express best wishes for the success of his assignment with the United States Air Force; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to Lieutenant General Gerald W. Johnson, to the Commanding General, Strategic Air Command, to the Chief of Staff, United States Air Force, to the Secretary of the Air Force, to the Secretary of Defense, to Congressman A. B. Won Pat, Guam's Delegate to Congress, and to the Governor of Guam.

NATIONAL CENTER FOR PREVENTION AND CONTROL OF RAPE

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. HEINZ. Mr. Speaker, over the past several decades the number of forcible sexual assaults of American females has increased to the point where the fear of rape haunts tens of millions of women. In 1972 alone, 46,430 American women were the victims of forcible rape—one rape every 11 minutes. This, according to FBI statistics, was an 11-percent increase over 1971 and an amazing 70 percent rise over 1967. In the Pittsburgh metropolitan area, part of which I represent, the reported rapes increased by 40 percent in just the 2 years from 1970 to 1972.

These statistics place rape among the most rapidly growing crimes in America today. But these alarming numbers, which indicated that in our 58 largest cities 1 of every 1,000 women can expect to be raped each year, are only the very tip of an enormous iceberg. The fact is that rape is probably the least reported crime in America. Most experts agree that from 50 to 90 percent of all rape cases are unreported. If this is true, then the actual number of rapes in the country last year may have been anywhere between 90,000 and 350,000. If the number of victims is as high as the latter figure, then as incredible as it may seem, it is possible that 1 out of every 300 American females was raped last year—a truly frightening statistic.

Not surprisingly then, the threat of rape is beginning, quietly but conclusively, to shape women's lives. Men, who dominate our political, economic, and legal institutions, may not be able to understand the total degradation suffered by most rape victims. But to millions of American women the explosive increase in this particularly heinous crime has led them to live in constant fear—fear that robs them of their freedom to live where and as they wish. We need only remind ourselves that it has become increasingly risky for a woman to live by herself, to go out alone at night, to work on weekends or at night in an unattended office, to walk the short distance to the bus stop. These are all situations that carry substantially less risk for American males.

But the pervasive burden of fear that millions of women must carry pales in comparison to the plight of the poor victim of rape. While the man who sexually attacks a woman obviously assaults her body, he also assaults her psyche—very likely leaving it deeply and permanently scarred. And as incredible as it seems, the institutions that should assist the rape victim actually continue the assault on the woman's psyche. Listen to what the 1973 report of Prince Georges County, Md. task force to study the treatment of the victims of sexual assault has to say about the fate of the victim after the crime:

All too often, she is treated at best as an object, a piece of evidence, and made to relive the experience, must face the incredulity of the police, the impersonality of the hospital, and then must defend herself in court. Having been socialized to be passive, she is nevertheless expected to have put up a battle against her attacker. Her previous sexual experience can be used to impute her instability though the defendant's background often cannot be brought up against him. She does not have the benefit of a retained lawyer and sometimes the prosecutor does not have the time or perhaps the insight to prepare her beforehand for the ordeal of the trial. She suffers serious psychological stress afterward, largely due to the guilt and shame imposed by society. She may not recognize a need for professional help or she simply cannot afford it.

The postrape hassle the victim must endure may lead many women to believe that if they are unfortunate enough to be raped, it simply is not worth reporting it to the police. And if she feels that her attacker is not likely to be punished for his crime, she is correct. In 1972, more than 25 percent of the men arrested for forcible rape were never prosecuted and of the 75 percent who were prosecuted nearly half of them were either acquitted or had their cases dismissed. Only one-third of the adult men arrested for rape were actually convicted of the crime.

Mr. Speaker, with this astonishingly low conviction rate, with the number of rapes increasing year by year, it is clear that our Nation's rape laws must be reexamined. These laws are not deterring rapists and they are not protecting women's rights to physical security, to peace of mind and to move about as freely as men. Some studies have already clearly shown the need for a total revision of the procedures in dealing with rape victims. Again let me quote from the Prince Georges task force:

Police will have to bear more responsibility in their approach to victims as people, instead of just cases. Lawyers and judges will

have to bear more responsibility. But this is not nearly enough. We need responsible people to intervene quickly and efficiently at the proper time. We need this now. We need an adequate follow-up system.

We need a change of attitude on the part of people working with rape victims.

The legislation I propose today will help this Nation move toward a more responsive, more humane system for dealing with rape victims and a more effective law for dealing with the perpetrators of this crime. My proposal would establish within the National Institute of Mental Health "the national center for the prevention and control of rape." This special center would be charged with developing a fuller understanding of the crime of rape, its causes and effects, the impact of the crime and the threat of the crime on the victim, her family, and the entire society, and the present methods of treating the victims and the accused. Moreover, the national center, in cooperation with the Justice Department would study the rape laws themselves and the procedures surrounding the enforcement of those laws, with the goals of determining the reason for the low rate of rape convictions and, then, of drafting a model rape law.

One of the important benefits of this law would be the establishment within NIMH of a central repository of research and information on rape prevention and treatment. Such an information center should go a long way toward assisting State and local officials in realizing the devastating psychological impact of rape on the victim and how law enforcement and health agencies have such a special responsibility in assisting the victim cope with and overcome the massive psychic and emotional scars. Only then can we expect States and communities to develop more effective and more humane, victim-oriented procedures for dealing with the victim of rape.

Mr. Speaker, the time has come for the Congress to act to banish the threat of rape from the everyday life of American women. To do this we must clearly demonstrate the total inadequacy of our current laws and procedures dealing with rape and the victims of that crime. Then we must move one step further toward the development of more effective policies, procedures, and laws concerning sexual assault.

I believe that a national center for rape prevention and control is the first small, but necessary, step in the battle against the criminal sexual abuse of American women. I urge my colleagues in the House to join me in working for this proposal.

SUPPORT FOR FREE CHINA

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. ASHBROOK. Mr. Speaker, today is the 62d anniversary of the founding of the Republic of China. The Republic of China on Taiwan and the other islands are enjoying one of the highest standards of living in Asia. Their economy is continuing to grow. The economic progress of the Republic of China is a well-known fact. The Republic of China is one of those few developing countries which received economic assistance from the United States but no longer does so because of no further need for it.

The Republic of China is a steadfast friend and ally of ours in Asia. The Free Chinese serve as an example that friendship with the United States, hard work, and a free enterprise system can lead to a strong country and a prosperous people.

The Free Chinese no longer receive economic assistance from the United States. They want to be able to stand on their own feet. They do ask of the U.S. Government that it does not abandon them to the Communist Chinese. The United States must give more diplomatic support to the cause of the Free Chinese. The interests of the United States are best served by standing by our Free Chinese allies. The preservation of the freedom and security of the United States which should be the cornerstone of American foreign policy can only be served by maintaining our commitments.

At this point, I wish to include an editorial from the Columbus, Ohio, Dispatch of August 6, 1973:

WORTHY TAIWAN GOAL IS TO "BUY AMERICAN"

It boggles the mind when non-Americans take up the slogan "Buy American." But the government of Free China (Taiwan) is doing just that and for a commendable reason.

Despite the fact that the United States has provided Taiwan with a security umbrella ever since the Communists took over the mainland, Free China has refused to consider itself a vassal state of America.

Even though recovery of the mainland continues to be official policy of the Free China government still headed by the venerable Chiang Kai-shek, now 86, Taiwan is not allowing wishful thinking to father its future plans.

Instead, Taiwan is showing emerging nations of the world that the free enterprise system can indeed work and bring even a small nation into world competitive position.

Because of wartime treaties with the U.S. Taiwan has maintained close ties with America, especially in the field of economics and trade. Growth in that area has been spectacular.

In 1962, the two-way figures hit the $200 million level and by 1968 they had more than doubled at one-half billion.

By last year when the figures topped the $3 billion mark, Free China had become America's 12th largest trading partner. In so doing, the 15 million Free Chinese on the island were conducting more foreign trade than the 800 million Chinese on the mainland.

Because Taiwan was selling about $450 million more goods to America than it was importing it is now concentrating on balancing that trade figure.

A 16-member Taiwanese trade mission now is in America with the avowed goal of purchasing $300 million worth of U.S. products. Hence, the "Buy American" slogan voiced by these Asians.

Politics are involved in all this, of course, and they are sensitive. Washington's open door policy to Taiwan's ideological enemy on the mainland cannot be ignored. Recognition of Peking, rather than Taiwan, by some nations as the "official China" has embittered the Chiang regime.

Nevertheless, what is significant is that Free China is depending on the validity of America's basic concept—that human dignity and free enterprise will stay any people and will stand the test of time.

Freedom is alive and well in Taiwan.

MIDDLE EAST

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. PRICE of Illinois. Mr. Speaker, as we meet today the nations of the Middle East are embroiled in a war in which the Arab world has once again turned its armed forces upon the nation of Israel. In the past the United States has stood firm against Arab aggression, never hesitating to give unqualified support to the integrity and survival of Israel.

We should dismiss any suggestion that our domestic petroleum requirements are such that we should compromise our support of Israel. Since the United States must have Arab oil, the theory goes, this country is willing to look the other way while the Arabs carry out unprovoked acts of war.

Mr. Speaker, let us put the world and especially the Arab nations on notice that the United States shall never compromise its support for a free nation against foreign attack. Our need for petroleum shall never become to acute that we can afford to condone threats to the existence of Israel. In balancing the considerations involved, a commitment to lasting freedom for Israel or any other nation far outweighs any temporary domestic fuel shortage. Should we falter in our resolve and ignore Arab misdeeds, honored principles of American foreign policy would be indelibly tarnished.

The United States is currently seeking, through the United Nations and other diplomatic channels, to facilitate an early cease-fire in the Middle East. As this process goes forward let no nation deceive itself with the notion that our standards for peace will be bent by our energy requirements at home. The objective of an unthreatened Israel stands alone, unhampered by such extrinsic and unrelated considerations. We shall not court aggression in hopes of an international marriage and a petroleum dowry.

This latest Middle East crisis behooves us to continue accelerating our research and development efforts for expanding additional resources. As chairman of the Joint Committee on Atomic Energy, I am deeply interested in our civilian nuclear power program. Nuclear power has to be considered as part of the answer to our energy dilemma. Our vast coal re-

serves must be utilized more efficiently by improving our coal liquefaction and gasification efforts. Clearly, Mr. Speaker, the Middle East conflict underscores the urgency of our task.

RICK RICARDO: 20 YEARS IN BROADCASTING

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. DE LUGO. Mr. Speaker, it is my pleasure to congratulate today, one of my closest friends, and a former colleague from my days in radio, Mr. Rick Ricardo.

This year he celebrates his 20th anniversary in broadcasting—20 years that have witnessed the development of the communications media in the Virgin Islands from the establishment of the first radio station WSTA, to the present variety of networks in the islands. He has seen, as have I, new developments in communications that have brought the Virgin Islands closer to the world, and the world closer to the Virgin Islands. Indeed, he himself, has contributed much to this evolution.

His career began in 1953 with a position as engineer with radio station WSTA, and in the years since, he has branched out to include television in his wide variety of experience. He is today, the director of WVWI radio station in St. Thomas, a station known for its excellent programing.

My colleagues will be interested, I am sure, in reading about some of the curious problems Rick encountered during the early days of radio in the Virgin Islands. There were times when newsmen used to hope the New York Times would arrive before noon so a news program could be written before scheduled broadcast time. There were other times when the teletype machine, which received its signal through the air, would produce incomprehensible messages due to atmospheric interference.

Rick has been a part of the St. Thomas media since its beginnings and has worked his way upward with considerable success. The following article describes some of his experiences:

RICK RICARDO MARKS 20TH YEAR IN BROADCASTING

(By Stanford Joseph)

It was by sheer accident and hard work from that eventful day two decades ago that Rick Ricardo is now celebrating his twentieth year in radio broadcasting.

Now the director of WVWI Radio, Rick, a born St. Thomian, remembers vividly his strides from engineer to newscaster.

BROKE INTO RADIO

Rick first started out on engineering twenty years ago before becoming a broadcaster. He was introduced into the business by William Greer who operated the first radio station in the Virgin Islands—WSTA—at which Rick was engaged in light maintenance of the station.

The station needed someone to fill in on the air one day and Rick was encouraged to sit in and that was how his broadcasting career started—by mere accident.

The vacancy he filled at the time was created by Ron de Lugo who is now Washington Representative for the Virgin Islands. At that time Lee Carle who is now news director at WVWI, was also working at WSTA.

Lee and Rick have worked together, and have been complimented, as a team, over the years by many radio listeners.

WHIPPING NEWS TOGETHER

Rick never took any formal courses in broadcasting, yet he is able to compile news programs in a relatively short time.

Explaining this he said when he first started he had what was called a West Indian accent. He then realized he was not going to get anywhere in the business unless he obtained more education somewhere along the way. So it was by "hard work," about two solid years of hard work, with a tape recorder for many long hours drilling himself in speech, diction, and pronunciation that he became very efficient in broadcasting the news.

MOST IMPORTANT DEVELOPMENT

Without a doubt Rick said one of the nicest persons he ever met in the business of his long career of collecting interviews was the late Nat King Cole. He had the pleasure of interviewing Nat at Mountain Top Hotel here while Nat and his wife, Maria, were visiting the Dudleys.

Maria Cole and Mrs. Gertrude Dudley were students in college together. Nat was appearing in Puerto Rico and they came over to St. Thomas. "I think he was one of the warmest human beings one would ever want to see," Rick thought.

EMBARRASSMENT

At one time or another broadcasters have a way of "stumping" their toes on the air. Although Rick feels he has had more than his share of embarrassment in twenty years, he could not remember from the top of his head any of these circumstances.

TV STINT

Rick was news director for both WBNB radio and television back in 1965 after he left WSTA. He took a sabbatical with ITT for one year. It was in 1970 that he took over the management of WVWI.

MOST IMPORTANT PERSON

There have been numerous developments in radio and communication as a whole over the past few years. Rick explained that when he started out in the business they hoped that the New York Times would come in before 12 o'clock to have the news ready for noon.

Then it was the radio teletype which received news from England via the Latin American Circuit. Whether the news was received at that time depended on the weather condition. If there were atmospheric disturbances most of the news would be garbled, requiring hours to straighten it out for a five-minute newscast.

Around 1966 with the improvement of telephone service here, local stations for the first time were able to utilize the trans-Atlantic cable to receive the Associated Press news the same time as any other radio station in the country. And that was a vast improvement, he pointed out.

But more recently due to improved technology we are able to watch live baseball games, etc. on our local sets. Communication satellites, one of the biggest boons of our times, have enabled the viewer to see as well as hear what's going on in as far away as Japan.

Communication has improved so fantastically that most people take it for granted. Take for instance, contact with man on the moon and in space. These would be viewed with the same casualness as a horse galloping around Sugar Estate track.

FAVORITE SPORT

Most people who listen to WVWI would not bother to ask Rick what's his favorite sport. Lee has told them enough. But one might be surprised that although he pays so much attention to baseball—he's a Yankee fan for over 27 years—Rick's favorite sports are bowling and fishing.

EDUCATION

Mr. Ricardo was schooled in St. Thomas at the Catholic High School where he graduated. He then went on to New York and studied at RCA Institute. While in the service in the U.S. Army Rick took additional courses in political science, extension courses at the University of Massachusetts and also in Europe.

He was already in broadcasting when he entered the army where he took basic training. He worked as an instructor at the Army broadcasting school and was news broadcaster for the network in Europe where they covered the Berlin Crisis, earthquakes and floods in the Middle East and Africa, the Congo Conflict, the Olympics in Brussels, Inaugurations, space coverage and other historic events.

He also reported on outstanding local events such as the Governor's Conference, the Carib Gas disaster, and election coverage. Rick Ricardo, now 37 years old, celebrates his 20th year of authoritative radio broadcasting. All the best from the Daily Post, Rick!

PUBLIC SECTOR UNIONS AND PRIVATE SECTOR UNIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. ASHBROOK. Mr. Speaker, one of the main arguments advanced by supporters of public sector unions is that public employees should be granted rights already possessed by those in the private sector. There are, however, major differences between public and private employees which make it clear that public sector bargaining should not and cannot follow private sector patterns.

Public employers, for example, do not operate on a profit motive. They are governmental agencies created by statute, with legally mandated functions to perform in behalf of the general public. Unlike in the private sector, most governmental agencies are monopolistic. Since they are the only source for the services they provide, Government agencies are not confronted with the restraining hand of competition.

These differences have been noted in court decisions. The Illinois Supreme Court has pointed out that a profit motive exists in the private sector whereas there is no such motive in the public sector. The private sector employer has to consider union demands in terms of the company's profits and losses. He is directly accountable to the stockholders who have invested money in the company and expect a return on their money.

Public employers, however, can meet economic demands either through in-

creasing taxes or shifting priorities within the budget. Pressure to hold down these demands is far less direct, especially given the monopoly characteristics of public services. Whereas economic decisions in the private sector are limited to the company's ability to pay, increased costs in the public sector can be passed along to the entire tax-paying public.

As S. Rayburn Watkins concludes in the position paper entitled "Public Sector Unions: The New 'Private Government'"—

It is clear that public sector bargaining should not and cannot follow private sector negotiating patterns. Public employee negotiations are part and parcel of the political process with an absence of the economic restraints found in the private sector. The simple transfer of private sector mechanisms is not likely to work well.

SKYLAB SEEKING "HOT SPOTS"

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Sentinel Star of Orlando, Fla., in its September 17 edition carried an interesting description of one of the most productive experiments of the Skylab 2 flight. In this particular experiment, the astronauts were searching for geothermal hot spots over northern Mexico. Such data can lead to the development of another source of electricity for general use, such as already has occurred in California and other nations. Because of the significance of this singular experiment, I am including an excerpt from this article in the RECORD to point out that this is one of many important contributions being made by the Skylab program:

SKYLAB SEEKING "HOT SPOTS" AS POTENTIAL POWER SUPPLY

SPACE CENTER, HOUSTON.—Skylab 2 astronauts conducted a search over northern Mexico Sunday for unknown geothermal "hot spots" which possibly could be developed into sources of electrical power.

In an earth resources photo run, astronauts Alan L. Bean, Jack R. Lousma and Dr. Owen K. Garriott aimed a heat-sensing camera at a strip of Mexico stretching from Guadalajara to Monterrey.

Scientists hope the film will lead to the development of power plants operating on natural steam, a clean, nonpolluting source of electricity.

"We hope to use the data to locate previously unsuspected sources of geothermal energy that could possibly be developed into a clean energy source for electrical power generation," said Von Frierson, a Lockheed scientist working on the project.

Frierson said use of the heat-sensing camera to locate geothermal sources is in the exploration stage of development, but scientists believe it could locate scores of unknown "hot spots" all over the world. The photos taken Sunday were at the request of the Mexican government.

Natural steam is created by heat beneath the earth which boils pools of water. When steam from such sources can force its way to the surface, it creates geysers, such as Old Faithful at Yellowstone National Park.

Frierson said geothermal steam has been tapped in California, Italy and New Zealand to produce electricity, but "there are lots of other sites available."

DIVORCE, CHILD SUPPORT, AND FEDERAL LEGISLATION

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Ms. ABZUG. Mr. Speaker, on September 25, Betty Blaisdell Berry, adviser to the National Organization for Women's Task Force on Marriage, Family Relations, and Divorce, testified before the Senate Finance Committee on the subject of child support. In her testimony Ms. Berry talked about the problems of noncompliance with support orders, husbands who leave the State where the decree has been granted and underreporting of assets. All of these problems leave women in very precarious positions.

Ms. Berry in her testimony recommended the idea of garnishment of Federal employees who have refused to comply with court orders for child support. I have introduced such legislation (H.R. 9240) with the gentleman from New York (Mr. KOCH) and I hope that it will receive favorable consideration.

I insert in the RECORD at this point Ms. Berry's excellent testimony and commend it to my colleagues:

TESTIMONY BY BETTY BLAISDELL BERRY

INTRODUCTION

Mr. Chairman and members of the Senate Finance Committee, my name is Betty Blaisdell Berry and I am the Adviser to the National Task Force on Marriage, Family Relations and Divorce of the National Organization for Women, having previously served as coordinator of that Task Force for five years. I am also a consultant to the Marriage and Divorce subcommittee of the Council on Women and the Church of the United Presbyterian Church in the U.S.A. I will be speaking for N.O.W. unless I specifically designate a Presbyterian position.

N.O.W. is greatly concerned about the ramifications of divorce and we welcome this opportunity to testify on legislative proposals S. 1842 and S. 2081 which deal with child support and support enforcement—major problems of divorce.

My associate, Elizabeth Spalding, has stated N.O.W.'s concerns and the tremendous need for a data bank in this area. Her printed testimony deals with the bills in detail.

I will underscore N.O.W.'s interest in the principle of establishing a locator system, and the concept of a federal child support fund as described in S. 1842 by describing the support situation in the State of New York. Then I will mention briefly N.O.W.'s interest in the development of new systems for dealing with divorce as it relates to the subject before us today.

Essentially divorce is a new phenomenon in our society and we have not had time to develop the necessary judicial, legal and social institutions to cope with it. The proposed bills are the start of a new approach of treating the very serious problem of support enforcement.

NEW YORK DIVORCE AND SUPPORT SITUATION

N.O.W. has recently undertaken a study of the divorce and support situation in New York State. In 1967 the N.Y. divorce law was liberalized, formerly it was very strict. For the last year under the old law there were 4,000 divorces. There were also 20,000 petitions for support (excluding petitions under the Uniform Support Dependents' Law) disposed of in the Family Courts that year. Five years later there were over 39,000 divorces or 10 times the number of divorces. While there was an increase in the number of petitions for support (8,000) this in no way corresponds to the dramatic increase in the divorce rate. The official report of the Judicial Conference of the State does not break down the petitions into categories beyond saying they constitute the largest single segment of cases in Family Court. The Judicial Conference cites a lack of interest in support figures whereas 29 types of offense are reported for juvenile delinquency alone.

The only other significant official data we found in regard to support petitions was that the amount of money collected by the Family Courts* remained fairly constant over an 8 year period in spite of the change in the divorce law and the increase in divorce cases.

We note also that the number of families receiving aid to dependent children because of marital breakup is two and one-half times what it was five years earlier. In 1971, 32,604 families were receiving aid in N.Y. because of the father's absence from home due to divorce or legal separation, and 80,800 due to separation without a court decree. The numbers of single parent families far outstrip the unwed mother category.

N.O.W. members involved with support problems have found the Family Courts in N.Y. seemingly overwhelmed by the magnitude and complexity of the case load.

In May 1973 the Queens, N.Y. Chapter of N.O.W. undertook a survey of support enforcement. Over 300 women telephoned N.O.W. in response to an announcement and flyer requesting information. They were interviewed and these are some of the findings.

The average amount of time before getting on the court docket was 6 months (the minimum was three). The average case was adjourned 17 times and the average time to go through the court was 2 years. 193 of the women's husbands had moved to other states and were paying nothing on their orders. Of the remaining 107 who were having difficulty with support matters—over 60 contested the husbands' declaration of income—all of these men were self-employed and usually the wife had helped in the business.

FEDERAL EMPLOYEES

Further we urge the end of exemption of Federal employes' salaries from garnishment. This seems to us an unjustified loophole in the obligations of parents to their children.

NEW CONCEPTS

N.O.W. is very interested in new concepts of handling divorce. These are not positions we have voted on but are avenues we are exploring. We are particularly interested in three concepts.

1. We would like to propose the concept of preventive noncompliance. This would involve setting up a system for compulsory payroll deductions or wage executions or garnishment. The principle would be similar to the pay as you go system of internal revenue for income taxes. The mechanism of internal revenue might be considered for this since it reaches the greatest number of persons. A simple beginning might be to start automatic deductions for child support where those obligations exist for Federal employes.

2. The second concept is the extension of social security benefits to dependent children of divorce in the same manner that sur-

*Figures available only for N.Y.C. which includes five counties.

vivorship benefits are extended to children upon death of the supporting parent. This would utilize an existing family benefits structure.

3. The third concept is revising the social security structure radically to establish the housewife as an insurable class. In other words the dependent spouse would have individual coverage and not so many benefits would be forfeited upon divorce.

At the same time total coverage for dissolution of marriage would be incorporated in the social security system. This would be a new type of social insurance covering divorce and child support. A pilot study was made for N.O.W. which estimated that if every married worker between the age of 20 and 59 in covered employment paid a premium of $28 a year, a benefit of $100 a month for three years could be obtained.

SUMMARY

To sum up we think the huge increase in divorce merits, indeed requires, immediate attention and new solutions to its problems. Marriage should not be the road to becoming a public charge.

We appreciate very much the opportunity of being here.

MURDER BY HANDGUN: THE CASE FOR GUN CONTROL—NO. 31

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. HARRINGTON. Mr. Speaker, in a recent Washington Post article by Hal Willard, some excellent arguments and proposals were set forth advocating gun control.

These proposals were set forth, not by a "liberal legislator," but by an experienced gun user who presently enjoys target shooting as a hobby. Maybe the handgun advocates will listen to him. If not, there is today's handgun death: the murder-suicide of a husband and his ex-wife.

How many more deaths must there be before the antigun control advocates see reason, and agree to immediate handgun restrictions? In the next 3 months, there will be about 3,000 handgun murders. So please do not take your time. We are talking about people's lives.

At this time I would like to include below the articles from the September 20 Washington Post and the September 26 New Jersey Courier-News.

The articles follow:

[From the Washington Post, Sept. 20, 1973]

WHO'S THAT BEHIND THE FORSYTHIA BUSH?

(By Hal Willard)

According to the encyclopedia, shoulderguns were invented in the early 1300s to utilize black powder as a propellant of bullets. Handguns were developed about a century later. The weapons originally were used to fight and hunt.

Modern civilization, of course, has found many other uses for guns. There is target shooting. There are collectors, who display guns all shiny clean in cabinets or on racks. Psychologists say some people—not all by any means—worship guns, drawing from them a sense of power and even of sexual prowess.

Many people use them in armed robberies and/or to murder.

Inexplicably, some of the people who use guns for hunting, target shooting and collecting believe their pleasures will somehow be reduced if government tries to eliminate the use of guns in armed robbery and for murder. They think it will be an infringement upon their freedom if they are required to get a license for their guns as they do for their cars, bicycles and boats. They think it will be an encroachment on their civil rights if they are required to register and qualify themselves when buying a gun, as they have to do when buying a car or an airplane or certain medicines.

Some of them think that the minute the government finds out who owns guns, it will confiscate them so our country can be invaded and conquered by an enemy who could have been defeated if only the hunters and collectors still had their guns and could rush out of the house and stand off the invaders from behind the forsythia bushes.

Some of them who think this way go on television to answer gun-control editorials and write letters to editors maintaining that "guns don't kill people, people kill people." They say that we shouldn't worry about getting the guns; we should worry about getting the guys behind the guns. They say the constitution gives us the right to bear arms.

People who favor gun control point out that there can be no "guy behind the gun" if there is no gun. They say it is easier to rob and kill with a gun than it is with a knife or club, and that if society makes it more difficult for a person to get a gun, society is automatically making it more difficult for that person to rob or kill.

Gun control advocates point out that many homicides are spontaneous and emotion-inspired and that it is more difficult for a hysterical person to murder if the most lethal weapon at hand is a sugar bowl or butcher knife.

They say that while the Constitution allows us to bear arms, it also allows us to require some qualification for possessing arms.

Here is a proposal from a man who has had a fair amount of experience with guns: hunted with a shotgun as a young man, ranked as a sharpshooter in the Army with an M–1 rifle, has owned a handgun and still enjoys target shooting with a .22 rifle occasionally.

The proposal:

Those who want guns to hunt with or for protection would have shoulderguns. They would register the shouldergun and also certify themselves as responsible, competent persons, as is required in obtaining a license to drive an automobile.

It would become illegal to own or manufacture a handgun, on grounds that they are useless except as murder weapons. Collectors could keep them as long as they were spiked or otherwise rendered inoperable. Target-shooters unsatisfied with shoulderguns could use specially-manufactured handguns that fired low-velocity pellets. Collectors and target shooters also would register each weapon and certify themselves.

The purpose of all this, of course, would be to keep easy-to-handle and easy-to-conceal guns away from irresponsible and dangerous people to the extent possible.

I asked the chap who made this proposal what he thought the reaction would be. He said: "Let he who is impervious to bullets fire the first shot."

[From the Courier-News, Sept. 26, 1973]

PLEAS FAIL, HE KILLS EX-WIFE, SELF

CALDWELL.—Twenty-nine-year-old Roland Witter shot his wife to death Tuesday, the day a divorce that would have ended eight years of marriage went into effect. Then he turned the gun on himself and took his own life.

The murder-suicide took place despite pleas from police who surrounded the Witter home here that he lay down his weapon.

According to police in this suburban Essex County community, Witter, apparently despondent over the divorce, killed his wife Pamela, 26, with a .25-caliber pistol and then committed suicide. Their bodies were found on the floor of a bedroom in the stucco home by police who had begged Witter for an hour to give himself up and then rushed the house under cover of tear gas.

Neighbors described Witter as "a very quiet individual and a good neighbor." He and his wife were separated in February and their final divorce decree went into effect Tuesday. They had had no children.

Asst. Essex County Prosecutor Anthony Mautone said that during the separation, Mrs. Witter had been living with her parents in Montclair. She called police early Tuesday saying she wanted to pick up her car, which was parked in Witter's garage.

Officer Robert Murphee, a 17-year-veteran of the Caldwell police department, went with Mrs. Witter and reported later that Witter was extremely friendly. In fact, when Murphee couldn't get Mrs. Witter's car started, Witter provided him with jumper cables and helped get the motor going.

Suddenly, Witter's demeanor changed completely, Murphee said.

"He put his arm around her neck and said, 'I'm going to kill her,'" Murphee said. "He pointed the gun at me and pulled the trigger, but it didn't go off."

Holding his wife as a shield, Witter backed up a set of stairs into the house above, Murphee said, adding that he couldn't use his revolver for fear of hitting Mrs. Witter.

Once inside the house, Witter pulled the shades and Murphee called for help.

Police using bullhorns begged Witter to give up, but they said that when they heard two muffled reports, they fired tear gas through the windows and stormed the building.

The bodies were found beside a bed, and police said a small fire had been started in the mattress but was quickly put out. Autopsies were ordered.

Peter G. Stewart, the 32-year-old mayor of this normally quiet town, described the incident as "a very tragic set of circumstances." "The only consoling thing is that officer Murphee was not a victim," Stewart said. "He came close to meeting his maker today."

TRIBUTE TO JULIAN VAUGHAN GARY

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. BROOKS. Mr. Speaker, it was my honor and privilege to serve in this House with a distinguished and able Member from Virginia, the Honorable Julian Vaughan Gary. I valued him as a friend as well as a colleague.

Vaughan was a kind and gracious man. For 20 years he was a hard-working, dedicated Representative who loved this body, the people he represented, and the country he served so well.

The loss of Julian Vaughan Gary is a loss not only to his family and friends, but a loss to the people of Virginia, whom he served for so long, and to the Members of the U.S. Congress.

GEORGE DUKE HUMPHREY

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, with the death of Dr. George Duke Humphrey on September 10, 1973, Wyoming lost an outstanding educator. As I have noted in these pages, his services to our State will not be forgotten.

Dr. Humphrey served as well on the National Science Board, the governing body of the National Science Foundation. Because his tenure, from 1950 to 1962, came during the formative years of the Foundation, Dr. Humphrey made an especially important contribution to its development.

On behalf of the National Science Board, I insert for the RECORD their tribute to the late Dr. Humphrey:

GEORGE DUKE HUMPHREY

The National Science Board lost a valued Charter Member and the State of Wyoming lost an outstanding adopted son with the passing of George Duke Humphrey, President Emeritus, The University of Wyoming, on September 10, 1973.

Dr. Humphrey was born in Tippah County, Mississippi, on August 30, 1897. He acquired his undergraduate education in his native state and his graduate education at the University of Chicago and Ohio State University. His career in education spanned an entire lifetime with experience from that of a teacher in a one-room schoolhouse in Tishomingo County, Mississippi, to school principal, system superintendent, state high school supervisor, and finally President of Mississippi State College. In August 1945 he went to Laramie to accept the post of President of The University of Wyoming, where he served with distinction for 20 years. Dr. Humphrey's administration of Wyoming's only four-year institution of higher learning was characterized by the most vigorous single period of growth in the University's 77-year history. Some 13 major campus structures or additions to existing buildings, valued at more than $17,683,000, were erected during his career at very little cost to the taxpayers. Commensurate advances were made in the academic development of the University.

While President of The University of Wyoming, Dr. Humphrey ably represented the citizens of Wyoming in national affairs. He served as a Member of the National Science Board from 1950 to 1962 and was also a consultant for the Departments of Agriculture and Interior. He held a number of important posts in the American Association of Land-Grant Colleges and State Universities, National Association of State Universities, Association of American Colleges, National Commission on Accrediting, and the Freedoms Foundation, among others.

Commenting on his death, Governor Stanley K. Hathaway said: "He has been a great friend of Wyoming. We have lost a great man, and I have lost a beloved friend. During his 20 years as president he unquestionably contributed more to the development of the University of Wyoming than anyone else. In recent years I have continued to seek his help. He served on the Governmental Reorganization Committee and the board of directors of the Department of Economic Planning and Development. He never lost interest in the state, and many have benefitted from his scholarship and desire to make Wyoming a better place for everyone. I shall miss him a great deal."

Dr. William D. Carlson, President of The University of Wyoming, said, "The passing of Dr. G. D. Humphrey marked the end of an era in Wyoming education. His vision and dedication to the University and to the state were unmatched. He was a friend to all—especially of the students—and his wisdom and counsel will be sorely missed in the years ahead."

Dr. Humphrey's retirement tribute in 1964, entitled "A Man to Match our Mountains," stated: "Wyoming is a vast and sometimes lonely land—a land of magnificent mountains and wind-swept plains where grandeur is as common as the sunrise. It is a land of opportunity. Even with the inroads of civilization over the last half of the century, it is still a pioneer country where great men become legends. Such a man is George Duke Humphrey . . ."

The National Science Board joins his many friends in this tribute to its former colleague, George Duke Humphrey.

THE WAR IN THE MIDDLE EAST

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. COTTER. Mr. Speaker, on October 6, the combined armies of Egypt and Syria launched a full scale attack against the tiny nation of Israel. In doing so, they initiated the fourth war in 25 years in this troubled area.

There can be no question who started this war. On Friday, October 5, as the holiest Jewish holiday approached, the Government of Israel contacted the major powers and advised them of the buildup of the Arab armies along the cease-fire lines. Israel urged these nations to do all within their power to prevent an outbreak of hostilities.

On Saturday, while a vast majority of Israelis were praying, fasting and contemplating the meaning of their holy day, Yom Kippur, "Day of Atonement," the armies of Egypt and Syria attacked along the Suez Canal and the Golan Heights. This was a clear violation of the cease-fire of 1970. Initially, the combined forces of these Arab nations scored some advances, but these were thwarted by the mobilization of the Israel defense forces. While these advances were made into what has been occupied buffer zones in the Golan Heights and the Sinai Desert, one can only conjecture as to what might have occurred had not Israel possessed these buffer territories. Surely the security of the nation would have been that much more imperiled. What better evidence is there for Israel's need for safe and secure borders?

With the continuation of hostilities, yesterday I called upon President Nixon to immediately deliver all military equipment hereto promised to Israel and am supporting legislation to insure that this needed equipment is provided. This would particularly involve the immediate delivery of all warplanes, which have already been purchased by Israel, and are scheduled to be delivered in the future. Surely the people of Israel have need for this equipment now while their very existence is threatened.

In addition, I am working to assure that the United States provides the necessary diplomatic assistance which is necessary to end hostilities in the Middle East by securing a negotiated and permanent peace in the Middle East.

TIMBER HARVESTING IN ALASKA

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. REUSS. Mr. Speaker, Peter Harnik has written two excellent articles for Environmental Action on timber cutting in Alaska's national forests. Both articles—"They Can't See the Forest for the Timber" in the August 18, 1973, issue; and "The Biggest Going-Out-of-Business Sale of All Time" in the September 1, 1973, issue—describe his recent trip to Alaska as a guest of the timber harvesting industry and what he saw there:

THEY CAN'T SEE THE FOREST FOR THE TIMBER

(By Peter Harnik)

We've got a sign by the door in our office that says: "There ain't no such thing as a free lunch." Every time a staff member gleefully hangs up the telephone and reveals that he or she has just been asked by one trade association or another "to get together" for a gratuitous meal, we all solemnly intone, *"There ain't no such thing as a free lunch."* Although Environmental Action has no specific policy on accepting "free" gifts, the ominous chant is supposed to sober the lucky recipient of the repast.

So, it was with considerable trepidation that I spoke up after ending a brief phone call in late March. "Phil," I said to my officemate, "you're not going to believe this. The American Forest Institute just invited me to go on their tour for journalists to examine forestry practices first-hand in the South Tongass National Forest. That's in Alaska."

"There ain't no such thing," he said, "as—" as four free lunches, four free dinners, two free breakfasts, four free jet rides and four free hotel rooms. And, what I was late to find out: innumerable miles covered by auto, bus, boat, amphibious plane and helicopters, tours of a pulp company, a sawmill and a logging camp. And plenty of free liquor. "Free," that is.

Of course there was no way I could go on such a trip. I imagined the headlines: Forest Tour Lures Conservationist. Will Eco-Group Endorse Forest Cutting? Environment Action Sells Out.

George Check, vice president of the American Forest Institute, (AFI), explained it succinctly when I was invited. "We feel," he said, "that there is no way that we can adequately explain our position to the press behind desks here in Washington. The only way to see what really goes on in the woods is to get out in the woods. You can talk to the men who do the cutting, who reforest, who measure erosion and sedimentation. You can judge for yourself."

"Are you going?" the staff keep asking me.

"Of course not," I said defensively. "I can't prostitute myself like that. Who else is out there lying in wait? The Petroleum Institute. The Coal Association. The Atomic Industrial Forum. The Highway Users Federation. One slip and it's all over. After all, we're not for sale."

As I buckled my seatbelt on the 747, preparing to take off for Seattle on the first leg

of the trip, I reflected on the absurdity of the situation. Here was AFI, an educational organization which does not seek to influence legislation, trying to lobby a lobbying group by flying me 4000 miles away from Washington. Even stranger, Environmental Action has not been known for its emphasis on forest issues—certainly not compared with Friends of the Earth, Sierra Club or the Wilderness Society. Virtually everything I knew about the forest industry I had read in Environmental Action—two "Debunking Madison Avenue" columns by the Sierra Club's Dick Lahn (July 8 and 22, 1972) and an analysis by Sierran Roger Mellem (April 3, 1971). The two of them should probably have been invited, although, as I shall relate, it's just as well they weren't.

The trip across the country, five hours of cloudlessness, was an eye-opener itself. I noted glumly that the forest industry can proudly count itself among only a handful of interests—the housing developers, highway builders, electric utilities and strip miners—whose heavy imprint on the land can be seen from 35,000 feet.

The clearcutting in Montana, Idaho and Washington is ghastly. A woman sitting in front of me kept saying, "What on earth is going on down there? What happened down there?" As far as the eye could see, vast areas, once cloaked with spectacular stands of trees, looked denuded, as if someone had attacked a fur coat with a razor blade. And everywhere logging roads, like strands of spaghetti, wound their way through the scarred mountains and valleys. The woman strolled around the plane and reported to me that the cutting was just as bad in the other direction, too. All the while, our loquacious pilot ignored what our eyes were seeing and told us about Indian massacres, silver mines and birthplaces of famous Americans.

When we arrived in Seattle, I told the AFI representative there that I was much more concerned about forestry practices then than when I had left; another journalist, more objective than I, suggested that the Institute book night flights in the future because of the terrible impression the views had left. The AFI rep replied that what we had seen may not have been clearcutting and, anyway, that we should reserve judgment until we had heard the whole story. "Wait until Alaska," he said.

Alaska is so big that it covers four time zones; it is so remote that its citizens refer to the lower 48 as "the states"; it's so sparsely populated that Ketchikan, with 7000 souls, proudly calls itself the state's third largest city. And everywhere the feeling of pioneerism is in the air; a visitor is soon hit with the 49th State's joke-with-a-message: "Claustrophobia is an Alaskan in Texas."

The first written statement we saw after disembarking from our jet was, "Welcome to Ketchikan International Airport." The second was an auto's bumpersticker: "Sierra Go Home."

An American in Paris, as far as I could tell, has an easier time than a Sierra Clubber in Alaska. Inflation, crime, the weather—everything is blamed on the Sierra Club. Once, when I introduced myself, a man growled, "Environmental Action? Oh, for a minute I thought you were with the Sierra Club."

"Why don't you people clean up your own country before you come up here telling us what to do?" one red-faced lawyer shouted at me at a reception the first night. "You come up here, give the Indians all that free land and money, stop the oil, stop the timber and make us meet air and water pollution standards meant for New York and California. What do you know about Alaska anyway? If you don't live here, don't go telling us how to run this state."

"What is this man's problem?" I later asked one of our hosts. Timber seems to be flowing out of Alaska as fast as it can be cut and Congress was at that very minute handing the state its oil pipeline on a silver platter.

The lawyer's problem, in fact, the problem of all the residents of southeastern Alaska, is that the United States made a policy decision around the turn of the century that the Alaskan wilderness would not be raped and plundered the way the Rocky Mountains and Pacific Coast wildernesses were. In 1907 the Tongass National Forest was established, a 16-million-acre tract that covers nearly every square inch of Alaska from the southeastern tip to the boundary of Glacier Bay National Monument north of Juneau.

The situation is a frustrating one for all concerned. The "pioneers" who travelled thousands of miles to Alaska arrived at Ketchikan, Sitka, Juneau, Petersburg and Wrangell only to find themselves virtually squatters on National Forest land. The conservationists, who look at Alaska as our last chance to handle a wilderness properly, watch the U.S. Forest Service cave in to demands for timber and mineral exploitation on a huge scale. (My principal host, for instance, the Ketchikan Pulp Company, has an 8.25-billion-board-foot contract with the Forest Service through the year 2004.) And the Forest Service, as usual, is caught in the middle with loggers staring in its face and Sierra Club lawyers breathing down its neck.

After the Sierra Club, the Forest Service is probably the south-eastern Alaskans' prime enemy. In fact, after years of hearing the complaints of conservationists that the Forest Service and the timber industry were wedded to each other, I was shocked to hear a logger explain to a newspaperman that "everyone knows that the damn Forest Service is in bed with the Sierra Club." That bed, I thought, is getting pretty crowded.

Watching men clearcut a forest is even more upsetting than I thought it would be. Alaskan trees, primarily Western Red Cedar, Sitka Spruce and Western Hemlock, are not as huge as Oregon's because of the shorter growing season but they are certainly more spectacular than anything I had ever seen in the East. Trees four feet in diameter and 150 feet tall are common, and a walk through a virgin area can only be described as a religious experience. Yet the massive trees and closely linked web of life in such area pose scarcely a problem to the chain saws, bulldozers, logging trucks and steel chains that convert nature's most impressive climax ecosystems into a wasteland of stumps, roots, branches and overturned soil. Occasionally the trees retaliate against their slaughterers by twisting as they fall or kicking backwards or dropping huge dead branches on the tiny men below; while we were there a helicopter rushed out a man who had been hit in the face by his own chain saw. But the usual sounds of clearcutting are gasoline motors punctuated by the crash of giant trees and then a short sickening silence.

"There's no question that a clearcut is an ugly sight for a number of years," admitted Don Finney, vice president of Ketchikan Pulp. "But the forest that grows back is a much healthier one. Where we're getting 35,000 board-feet per acre in this virgin stand, we'll have 80,000 board-feet the second time around."

They can't see the forest for the timber, is how a friend of mine put it.

"There's a lot of dead stuff in here, a lot of sick trees, a lot of bent trees. There's wind damage over there. This tree with the crack in it—see? It should have been cut 40 years ago."

"Why?" I asked.

"Any board made from that'll warp and crack before we get it out of the state. We'll have to use that for pulp."

To listen to them, one would have thought they were doing us a favor by cutting down the virgin forest.

Let me tell you about the time I was almost persuaded.

We had taken a spectacular 20-minute helicopter ride over islands, beaches, ocean, mountains, marvelling at majestic forests that defied comprehension. We had flown over alpine meadows, jagged snow-covered peaks and sparkling streams. Finally the helicopter landed alongside Bear Lake, probably the most beautiful spot I've ever seen. Flowing out of the lake was a 300-foot ribbon-like waterfall. Above it on three sides were rocky peaks. Between were forests and meadows. The unspoken implication of the flight had been: "Look at all this land, all this beauty. Alaska is so big and bountiful, there's room for both the forest industry and preservationists."

We had half an hour to enjoy the scenery and I decided to hike a bit higher. As I fought up the steep slope I thought, "Maybe they are right. Perhaps it is fair to give them some of the lowlands if they leave us all the spots that look like this." Finally I reached the top and looked over to the next valley. Also blessed with a sparkling lake, it could have passed for a double of the valley we were in, with one exception. All its forests had been clearcut.

Don't try to tell a logger about ecology. Without fail he will draw himself up and say, "The forest is my livelihood—you don't think I'm going to do something that will put me out of business, do you? I'm the ultimate environmentalist." From what I saw, "final environmentalist" might be more apt.

Basically, loggers are "ecologists without prejudice." This means that at any given time they are practicing what they call ecologically sound methods of cutting, but they freely admit they might make some changes if the economics of the situation shifts or if the Forest Service requires it (or—and this is not said—if the Sierra Club raises a big enough outcry). Whenever they became "more ecological" they mercilessly criticize their old ways and add them to the general category of "mistakes of the past"—like the disastrous cutting of West Virginia's Monongahela and Montana and Idaho's Bitterroot, and the burning of much of the Pacific Northwest.

Unfortunately, not all of the industry's unecological activities fall into the "past" category. Many are still with us today, although you'll never get a logger to admit it. Two examples:

Several months before the trip I received a press release from my avid correspondents in Boise Cascade Corporation's public relations office. In it they described their pride and joy, a machine that would essentially "eat" all the parts of trees that are unsuitable for lumber. Called a "chipper" in the trade, Boise Cascade's was so advanced it could shred branches, leaves, roots, stumps—everything—and turn the material into something suitable for paper production and God knows what else. The press release stressed the ecological soundness of the breakthrough—no more messy debris lying on the ground, no more burning of slash, and best of all maximum utilization. Innocent that I was, I never imagined that they hadn't used a machine like this in the past, so I was simultaneously impressed and relieved.

Then to Alaska, where, lo and behold, there are vast amounts of debris on the ground after the clearcutters have finished and moved on. Astounded, we asked our guides, "Why do you leave all the branches, leaves and stumps behind? There are tons of usable material here per acre."

Did they respond that it was too expensive to clear away? Not technologically feasible? No—they said, "Ecology!" The material, we were told, is necessary to replenish the nutrients to the soil. Apparently, ecology cuts both ways. (Later, a Forest Service employee told me that the government will soon require the companies to remove more

of the slash; the regulation had met with heavy opposition from the industry.)

So much for my first environmental lesson. Here's the second.

Next to preservationists, the industry's most hated foe is fire. For years the loggers have pleaded with people to be careful with matches and campfires to preserve the forests. Then, when conservationists began to decry clearcutting, the industry turned around and explained that it was merely mimicking nature's own methods—forest fires—and providing openings in the woods for wildlife forage and seedling regeneration. That was the "we're-clearcutting-the-forest-to-save-it" routine, and for a while it silenced the opposition.

Soon thereafter, however, scientific studies appeared showing that one of the real benefits of fires is the addition of carbon to the soil—and carbon is certainly not created during clearcutting.

Did this ecological revelation affect the timber companies who were flaunting their environmental purity? Well, yes. They continue to clearcut as usual, but they are now carrying on additional studies with the Forest Service (on U.S. land) to determine if a "controlled burn" can result in higher yields!

One of the highlights of the trip was a side excursion to watch balloon logging, a widely publicized ecological innovation by the industry—and another ecological lesson for me. Balloons, which are being experimented with in Alaska and Oregon, are touted by the industry and the Forest Service as more ecologically sound than traditional methods because the logs are not dragged across the ground by a steel cable but are floated across by a huge helium-filled balloon and dropped in a loading area. It is fascinating to watch the balloon shuttling back and forth across distances as great as 3500 feet, carrying three huge logs every return trip.

We were all frankly entranced by the apparatus and, while we stared skyward open-mouthed, the operator extolled the virtues of the method (which is heavily subsidized by the Forest Service at present). In contrast to what we had seen earlier, balloon logging certainly seemed far superior ecologically, and I began to feel pride for this courageous Alaskan logging company which had suffered under the ridicule of its competitors. Those feelings didn't last long, though.

"So this is really more ecological?" I asked.

"You're damn right," he stated. "Why, the Forest Service would never let this area be logged with conventional methods. This watershed is used for drinking water. Without the balloon these trees would stand forever."

Frankly, although I can't say that I joined the Forest Institute expedition with a completely open mind, I did go to Alaska hoping that I would be pleasantly surprised by the forest practices that I saw. Just as frankly, I wasn't. The word "ecology" has slipped into the loggers' vocabulary like a chain saw into a tree, but the understanding—the basic *respect*—isn't there. Nature in her providence will heal all scars, the Alaskan mentality runs, and when she exacerbates the problem—erosion and wind damage, for instance—she would have done so anyway. "I can take you a hundred miles into the uncut forest and show you erosion" was a statement I heard more than once.

They have no concept of environmentalism, either. In one broad-ranging discussion of environmental problems, my complaint about the unbelievable noise inside the sawmill we toured drew blank stares and then the virile retort, "The men up here can take it." What was I doing changing the subject to *noise* for, anyway? In Alaska, "environment" too often means the great outdoors, being able to fish all by oneself, being able to cut trees all season for $30,000 and then moving on. If the bears are driven away, well, there are plenty of bears. If the air is slowly getting polluted, well, I was told, the salt from the ocean spray also pollutes the air.

Watching Alaska today is watching California 80 or 90 years ago and realizing that we haven't learned a hell of a lot.

The Biggest Going-Out-of-Business Sale of All Time

(By Peter Harnik)

I didn't know it at the time, but while I was making last-minute preparations in late June to go on a for-journalists-only tour with the American Forest Institute to view forestry practices in Alaska's Tongass National Forest, Michael Frome was testifying on the very subject of the national forests before the U.S. Senate's Agriculture Committee. As conservation editor of *Field & Stream* magazine and as a life-long lover and observer of our nation's forests, Frome is eminently qualified to speak on the subject—and he rarely misses an opportunity to do so. This time, on June 26, he said:

"[Forest Service] Chief [John] McGuire is now presiding over liquidation of the national forests as we know them. His budget has been slashed. Hundreds of employees will have to be dropped. The programs to be hurt most will be non-logging—recreation, wildlife, wilderness and environmental reviews—making the multiple use concept an even more hollow mockery than it has been. The orders from upstairs are plain; streamline the Forest Service apparatus to concentrate on commodity production *now* and let the future care for itself. The scene in forestry is the same as in energy. Call it a crisis if you must, but give the big boys what they want."

In Alaska's Tongass, the largest of the nation's 154 national forests, the "big boys" are certainly getting what they want. They are getting vast quantities of wood that is being cut faster than it can regrow (a violation of federal law) and they are taking it in a manner that precludes any other forest uses for generations or even centuries to come (another legal violation). The forest is being cut despite a woeful—some observers say willful—dearth of environmental safeguards. And worse, the forestry practices continue despite an appalling lack of simple, basic statistical information.

Who is responsible for the sad state of our national forests? In one sense, of course, it is the timber companies who plundered their own lands in the past and, unwilling to face nature's facts of life, have moved on to the "last frontier"—the public's land. It is commonly observed, for instance, that all the controversy over an "environmental plan" for the future of the national forest would shrivel if it weren't for the fact that much of your and my forested areas are slated to be cut down and sold sometime in the future. As the Sierra Club's Dick Lahn put it, "Get the timber boys out of the national forests and the rest of the environmental problems will practically solve themselves."

In another sense, though, the timber companies are not all to blame. Leave a house unlocked long enough and it is certain to be looted. And in this case, the sleeping night watchman is the U.S. Forest Service.

Not that Congress hasn't provided the Forest Service with the tools to secure its legacy against burglary. Among other regulations on the books is the much-publicized Multiple Use-Sustained Yield Act of 1960, a law which very likely has been violated more often than the Internal Revenue Code. Put simply, the law requires that the national forests be managed in such a way that the five major uses—timber, recreation, forage, wildlife and watershed protection—be treated as equals. This is called multiple use. It also mandates that the amount of timber cut not exceed the amount naturally regrown by the uncut portions of forests. This is sustained yield. The concepts are simple enough for a child to understand; only a mad mathematician, however, could have implemented the laws the way the Forest Service has. In fact, with the help of the Sierra Club's brilliant forester, Gordon Robinson, here is one example of the Forest Service's chicanery. Coincidentally, it involves the Tongass.

In 1956, the Alaska Lumber and Pulp Corporation contracted with the Forest Service to harvest 5.25 billion board-feet of timber over a 50-year period from about one-eighth of the forest (a board-foot is a board one foot square and one inch thick). As Robinson testified in April of this year, "The purchasers began logging about 1959, and complained immediately that the amount of timber in the sale area was grossly exaggerated. Complaints continued over the years until finally in 1969 the regional forester appointed a joint survey team to determine how much commercial timber remained in the 50-year allotment . . . They reported that the commercial timber in the remainder of that allotment was overestimated by the stupendous amount of 797 percent."

That is not a typographical error. The area contained only 12.5 percent of the timber the Forest Service had sold. Extrapolating that error factor, Alaska Lumber and Pulp presumably would have to cut down the whole Tongass National Forest to get its contracted 5.25 billion board-feet—but the company would then run right into Ketchikan Pulp Company, further to the south, which is presently cutting its 8.25-billion-board-foot contract (and finding that that too has been overestimated).

Some of this information was revealed to me while I was in Alaska. Understandably, neither Forest Service personnel nor loggers would be eager to admit that they are better at cutting down trees than adding up board-feet—but it certainly makes one wonder if our so-called timber crisis is merely a crisis on paper. And it certainly proves that, in Alaska at least, neither multiple use nor sustained yield is being practiced. Robinson studied a U.S. Plywood Company contract (now tied up in a Sierra Club lawsuit) and determined that the entire contracted area would be cut in 58 years even though the trees require 120 years to replenish themselves.

I learned most of these facts after I returned to Washington since this material is not readily available in Alaska—and, of course, there wasn't enough room in our press packets for *everything*—but a number of us expressed our intuitive uneasiness about the seemingly excessive rate of cutting that we saw. The American Forest Institute (AFI) response to such charges is that 49 billion more cubic feet of timber has been grown than been cut in the last 15 years. Most of that growth, however, is unharvestable, and much of it is taking place in the so-called "Third Forest," the herbicide, pesticide and fertilizer soaked pine monoculture of the southeastern states which numerous ecologists and biologists are warning is an unstable, unecological artificial forest that is wide open to destruction by insects and disease.

"Anyway," I said to AFI Vice President George Cheek, one of our hosts, "you specifically told us at the beginning of the trip that we were to keep in mind that every forest is different, that we couldn't compare Maine with Georgia or Oregon with Alaska. To say that chemically inspired growth 5000 miles from here balances overcutting in the Tongass seems to violate your warning." In addition, it violates Forest Service regulations which do not permit a nationwide balance sheet but require sustained yield on much smaller units known as "working circles."

In answer, an Alaskan logger interjected

that that sustained yield arguments were important but not as significant as the massive housing shortage the nation is facing, nor as important as the skyrocketing price of lumber.

He was clearly annoyed at my questions, so I tried to brush the discussion off humorously. "You mean," I said, pointing to a huge clearcut, "you've cut all this wood and there's *still* a shortage?"

"Well, this wood here, of course," came the reply, "this wood all goes to Japan."

Alaska isn't being sold down the river, it's being sold across the ocean. The Japanese are buying everything they can get their hands on, and the Alaskans I met (admittedly not a representative sample) are loving every minute of it. The housing crisis is great propaganda for journalists from New York, Chicago, Los Angeles and Washington, but it's a straw man; the Japanese Yen is what counts in Sitka and Ketchikan.

"This wood is going to *Japan?* I kept asking. The Tongass is going to Japan? Our national forest, *my* national forest is being shipped overseas while the timber interests continue to raise cries of timber shortage?

My outrage apparently is not unique. Cheek obviously faces it frequently, for he calmly replied that the U.S. imports a great deal of lumber from Canada and elsewhere and, were we to shut off the U.S. outflow to Japan, the Japanese would soon take over these other markets. That argument, however, doesn't hold water.

First of all, Canadian export policy is for Canadians, not Americans, to decide upon. If our northern neighbor wants to sell its forest overseas—or to the United States, for that matter—that is its prerogative. I would hope that Canadian environmentalists demand the same safeguards, precautions and protection that we (however unsuccessfully at present) are demanding—but we certainly have enough domestic problems to keep up occupied without making foreigners' decisions for them. And let's not forget that Canada is a foreign nation, not a cold storage unit for U.S. timber and other resources.

Second, there is nothing wrong with exporting surplus materials. What we find with timber, though, is that it is in short supply here and much of what is exported comes directly or indirectly from the national forests, our public land. In the Tongass, it's a direct giveaway; elsewhere, private companies often sell their private lands' timber to Japan and substitute public timber for the domestic market.

Third, don't lose sight of the profit picture—the real reason for the complexity and obscurity that marks the situation. Timber exported to Japan is profitable because the Japanese pay the best prices. National forest timber is profitable because the Forest Service partially subsidizes the operation and reduces costs. Timber imported from Canada and elsewhere is profitable because foreign loggers get paid less than ours do. The forest industry is plundering our own environment, the Japanese consumer and the Canadian worker. Domestic sap and foreign sweat—that's what George Cheek's salary is paid from and that's what financed my free trip. "Free," that is.

Several days after I returned to Washington, I attended a meeting called by the Forest Service to discuss the agency's environmental plans for the future, specifically for the next 10 years. We were a diverse group, half industry representatives and half conservationists, and the Forest Service personnel—including Chief McGuire—played their "gosh-guys-we're-caught - in - the - middle - again" routine to the hilt. The cattlemen want more grazing land. The skiers want more resorts. The motorcyclers want more land for their bikes. The miners want more minerals. The dam builders want more electricity. Homeowners want second and third homes. And of course, don't forget the timber industry. Everything was phrased in terms of "needing" resources and "taking" them from the national forest.

Sadly, the Forest Service doesn't understand its job. Its duty is to protect and oversee the resource that is the national forest system—not divide up the commodities contained in that resource and sell them to the highest bidder. An exhausted copper mine, an overgrazed pasture and a clearcut watershed *are not resources,* and the "resourcefulness," for lack of a better word, of the system as a whole is diminished every time a contract to cart away goods is signed.

But the Forest Service's real problem these days is that it looks upon itself and its much-plundered holdings as the cure-all for the many problems the United States faces. This is due partly to bureaucratic audacity and partly to a gross underestimation of our problems. Just a few more billion board-feet of wood, the logic runs, and we'll have decent housing for all. A couple million more acres of grazing land and there will be steak on every supper table. Another coal mine and brownouts will be a thing of the past.

Notwithstanding Chief McGuire's optimism, these are not temporary aberrations in our economy which we are generously rectifying by opening the forest door to special interests. Though the door keeps opening wider, the problems continue to intensify. Is our society recycling more these days in order to combat the shortage of paper and the wastage of glass and aluminum? No, we're recycling less than we were 20 years ago. Are we preserving and rebuilding old housing to mitigate the wood shortage? No, we're abandoning and tearing down more buildings than ever before. Are we teaching that good nutrition doesn't mean beef twice a day? No, we're demanding more meat all the time. And where do we look to resolve these and other problems? The national forests. The forest *reserves* that were specifically created to be a retreat from the mainstream of the American economy—not its vortex.

The United States is locked into so many wasteful, unecological practices that not even the incredible bountifulness of the national forest system can rescue us if we do not radically mend our ways. My recommendation to John McGuire—and to his close friend, George Cheek—is to look at the forest. Help us mold our society along the ecologically sound model of the forest rather than cutting it down to serve our arrogant society's endless desires.

TOUGH TO CONTROL GRAIN GAMBLERS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. ZWACH. Mr. Speaker, I am gravely concerned over the trading done on commodity futures which sent prices of some products soaring and made hundreds of thousands of dollars for speculators while being of little benefit to the farmers themselves.

My concern in this area is shared by many of our Minnesota editors. An example is an editorial by Gordon Duenow of the St. Cloud Daily Times which I would like to share with my colleagues by inserting it, with your permission, in the RECORD.

Mr. Duenow's editorial says, in part:

Wild trading on commodity markets in the past year hiked food prices to record levels while proving of little benefit to farmers. For instance, the price of soybeans nearly quadrupled, rising to $12.27 per bushel in July when farmers had little, if any, to sell. Now the price has dropped back to less than $6.50. Wheat still is high although the price of corn has dropped. While few farmers benefited from the high price level in effect before 1973 crops were harvested, gambling on the futures market had a tremendous impact on consumer food prices. The Labor Department reported a 6.2 per cent rise in the wholesale price index, and a 10.8 per cent jump in the retail price index during August. If the trend was to continue, food prices would be almost 75 per cent higher next year than they are now.

Behind the spurt in prices of grain and other commodities were a number of factors. The gamblers went into action following announcement of the massive sale of $1.1 billion worth of grain to the Soviet Union—one-quarter of this country's annual wheat production, plus large quantities of corn, soybeans and feed grains. Worldwide agricultural conditions didn't help any either.

Now with record and near record grain crops being sold by farmers, prices are considerably lower in most instances. We wouldn't be surprised at all to find prices climbing again when the farmers have sold their corn and grain.

REPUBLIC OF CHINA CELEBRATES THE DOUBLE 10TH

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. HUBER. Mr. Speaker, today marks the 62d birthday of the Republic of China. This birthday is traditionally celebrated not only by her own citizens, but by Chinese overseas and in Chinese communities in the United States.

Led by Dr. Sun Yat-sen, the Manchu Empire was overthrown in 1911 and Asia's first republic was born. In commemoration of this uprising and subsequent overthrow, October 10 became the National Day of the Republic of China. As this is the 10th day of the 10th month, it is called the Double Tenth holiday.

Much grief and sorrow have attended the growth of the Republic of China. As a weak and disunited nation, it had to struggle against both the Soviet Union and an aggressive Japan who were vying for supremacy in Asia prior to World War II. Subsequently, China underwent invasion by Japan and later civil war with the Communists. When the last of the Kuomintang Government fled to Taiwan in 1949, nearly everyone was prepared to write off the Republic of China. But this did not happen. Free China prospered and grew to be one of the richest nations in Asia.

Now we have what is in effect a two China policy, but down the road it is said we will have to break diplomatic relations with the Republic of China as a precondition of establishing full diplomatic relations with the People's Republic of China. This would be a mistake in my view. My hope is that we see the Republic of China celebrate many more Double Tenth holidays as a friend and good trading partner of the United States. I wish her well.

U.S. BASIC INDUSTRIES IN BAD SHAPE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. GAYDOS. Mr. Speaker, on several occasions in the past I have taken the floor to discuss a situation I feel undermines the very existence of our Nation as we have known it. I have strongly maintained that when a nation loses the ability to produce for itself, when it must rely on selling the products produced by the labor of other peoples, then that nation is in serious trouble.

I cannot emphasize how concerned I am, therefore, to see the rapid conversion of the United States from the world's greatest productive source into the largest international discount house for foreign-made goods.

Mr. Speaker, similar views were expressed by Charles H. Dyson of the Dyson-Kissner Corp. in an interview conducted by the noted columnist Elliot Janeway. Mr. Janeway observes that America has exceeded Britain in relinquishing her home markets to foreign competition and framing policies which pinch her basic workshop industries. I insert a copy of Mr. Janeway's interview, which appeared October 3 in the Pittsburgh Press, into the RECORD for the attention and consideration of my colleagues:

[From the Pittsburgh (Pa.) Press, Oct. 3, 1973]

U.S. BASIC INDUSTRIES TERMED IN BAD SHAPE

(By Elliot Janeway)

Measuring a country's progress by its ability to graduate from producing goods to enjoying services has become one of the most seductive ideas of our time.

America is by no means alone in having been lured by the theory. Even such a hard-boiled, national-minded industrial country as Sweden is toying with it. But America has outdone even Britain in ceding her unparalleled home market to foreign competition and, moreover, in framing national policies which pinch her basic workshop industries.

Charles H. Dyson is the prototype of an industrialist. Hard-goods manufacturing industries are his stamping ground. His corporate vehicle is the Dyson-Kissner Corp., which owns positions in many public companies. Realism is his forte. Whether times are better or worse, he sees American industry needing no end of money just to stand still running hard.

JANEWAY. Are you worried about the future of manufacturing in the United States?

DYSON. Yes. The basic industries face a tough time ahead because their current profits are not big enough to provide adequate dividends for their stockholders, as well as the capital needed for new equipment. This is a major problem. I don't know where the investment money for modernization is going to come from without tax support. I do know that a lot of it is needed—beginning now.

JANEWAY. Since these companies are not earning money they need for the investment they dare not defer, won't they be forced to borrow at today's intolerably high interest rates? The alternative, theoretically, would be to raise equity money, but I doubt they could—even at today's low prices.

DYSON. It's certainly not a very promising climate in which to raise capital or to go into debt.

JANEWAY. Because of this credit crunch, do you see a slowdown?

DYSON. Right now, I visualize a fall-off in the building industry. It's coming now because there's no mortgage money available.

JANEWAY. Recently, a major New York commercial bank announced a 10 per cent rate of interest on savings deposits, with only a $1,000 minimum for four- to 10-year money. What effect will this have on the mortgage-making operations of the savings institutions and, therefore, on building?

DYSON. Probably a drastic effect, because a tragic thing has been happening. People who usually put their money in savings accounts are now taking it out and putting it into other areas, where they can get a 7, 8, or 9 per cent return. It's easier to take out savings than to cut living expenses. The end result is no mortgage money. The building industry is going to suffer unless the government makes mortgage money available.

JANEWAY. How do you think heavy industry generally will fare?

DYSON. Many suppliers of basic industries have inefficient plants and their first reaction will be to try to cut expenses. The closing of those inefficient plants will take place. This won't take place immediately, because everybody's an optimist, and those plants will keep going longer than they should.

JANEWAY. Do you think there is any chance that the American economic pendulum will swing back to giving priority to the heavy industries?

DYSON. So far the swing has increased capacity utilization, but earnings have lagged behind. I don't think the swing will be greater than that, because once the European or Japanese prosperity starts to taper off, the finished products they produce will be used as a weapon against us.

TRIBUTE TO J. VAUGHAN GARY

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. DENT. Mr. Speaker, while saddened by the occasion, I am grateful for the opportunity to join my colleagues in paying tribute to one of our own who is no longer with us, Vaughan Gary.

Vaughan was not only a fine legislator whom I might even refer to as a statesman, but a beautiful human being who I was happy to call my friend.

The harmonious relations which we enjoy today with many of the nations of Europe can be attributed in part to the fine work which Vaughan Gary did while he was a Member of Congress. He was also given a Distinguished Service Award by the Treasury Department for his diligent and productive efforts as chairman of the Appropriations Subcommittee for the Department of the Treasury. This is a singular honor for one of our Members and one for which I have the deepest respect.

I have missed Vaughan since he left Congress. To me he was the very prototype of a real southern gentleman—a pleasure to know and to work with. I extend my very deepest sympathies to his wife and his family. I know that their loss is so much greater than ours.

FOUR STARS FOR ADMIRAL RICKOVER

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. HOSMER. Mr. Speaker, recently columnist Bill Anderson of the Chicago Tribune took note of Admiral Rickover's receipt of a new star in the context of a hometown Chicago boy who made good. The informative and complimentary column follows:

RICKOVER: MORE RANK AND MORE WORK

(By Bill Anderson)

WASHINGTON.—The scrawny little boy who used to deliver telegrams in Chicago to earn an education has finally been vindicated in this city that sometimes seems to have more losers than winners.

However, there was an absence of gloating from the winner, Adm. Hyman G. Rickover, when the Senate gave him the fourth star of rank. To one friend he said, "Hell, what difference does it make as long as I do my job? I could do my job as a seaman second class. Nature knows no rank."

And the 73-year-old Rickover also mused, "Rank is like jewelry—the old women are the ones who get the jewelry, and it really is the young ones who should get it."

Those who know Rickover well understand he wasn't joking. For at least 20 years it has been a matter of record that a large number of officials here, not to mention corporate titans, would have liked to have seen Rickover sent out to pasture while he was still a captain.

The Navy actually tried to get rid of Rickover, who happens to have a gross disdain for stupidity.

But thru some rare actions during the 1950s, Congress told the Navy to hold onto Rickover. The brass did, and he went on to become the father of the nuclear navy. At the same time, he blistered a variety of sacred cows, not only in the Navy, but in the world of corporations and education. Nevertheless, altho he was kept on beyond the normal retirement date, he reached only three-star rank.

Events of this last week, however, culminated in the Senate [in three minutes, without objection] voting Rickover his fourth star. It was a tribute led by Sen. Henry M. Jackson [D., Wash.] in specific recognition for Rickover's testimony which proved vital to the successful drive for maximum funds to build a new-type submarine to be called the Trident.

The conventional gossip has had it that "hawk" Rickover had been "leaning" on his many friends in the Congress, applying pressure and even calling in IOUs. That wasn't the approach of Rickover, according to one wavering U.S. senator who had talked to the admiral.

The admiral pointed out that it would be a waste of money [perhaps in the billions] to start a proposed slowdown on the Trident because many assembly lines would have to be shut down and then later restarted. People would also have to be retrained.

Rickover also said, "War is horrible . . . a great human waste. . . . We are also now facing a great global crisis in energy, which is even more reason to do away with war." It would be far, far better, he said, to put national energies into seeking solutions to food and fuel problems than making plans for people to shoot each other.

Since Trident, like the Polaris and Poseidon ballistic missile submarines before them, is designed as a deterrent, Rickover closed his argument: "Senators, my advice is that if

you feel Trident will lessen the chances of a war, then you should vote for the measure. If you feel that it won't, then don't."

The argument—backed by Jackson's use of quotations from Rickover to sell Trident during a rare closed session of the Senate—swung the votes of at least five senators. In effect, the pleas were decisive, because the program passed the Senate by only two votes—49 to 47.

To friends, tho, Rickover took an almost modest back seat.

Observers of Rickover noted that the promotion did nothing to slow down his pace of activity. For just a moment, his personal staff thought of breaking his schedule with a small celebration. That, however, is not the style of no-nonsense Rickover. It was back to work, on a 12-hour office day schedule, with notes and writing to do at home that night.

"In World War II, we dug up too many of our resources and just threw them in the ocean," he told us. "Our resources are of a deeper significance than the world has ever faced before . . . far, far deeper than people realize." Then he went back to work.

TWO ADVANCES FOR THE SPINAL CORD INJURED

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. McKINNEY. Mr. Speaker, the care and treatment of the spinal cord injured is of special interest to me and many of our colleagues. It was with great satisfaction that I learned of two advances in this area which signal the beginning of a new era.

Recently, the National Institute of Neurological Diseases and Stroke—NINDS—approved a grant of $3 million to Yale University School of Medicine to study all aspects of spinal cord injury. In line with my own proposal for a network of regional spinal cord centers throughout the nation, this effort will deal comprehensively with the injury from acute care treatment, to training of personnel in the specialty, to coordinating hospital services in the area. The Institute's action is most gratifying to me because it answers a most pressing need and the work will take place in Connecticut under the direction of a most able physician and educator, Dr. William F. Collins, professor and chairman of the Department of Neurology at Yale.

On another front, there is renewed hope that someday we might find a cure for paraplegia and quadriplegia. These varying states of paralysis are caused by injury to the spinal column. Until this time, man has relied solely on surgical and rehabilitative techniques to treat this dysfunction with no real hope of recovering the damaged area. Unlike other cells in the human body, neurons in the spinal column do not reproduce themselves. In the last several years, however, dedicated scientists and doctors have voiced hope that they might find a way of stimulating growth to mend the spinal cord.

The major thrust of this research is being coordinated by NINDS under the direction of Dr. Donald Tower. I would like to commend the initiatives of the Institute in this area. At the same time, I would like to single out my colleague, Congressman OVAL HANSEN, for special praise. It was Congressman HANSEN who first informed Congress of the need for this research and then fought for the necessary appropriations to insure the establishment of a viable program.

Mr. Speaker, like many of my colleagues, I am interested in the field of rehabilitation. This new field of research goes well beyond our expectations for the future. Therefore, I would like to include the following article by Robert G. Dicus which will expand on my brief outline and assist in understanding the meaning of this work.

The article follows:

CNS REGENERATION RESEARCH

(By Robert G. Dicus, B.A.)

Medicine, like most applied sciences, functions from knowledge founded upon certain basic truths or fundamental laws. As medical progress is made and new scientific discoveries shed new light, existing medical concepts should be reviewed and reevaluated. The current status of central nervous system CNS regeneration research will be reviewed in this article, and specific orientation will be made to its application toward a possible cure for spinal cord injury (SCI) and disease, and other CNS problems.

HISTORY OF CNS RESEARCH

One medical hypothesis upon which most health professionals base their therapeutic programs for the SCI patient is the assumption that paraplegia and quadriplegia are permanent, irreversible health conditions. This proposition has been promoted on the premise that CNS degeneration is a permanent and incurable problem. Dorland defines degeneration by the statement: "When there is a chemical change of the tissue itself, it is *true* degeneration."

The SCI and CNS degeneration hypothesis has dictated a paradoxical approach by health professionals in the treatment and care of paraplegics and quadriplegics. Doctors had virtually abandoned all SCI research since a cure, until recently, was considered to be impossible, and had concentrated patient care and therapy in the surgical and rehabilitation areas with emphasis on the patient's residual functional potential. Recent reports of advances in functional neuromuscular stimulation, both with skin surface electrodes and muscle or nerve implants, have perpetuated research efforts in areas other than in a cure for CNS degeneration.

Another artifact of these problems has been the instruction to the patient, usually by the diagnosing physician, that the patient should accept the prognosis and should not spend his efforts and money in the hopeless quest of a miracle cure. This philosophy has been justified by the premise that these CNS patients should be spared the disillusionment of false hope. In their frustration at having no cure to offer, physicians have more often than not instilled in the minds and hearts of such patients a *no hope* indoctrination. The same aura of hopelessness has also been transmitted to the families and health professionals attempting to rehabilitate these patients.

The accumulated frustrations of this feeling of hopelessness, as engendered by the SCI treatment paradox, was recently pointed out in a Journal article entitled, "What Do You Tell a Twenty-Year-Old Quad?" In succeeding months, after the appearance of this provocative poem, two authors addressed separate articles to answering this question, interestingly, neither of their replies dealt with, nor even suggested, the possibility of cure for SCI patients through CNS regeneration research. The CNS degeneration hypothesis is still very dominant in the thinking of health professionals.

NEW DEVELOPMENTS IN CNS RESEARCH

At the present time, no known cure for either paraplegia or quadriplegia exists; however, new scientific evidence is causing a modification of the CNS degeneration hypothesis. This modification indicates that a need no longer exists for us to continue to support, the thinking that paraplegia and quadriplegia are incurable health problems.

What has happened to cause this dramatic shift in our thinking?

Paraplegics and quadriplegics, thankful for the therapeutic approaches that have been taken in their rehabilitation, have not been content to accept the premise that CNS problems are incurable, In January 1970, through the National Paraplegia Foundation (NPF), the hope of all CNS patients for a cure to their problems rose. The NPF invited twenty-two scientists to meet in Florida to consider the application of new technology to the enigma of central nervous system regeneration. The reports and exchanges of information among the scientists dealt with recent research work and discoveries in their particular fields of study, e.g., genetics, neurology, anatomy, immunology, physiology, and molecular biology.

The published conclusions of this remarkable conference follow:

The path of future research seems rather clear. The process of collateral sprouting must be investigated physiologically and biochemically as well as histologically. The process of protein synthesis, transport and degradation in neurons can now be studied biochemically and autoradiographically, and attention needs to be focused on the regulatory mechanisms that determine the relative rates of these processes. Neuronal specificities must be further investigated by biochemical studies in tissue culture. The temporal factors resulting in changes of nerve specificities during embryonic development and perhaps during adult life must be investigated more extensively. Finally, the dynamics of the metabolic or trophic interactions between all cells of the central nervous system, neurons, neuroglia, and vascular elements, must be thoroughly analyzed. There is no guarantee that a concerted attack on these problems will resolve the enigma of regeneration in the mammalian central nervous system, much less result in a cure for paraplegia. But as of today the problem should not be considered insoluble. This noteworthy conclusion was agreed upon by all the conferees.

These areas for future research have been reported and discussed in terms of the present levels of knowledge with particular reference to collateral sprouting, growth of the neuron, neurotrophic interactions, and nerve specificities.

The published research reports appearing in the literature since the NPF conference dealing with CNS regeneration research are an indication of the impact of the conference and the renewed hope for a cure of the SCI problem. Veraa has reported that twenty-two major articles have appeared in the *Journal of Experimental Neurology* along between the date of the conference and his article entitled, "New Hope for a Paraplegia Cure," published in January 1972. Since 1971, nine related articles have appeared in *Science* on the following subjects: a model of the structure of cell membranes, the influence of Golgi apparatus on cell surfaces, a new look at how cell membranes work, the first histochemical evidence of noradrenaline nerve terminals in human cerebral cortices, the metabolism of noradrenaline and adrenaline, the molecular biology of synaptic receptors, the newly discovered fast transport of materials in mammalian nerve fibers, the depression effect of colchicine on synaptic transmission, neurotransmitter function, and quantal

mechanism of neurotransmitter release. In addition to the new knowledge contained in these articles, accompanying reports of new research techniques and instrumentation offer even broader vistas for discovery of the solution leading to a cure for CNS degeneration.

The Scientific Advisory Committee of the NPF, which will evaluate and appropriately recognize these research efforts is composed of prominent scientists including Chairman, Dr. W. F. Windle, Denison University, Ohio, Dr. Carmine D. Clemente, chairman of the department of anatomy at the University of California at Los Angeles; Dr. Lloyd Guth, head of trophic nerve function of the National Institute of Neurological Disease and Stroke (NINDS); Dr. Francis O. Schmitt, chairman of the neurosciences research program at Massachusetts Institute of Technology; and Dr. Richard Sidman, professor of neuropathology at Harvard Medical School.

The mobilization of forces at the federal level in support of this revitalized CNS regeneration research effort has been crystallized under the drive and leadership of the Honorable Orval Hansen (D.-ID). In an address before his colleagues in the House of Representatives on July 21, 1971, Hansen reported on the NPF effort and called for additional federal support in the search for a paraplegia cure.

On February 24, 1972, Congressman Hansen again addressed the Congress to report on further developments and to recommend specific steps to be taken. He stated that the first step should be the establishment of a Section on CNS Regeneration Research within NINDS. Following this accomplishment, a second step would be the establishment of a National Trauma Institute "which could not only perform research into regeneration and repair of all types of traumatic injury, but could also establish a tissue bank that could furnish direct assistance to victims of all kinds of disasters."

Moving quickly, Congressman Hansen reported the achievement of the change in name of the NINDS Section on Trophic Neurofunction to the Section on Nerve Regeneration on April 17, 1972. The significance of this change is that it lends credence and validity to the scientific theory underlying nerve regeneration. Further, it establishes the groundwork for additional federal funding and research in the area of CNS regeneration research.

The second annual conference on regeneration in the central nervous system convened in Florida in May 1972. Sir John C. Eccles, Nobel prize winner in medicine, chaired this meeting. The conference highlight was the announcement of the first recipient of the NPF $10,000 research award for outstanding research efforts in this area. The co-recipients of the award were Dr. William F. Windle and Dr. Rodger W. Sperry.

Dr. Windle, a long-time research pioneer in CNS degeneration problems, was honored for his original research in which he demonstrated the possibility for the regeneration of nerve fibers across the severed spinal cord. Dr. Windle's original research on neuronal regeneration in the central nervous system was reported in 1952.

Dr. Sperry, of the California Institute of Technology, was honored for his basic research of factors responsible for functional regeneration in the CNS and concepts of chemical selectivity in the establishment of appropriate nerve connections.

An additional contribution by Dr. Ian McDonald of London was noted by Chairman Eccles. Dr. McDonald reported his research in restoring nerve fiber function where the nerve fiber has failed to conduct impulses even though the fibers have not actually been severed. Also, the findings in this report indicate the possibility of imparting function to new regrowing fibers.

The implications of the successful achievement of the NPF-sponsored renaissance of CNS regeneration research go far beyond the SCI problems. Success in this area could also hold the cure for other CNS patients; e.g., the cerebral palsied, patients with congenital nerve deafness, stroke victims, and the nerve blinded.

CONCLUSION AND SUMMARY

The status of CNS regeneration research and the stimulus of the NPF in the catalytic role of giving a rebirth of hope for a cure for SCI patients has been reviewed. The effect of new knowledge, new techniques, and new effort in this research area have been examined as they relate to old concepts and conditioned thoughts about the insolubility of CNS degeneration problems. Dorland defines regeneration as "the renewal or repair of injured tissue."

While our therapeutic efforts have been directed toward the patient's residual potential, ample scientific evidence supports a modification of the old insoluble CNS degeneration hypothesis. Further, it does not seem contradictory to report to a twenty-year-old quad that a rebirth of scientific research may help to obtain a cure for SCI patients. Although it is true that no demonstrable evidence yet indicates that a cure is imminent, this does not mean that SCI and CNS degeneration health problems are insoluble. There is realistic hope that CNS regeneration research will be the key to unlock the solution to these thorny problems. Also tell a twenty-year-old quad that physicians are but mortal men, and they too yearn for this solution. While this solution is being sought, SCI and CNS patients can help in these ways: 1) support worthy research efforts such as the NPF program, 2) cooperate with those health professionals who would assist us to prevent secondary health complications and to rehabilitate our residual potential, 3) apply energy to help others to help us to help ourselves. Who is more worthy of our help?

Ten years of quadriplegia tell me this is so.

WE NEED A NEW MINIMUM WAGE BILL

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. ERLENBORN. Mr. Speaker, it is basic to our legislative process that we assemble here from all parts of the United States to make regulations by which 210 million people can live together in this country. Of necessity, this means that nobody always gets his way, a fact which is impressed daily on those of us on the Republican side of the aisle.

We of the minority have known for some time that we cannot get the kind of minimum wage bill we want. Hence, in the belief that half a loaf is better than none, we have sought compromise.

The chairman of our General Labor Subcommittee (Mr. DENT) tried in 1972 and again in 1973 to get his whole loaf, and he failed both times. Perhaps it is time for him to come to the understanding which has been visited upon us—that a good compromise is better than an arbitrary minimum wage bill.

The people at the bottom of the wage scale now are making $64 a week in most urban jobs. That is not much. They would like to be making $70 or $75, and I do not blame them.

Our chairman, however, says they cannot get a raise—not until he gets everything he wants. I believe people at the $64 level would like to have the chairman do more legislating and less politicking with their pay scales.

U.N. PROPERTY TAX EXEMPTIONS

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. PEYSER. Mr. Speaker, Congressman ED KOCH and I have today introduced a bill to make certain compensatory payments to States and political subdivisions with respect to United Nations property tax exemptions.

On June 26, 1947, an agreement between the United States and the Secretary-General of the United Nations was signed. This agreement entitled the members of the United Nations "the same privileges and immunities as the U.S. Government accords to the diplomatic envoys accredited to it, and the staffs of these envoys." Accordingly, the governments of the States directly affected by the presence of the United Nations chose not to tax property owned by the United Nations or by any of its delegates.

Since 1947, the city of New York and surrounding communities have lost through tax exemptions almost $100 million on properties owned by foreign governments. In Westchester County, N.Y., by its proximity to United Nations headquarters in New York City, where 132 countries have a major consulate, its cities, towns, and villages have been losing thousands of dollars every year because they cannot collect taxes on land and houses owned by foreign governments. The city of Yonkers alone has tax exempt homes occupied by members of the United Nations worth $234,000.

In New York City, there are property tax exemptions on United Nations buildings, lands, missions, consulates, and official residences amounting to about $7 million yearly in lost revenue.

There is no reason why these and other such municipalities affected by the presence of the United Nations should not be reimbursed by the Federal Government. It certainly seems befitting that this lost local tax revenue should be replaced by the Federal Government, since the entire Nation benefits from the reciprocal tax exemptions provided to U.S. diplomatic missions abroad.

At a time when our local governments are hard pressed for revenues for such vital services as police and fire protection, housing, education, and the like, the Federal Government should not add to the burden by permitting local responsibility for tax exemptions on properties owned by the United Nations and its delegates.

Just as the United States has argued ever since the United Nations was found-

ed that one nation should not bear the fiscal responsibility for a world organization, the citizens of Metropolitan New York and other affected areas throughout the country are justified in maintaining that they should not be burdened with a responsibility which should be shared by the entire United States.

I hope the House will take speedy action on this bill to bring relief to our localities. The text of the legislation follows:

H.R. 10849

A bill to provide that the Secretary of State shall make certain compensatory payments to States and political subdivisions with respect to United Nations property tax exemptions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of State or his delegate shall, not less frequently than annually, pay to each State or political subdivision thereof an amount equal to the amount of revenue which he determines that such State or subdivision would derive during the year from real property taxes on exempt United Nations property if such taxes were imposed on such property.

(b) For purposes of this Act, the term "exempt United Nations property" means real property (including residential property) which is exempt from real property taxes imposed by a State or political subdivision by reason of its ownership by the United Nations or by any delegate to, employee of, or other person or organization connected with, the United Nations.

SEC. 2. The first section of this Act shall apply with respect to fiscal years ending after the date of the enactment of this Act.

J. VAUGHAN GARY

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. MORGAN. Mr. Speaker, it is with deep sadness that I have learned of the death of J. Vaughan Gary, whom I came to know as a distinguished colleague and valued friend during his 20 years in Congress.

Vaughan Gary was a true servant of the people, not only of the Third District of Virginia which he so ably represented but also of the Nation at large.

He was a man of diligence and impeccable integrity. He was a man of wisdom and courage. His contributions will be long appreciated.

A lawyer by profession, he joined the Army in World War I, worked as counsel and executive assistant of the Virginia Tax Board in 1919–24, served as a member of the Virginia House of Delegates in 1926–33, and in many civic and humanitarian capacities. By the time he came to the U.S. House of Representatives in 1945 he already had compiled an enviable record of public performance.

As a Member of the House, Vaughan Gary was especially noted for his dedicated efforts for many years on the Appropriations Committee. He held the chairmanship of the Treasury-Post Office Appropriations Subcommittee. He was active in behalf of an effective Coast Guard.

In paying tribute to him, I wish to refer particularly to his important role in the early years of the foreign assistance program. He was a leader in supporting the Marshall plan which helped rebuild the war-shattered nations of West Europe.

I mourn his passing and offer personal condolences to all members of his family.

THE PENSION REFORM BILL, H.R. 4200

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. McCLOSKEY. Mr. Speaker, the impact of the pending pension reform bill, H.R. 4200, on small businessmen cannot be overestimated. For the benefit of my colleagues, I am inserting in the RECORD at this point, the comments on this problem of an individual who is an expert in the administration of pension plans under the existing law, and whose firm serves as an administrator of over 300 such plans. I believe it particularly important that the House note the fact that H.R. 4200 would require six new reports and two additional Treasury returns to be filed each year by every pension plan administrator, no matter how small the plan.

We have reached a point where the complexity of governmental regulations, the numerous variety of governmental taxes and the sheer volume of reports required to be made to the Government are combining to force small businessmen out of business, or in the alternative, to merge with large corporations in order that the high cost of overhead can be met from the larger revenues involved.

At a time when we are desperately seeking productivity, and yet attempting to preserve the viability of small businesses, I think we should give particular attention to simplifying the reporting requirements we impose on small business. There is a point at which the benefits to the Government by precise information are outweighed by the need to relieve individual businessmen and small companies of requirements which make them unable to compete in today's world. We can destroy the free-enterprise system by overregulation as easily as by Government control. In this vein, I feel the following comments of Mr. Lawrence Gilsdorf on H.R. 4200 seem particularly worthy of close attention:

It was purportedly the idea of the Bill to protect the rights of employees under Pension Plans and to set up various rules that would help in getting some fifty million workers covered who are not currently covered by pension plans. During July, 1973 the Senate Finance Committee reported out S1179 which did all of these things plus, added some completely new sections dealing with "closing the tax loop-hole" of Professional Corporations and other closely held corporations that incorporated in order to set up plans to benefit the highly paid shareholder employees. I can't help but believe the Treasury Department had their hand in the drafting of this part of the legislation to a great extent because of the effectiveness with which they virtually closed off the viability of *all* small corporation pension and profit sharing plans. From the Senate Congressional Record, it would appear that there was an absolute Senate mandate that there should not be any discrimination against small businesses and that all businesses should be treated alike.

There are some major problems with the thrust of the Bill as it relates to the small to medium-sized pension or profit sharing plans. The two major problems that I will refer to later in my step-by-step analysis of the Bill are: 1) The Bill attempts to require more reporting requirements that are excessive and burdensome for small to medium plans and 2) the Bill attempts to raise more tax dollars by (a) limiting the maximum benefit that a plan can provide to 75% of salary, with a maximum annual pension of $75,000 and (b) limiting a money purchase pension plan (i.e., a plan which promises a certain contribution every year) to 20%.

The reporting requirements are excessive in that they will be too expensive for a small plan and will inhibit the growth of small plans. I am sure it will be safe to assume that the minimum annual cost to administer a plan today would be $500. If you assume that the typical small plan contributes $10,000 per year to a plan, you can see that the cost is a full 5% of the annual contribution. With the advent of the new IRS forms 4848 and 4849, I believe that it is possible for the Treasury Department to gather all of the information which the Bill legislates that the government should have. I am sure that you can see that the auditing tax of $1 per participant and the re-insurance premium of $1 per participant set forth in the Bill will easily cost 10 times the amount of the tax or premium in preparation time and training time for a 2 or 3 participant plan.

The other major problem is the maximum 75% benefit in a plan and a maximum 20% money purchase pension plan. Please note in Exhibit C, I have set forth a plan providing a benefit of 75% of salary at retirement for forty-six employees ranging from 65 to 20, each with an annual salary of $100,000. Looking to the last column on the right, you can see the annual contribution required to fund that benefit. Since the Bill also provides that there will be a minimum of 10 years funding of the plan, if you look at an employee 65 who will retire at 75, his annual contribution will be $39,000 or 39% of his salary. Since a 75 year-old has less life expectancy than a 65 year-old, you will see that the percentage of salary goes up to 63% for an individual starting a plan at age 55. From there it drops down for young employees. Looking at an employee aged 40, the corporation need put aside only 12.778% of his salary or $12,778 in order to fund a benefit for him of 75% of salary. Obviously, under this provision, most profit sharing plans that have any employees under age 40, would be prohibitive. With an employee aged 20, it is necessary to put aside only $3,295 in order to provide a $75,000 per year pension benefit (or $229.50 if his salary is only $10,000 per year). Obviously, this percentage is ridiculously low. Since in most corporations the "proprietary employees" are older, it would be discriminatory to allow them a larger contribution than the maximum allowed to a younger employee, and therefore the contribution for the "proprietary employee" would have to be drastically reduced. This, needless to say, would cause smaller contributions for everyone and less pension for everyone. As you can see in Exhibit B, 10 out of these 17 companies would be affected by the maximum 75% benefit. I am sure that at least 60% of all small to medium-sized plans would be affected by this provision. It would cause mass termination of plans and severe cutbacks.

The 20% limitation on Money Purchase Pension Plan should be raised to 25% since obviously this was the intent of Congress when it legislated a maximum of 25% contribution under Code Section 404(a)(7) for a corporation that has 2 plans.

Those in the Senate who favored 75% limitation on benefits and 20% on contributions with the stated intent to eliminate tax avoidance for high tax-bracket taxpayers' income taxes. This reasoning is totally fallacious, since these taxpayers are not avoiding income tax, but only *deferring* income tax. With a 75% benefit for a high tax-bracket taxpayer, I think it can be readily seen that his retirement income, which, under the current law would be taxed at ordinary income tax rates if taken in installments, obviously is in a 50% tax bracket. I submit to you that to allow him to *defer* taxes is good for the country and the economy in a number of respects:

(1) The Social Security system is only funded some 5 months in advance. The accrued liability on the part of the government is fantastic in that the Social Security system must pay out billions of dollars in the future for benefits already earned. There would not be enough money to send out Social Security checks 5 months from now should Social Security taxes not be paid today. These deferred taxes from the private pension plans would help to defray this emerging liability of the Social Security system.

(2) Pension funds provide a massive amount of capital for the economy. In the sense that they are not spent on luxuries or current living expenses, they are non-inflationary.

(3) Since it is a requirement that the contributions be non-discriminatory, when a large amount of pension dollars are put aside for higher paid employees, large numbers of pension dollars are also provided for lower paid employees which puts less of a strain on the Social Security system, the Welfare Program, State Disability Insurance Programs and the economy as a whole.

(4) Providing larger pensions, often, is the only way that a small company can attract and hold competent employees. Larger companies have a tremendous advantage in other employee benefit areas and having a good retirement plan is one of the few ways that a small corporation can attract good employees. This is good for the economy, in that it would counter the monopolistic trend of business.

On each section of the Bill I have the following comments:

Section 151: Duties of Plans. The reporting requirements in Section 151 should be deleted entirely. Some reference can be made to existing reports and perhaps adding penalties for not filing existing reports. I particularly object to the last three lines of Section 151(f) wherein we have the classic situation of reporting on reports.

Section 201(a): One Year Waiting Period. Requiring that a one year waiting period be the maximum waiting period for entry into a plan, would be very hard on small corporations. Current regulations allow a waiting period of up to five years. Most corporations would rather have a relatively short vesting schedule, but a longer waiting period. That is typically how small plans are handled now. Requiring a one year waiting period and allowing a longer vesting schedule would not affect the cost to pay a given retirement benefit, however, a shorter waiting period and a longer vesting schedule will cause more employees to come into the plan and take less benefits out of each. This is not good for the employer in that it is costing more in administration costs and it is not good for the employees in that it is one more broken promise. This provision should therefore be amended to 5 years or at an absolute minimum, 3 years.

Section 201(a): Minimum Age 30. Relatively few small plans ever use a provision for minimum age in that they could not satisfy the qualification requirements of Code Section 401(a)(3)(A) and it could also cause dissension among the employees. If the Bill should make this requirement, it would not affect most small plans.

Section 221(a): Vesting. You will note in Exhibit B that only one of the plans would be affected by the vesting provision. The vesting provision would affect very large plans and collectively-bargained plans, and I would defer to the comments of the people who administer those plans.

Section 241(a): Minimum Standards Related to Funding. You will note in Exhibit B that none of the plans are affected by this provision since most small plans cover future service only or usually will write off the past service liability over a 10 year period.

Section 301: Portability. Portability is basically an excellent idea. It will be extremely expensive for a small plan. Note in Section 305(c), we have one more report.

Section 401: Plan Termination Insurance. Basically, I agree with the idea of the Plan Termination Insurance, however, the idea of calculating premiums, the idea of making the company liable for part of the loss, and the idea of calculating further premiums to negate the company's liability are all certainly complex. Perhaps it would be a good idea to have a study on how this is done with government employees that move around to various branches of the government and thereby try to see how effective and how costly it would be for small businesses. Please note in Section 443(b), we have one more report. Please note in Section 462(d), the subordination of debt and what effect this will have on the borrowing capacity of a small corporation when they have a pension plan. Plan assets of small corporations could be substantially larger as a percentage of total financing than the percentage for a large corporation. Please note in Section 465, one more report. Please note in Section 481(c), one more return.

Section 501(a): Disclosure and Fiduciary Standards. I agree that there should be some fiduciary standards established for plans over and above the standards already in existence. However, I strongly object to the special limitations on "Proprietary Employees" contained in Section 511 of 15(c)(1) of the Welfare and Pension Plans Disclosure Act. This provision is extremely discriminatory and since I believe it is the intent of all Congressmen to knock out this provision, it should also be deleted in this Section as well as in 412(c)(1) of the Code.

Section 601: Tax Court Procedure. Once the tax court has made a judgment relative to a certain situation, would it be possible to force the IRS in the future to abide by that ruling in other like situations? Many times we find that even though the tax court has ruled for the taxpayer in a certain situation the Internal Revenue Service will not live by that decision in other like situations.

Section 641: Excise Tax For-Auditing. Please note that this is one more return that the plan must file.

Section 671: Enrollment and Reports of Actuaries. Please note that this is one more report that must be filed.

Section 701: Retirement Savings Limitation on Proprietary Employees Contributions Taxation of Certain Lump Sum Distributions. I agree with the increase in the deduction allowed for HR–10 plans and the allowance of deductions for Individual Retirement Plans. However, I strongly object to the limitations imposed in Section 702(a) regarding retirement plans for "Proprietary Employees". As I mentioned above, I believe that this whole concept should be deleted from the Bill.

Section 703: Taxation of Certain Lump Sum Distributions. The 1969 Tax Reform Act made a mess out of the calculation for lump sum distributions. This simpler form form is far superior.

Section 704: Contributions on Behalf of Self-employed Individuals and Proprietary Employees. If I read this correctly, (a)(4) was amended to read "all Corporate Employees" as per Section 706(f). If that is correct, then all employees are limited to a maximum 75% pension regardless of the type of plan. As I pointed out above, and also, what is obvious from the Study Exhibit C, this would play havoc with virtually all plans that have an employee under age 40 in the plan. If the 75% limitation were imposed it would cause mass termination and curtailments of plans.

Section 706(g): Penalty for Failure to Furnish Information. Please note in Section 6691, one more report required.

Respectfully yours,

TRUST CONSULTANTS, INC.
LAWRENCE J. GILSDORF,
President.

Enclosure.

BENEFIT FORMULA—LEVEL FUNDED—75 PERCENT OF SALARY—LESS 1/10 FOR EACH YEAR UNDER 10—ELIGIBILITY=18,65 W/1 YR—FUND ASSUMPTIONS: 6 PERCENT (TO) CURRENT, ANNUITY RATES, LIFE OCC

Age	Sex	Years service			Monthly salary	Monthly pension	Monthly social security	Total pension	Value at retirement	Total deposit
		RT	Past	Future						
65	M	75	1	10	8,333.33	6,250	269	6,519	5,458.52	39,068.56
64	M	74	1	10	8,333.33	6,250	269	6,519	5,702.56	40,815.24
63	M	73	1	10	8,333.33	6,250	269	6,519	5,941.07	42,522.34
62	M	72	1	10	8,333.33	6,250	288	6,538	6,188.12	44,290.57
61	M	71	1	10	8,333.33	6,250	288	6,538	6,430.04	46,022.08
60	M	70	1	10	8,333.33	6,250	288	6,538	6,677,35	47,792.16
59	M	69	1	10	8,333.33	6,250	288	6,538	6,670,22	47,741.13
58	M	68	1	10	8,333.33	6,250	288	6,538	7,167.43	51,299.84
57	M	67	1	10	8,333.33	6,250	288	6,538	7,414.00	53,064.63
56	M	66	1	10	8,333.33	6,250	309	6,559	7,242.18	51,834.85
55	M	65	1	10	8,333.33	6,250	309	6,559	7,431.63	53,190.81
54	M	65	1	11	8,333.33	6,250	309	6,559	7,431.63	46,828.34
53	M	65	1	12	8,333.33	6,250	309	6,559	7,431.63	41,558.96
62	M	65	1	13	8,333.33	6,250	309	6,559	7,431.63	37,130.18

BENEFIT FORMULA—LEVEL FUNDED—75 PERCENT OF SALARY—LESS 1/10 FOR EACH YEAR UNDER 10—ELIGIBILITY=18,65 W/1 YR—FUND ASSUMPTIONS: 6 PERCENT (TO) CURRENT, ANNUITY RATES, LIFE OCC—Continued

Age	Sex	RT	Years service: Past	Years service: Future	Monthly salary	Monthly pension	Monthly social security	Total pension	Value at retirement	Total deposit
51	M	65	1	14	8,333.33	6,250	309	6,559	7,431.63	33,361.65
50	M	65	1	15	8,333.33	6,250	309	6,559	7,431.63	30,121.07
49	M	65	1	16	8,333.33	6,250	309	6,559	7,431.63	27,309.24
48	M	65	1	17	8,333.33	6,250	309	6,559	7,431.63	24,850.25
47	M	65	1	18	8,333.33	6,250	309	6,559	7,431.63	22,685.08
46	M	65	1	19	8,333.33	6,250	331	6,581	7,431.63	20,767.10
45	M	65	1	20	8,333.33	6,250	331	6,581	7,431.63	19,059.02
44	M	65	1	21	8,333.33	6,250	331	6,581	7,431.63	17,530.62
43	M	65	1	22	8,333.33	6,250	331	6,581	7,431.63	16,157.18
42	M	65	1	23	8,333.33	6,250	331	6,581	7,431.63	14,918.29
41	M	65	1	24	8,333.33	6,250	331	6,581	7,431.63	13,796.89
40	M	65	1	25	8,333.33	6,250	331	6,581	7,431.63	12,778.70
39	M	65	1	26	8,333.33	6,250	343	6,593	7,431.63	11,851.59
38	M	65	1	27	8,333.33	6,250	343	6,593	7,431.63	11,005.24
37	M	65	1	28	8,333.33	6,250	343	6,593	7,431.63	10,230.80
36	M	65	1	29	8,333.33	6,250	343	6,593	7,431.63	9,520.63
35	M	65	1	30	8,333.33	6,250	343	6,593	7,431.63	8,868.12
34	M	65	1	31	8,333.33	6,250	355	6,605	7,431.63	8,267.49
33	M	65	1	32	8,333.33	6,250	355	6,605	7,431.63	7,713.71
32	M	65	1	33	8,333.33	6,250	355	6,605	7,431.63	7,202.33
31	M	65	1	34	8,333.33	6,250	355	6,605	7,431.63	6,729.43
30	M	65	1	35	8,333.33	6,250	355	6,605	7,431.63	6,291.55
29	M	65	1	36	8,333.33	6,250	355	6,605	7,431.63	5,885.59
28	M	65	1	37	8,333.33	6,250	355	6,605	7,431.63	5,508.82
27	M	65	1	38	8,333.33	6,250	355	6,605	7,431.63	5,158.76
26	M	65	1	39	8,333.33	6,250	355	6,605	7,431.63	4,833.20
25	M	65	1	40	8,333.33	6,250	355	6,605	7,431.63	4,530.16
24	M	65	1	41	8,333.33	6,250	355	6,605	7,431.63	4,247.85
23	M	65	1	42	8,333.33	6,250	355	6,605	7,431.63	3,984.63
22	M	65	1	43	8,333.33	6,250	355	6,605	7,431.63	3,739.03
21	M	65	1	44	8,333.33	6,250	355	6,605	7,431.63	3,509.73
20	M	65	1	45	8,333.33	6,250	355	6,605	7,431.63	3,295.50

TRIBUTE TO HON. J. VAUGHAN GARY

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. MAHON. Mr. Speaker, one of the truly great Americans with whom I have served in Congress was the late Vaughan Gary of Virginia. I was deeply saddened when I learned of his death.

Because we served together on the Appropriations Committee for nearly 20 years, our paths crossed almost daily. We were intimate friends.

During the time Vaughan was in Congress, he served as a member of the following appropriations subcommittees: State, Justice, Commerce, and Judiciary; the District of Columbia; Legislative; General Governmental Matters; Treasury and Post Office; Mutual Security; and Foreign Aid. During his career in Congress he served as chairman of the latter three subcommittees.

Vaughan Gary was a Virginia gentleman in the finest tradition of the State. He was always kind and considerate, articulate, and firm but never bombastic. He was a scholarly person and truly one of God's noblemen.

He was beloved by members of the committee upon which he served and by his other colleagues and the staff who worked for him.

He wrought well for his State and constituency and for the Nation he loved.

Following his retirement from Congress, I had the privilege of seeing him from time to time. He always maintained the wonderful spirit which had been characteristic of him during his congressional service.

I am deeply pleased to have had the honor of paying tribute to the memory of Vaughan Gary of Virginia.

FORMER HEW SECRETARY COHEN SAYS REVENUE SHARING A HOAX

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. BRADEMAS. Mr. Speaker, one of the principal points of contention between President Nixon and Congress has been the administration's so-called revenue-sharing proposals.

When President Nixon originally proposed in 1969 that the Federal Government turn over substantial amounts of "no-strings" money to States and municipalities, he assured us he was talking about new money and that existing programs would not be reduced.

But, as has so often been the case with this administration, we have learned that "watch what we do, not what we say" is the appropriate rule for judging the veracity of the President's promises in this regard.

During the recent American Bar Association convention here in Washington, former Secretary of Health, Education, and Welfare Wilbur Cohen delivered a brief but devastating analysis of what he referred to as the revenue-sharing "hoax".

Dr. Cohen's comments were right on the mark, and I include his speech at this point in the RECORD:

REVENUE SHARING: A HOAX?

(By Wilbur J. Cohen, dean, School of Education, the University of Michigan)

The position of Secretary of Health, Education, and Welfare is one of the most interesting, significant, important, and challenging positions in our Nation. Last year the total private and public expenditures for health, education, and welfare approximated 25 percent of the total gross national product.

I must admit that I did not leave that office on January 20, 1969 of my own free will. My involuntary retirement was due to forces beyond my control.

I am delighted that Secretary Weinberger and the President have appointed a former Secretary, Arthur Flemming, to a key Presidential position in the Department. With this precedent my hopes for possibly returning to the Department in 1977 are rising with each day of television.

I am one of the former Secretaries of H.E.W. who does not believe the job was or is an unmanageable one. In this connection I join with my Republican colleagues, Secretaries Folsom, Flemming and Richardson who enjoyed their responsibilities—and I might add, they carried them out with distinction.

I should add that the position is so volatile that none of the nine previous Secretaries of H.E.W. has yet served more than three years. I wish Secretary Weinberger well. He has two and one-half years to go to break the record. I think Hank Aaron will get there first.

I began today's discussion by stating some of my biases and prejudices. While I am a Democrat, I was not appointed Secretary of H.E.W. because I was a political figure. I have publicly supported President Nixon's proposal for a Department of Human Resources and for welfare reform, and continue to do so. I have opposed his vetoes of H.E.W. appropriations and legisation and will continue to do so.

AN IRATE CITIZEN SHARES DISAPPOINTMENT WITH REVENUE SHARING

My position today is that of an irate, depressed, and disappointed citizen voicing my indignation against the cruel, mistaken, misguided social policy of the present Administration with respect to its handling of many aspects of health, education, and welfare.

With respect to Federal revenue sharing, I also believe the Administration policy has been one of deception. It was proposed by the Administration as an *additive* source of

revenue and instead they have used it as a *substitute* source to save money.

Mayor Kevin B. White of Boston has said: "I'm one who fought for the basic tenets of the New Federalism, in the form of general revenue sharing, for the past three years. I don't know now what I have, except that I have less money in the short run and probably the prospect of less money in the long run."

Governor Jimmy Carter of Georgia has said: "Revenue Sharing has been a cruel hoax. Our state's $36 million in revenue sharing per year, was off-set by $57 million lost in funds when Title IV–A and Title XVI of the Social Security Law was first amended . . . The President's proposed new budget will cut Georgia payments on programs by at least $174 million more."

REVENUE SHARING—DECEPTIVE ADVERTISING

Congressman Charles W. Whalen, a Republican from Ohio, has stated: ". . . It is evident that General Revenue Sharing offers less 'new money' than advertised, and it is categorical commitments. Had I been aware last year that Congress was being 'led down the primrose path', I would have voted against HR 14270."

These are not my words. They are the words of Mayors and Governors.

Federal revenue sharing was adopted by Congress on the recommendation of the present Administration. It was ushered into legislative reality under false pretences and enacted at the wrong time to meet a problem with a shotgun when it required only one or two rifle shots carefully aimed.

I now proceed to the issue of who should call the tune in Federal revenue sharing.

I don't take the position with regard to health, education, and welfare legislation that the State knows best; or the locality knows best; or even that the taxpayer or voter knows best. It depends upon what the problem and the issues are.

I wouldn't turn over the key issues in the national social security or Medicare program to be decided by the States or localities. Nor would I suggest that garbage collection should be handled by the States or the Federal Government. Some functions must be handled by all three levels: such as police and judicial functions.

As secretary of H.E.W., I opposed proposed legislation to turn over to the Federal attorneys and Federal courts key matters of enforcement of alimony and child support of welfare recipents where parents were in different States. On the other hand, I strongly supported Federal legislation to have a single national standard for determination of the status of wife, child, and marriage for eligibility of social security benefits financed by a nationwide Federal tax.

PUBLIC PROBLEMS WILL NOT YIELD TO SIMPLISTIC FORMULA

Let us not, therefore, be lulled into believing that there is a single, simplistic Federal, State or local, a central or local formula for solving all public policy issues, or that local is better than Federal or Federal better than local *per se*.

I submit that what we should look for is an effective partnership between the Federal, State and local levels and the public and private enterprise on health, education, and welfare programs. And that is where the present Administration is most vulnerable. The Federal-State cooperative system of welfare, health, and education is at its lowest status in years. Morale of State Commissioners is at the lowest level since the Department was formed in 1953. Governors, mayor and State officers have lost confidence in the ability, integrity, and wisdom of the present leadership in H.E.W. and OMB.

SPECIAL REVENUE SHARING

The Nixon Administration has submitted four Special Revenue Sharing programs to the Congress. They have two major characteristics: to consolidate existing categories and give the states and/or localities greater discretion in the use of Federal funds.

SOME CONSOLIDATION JUSTIFIED

I favor consolidation of categories of Federal aid wherever desirable and feasible. I strongly supported the proposal enacted in 1972 to substitute one single category of welfare payments for the three separate ones dealing with the aged, the blind, and the disabled. I strongly supported one single legislative enactment, adopted in 1972, for four separate categories of social services. These were rational, desirable, and acceptable consolidations.

But I would be against consolidating the funds for West Point and Annapolis with the Headstart program simply because they both deal with education. I would not recommend putting in the same legislative format the funds for educating the pages in the Senate with the funds for the Smithsonian Institution simply because they both deal with education.

I would not put Federal funds for elementary and secondary education along with higher education in the same structure because they have historically been handled separately in the States and because the public-private constitutional and political issues are different in the two areas.

What I am trying to say is that one has to consider the similarities and differences, the historical background, the tradition, the constitutional, legal, economic and political issues before making a determination as to what level of government shall do what in connection with which Federally financed program and how categories are to be consolidated or related.

MANY DOMESTIC PROGRAMS SHOULD BE KEPT OUT OF POLITICS

I maintain that there are Federally operated programs which are well run when politics is not allowed to enter into the administration of the programs.

The Social Security progam is efficiently and effectively administered. It pays 30 million persons every month. And the administrative cost of handling the cash benefits is only 2.4%—a splendid record.

The National Institutes of Health is an outstanding research agency. It has helped to expand and extend medical research without a taint of politics. And it distributes some $2 billion a year.

The National Science Foundation is Federally operated in an effective and nonpolitical manner.

Probably the most inefficient and discriminatory program in the United States is the administration of the local property tax. Probably the most political of all programs are the local zoning decisions. Probably the most graft-ridden program is the local police in some communities.

But the most basic criticism of both general revenue sharing and special revenue sharing is that they have been used by the present Administration to try and reduce the Federal financial role in improving social programs and to reduce the Federal role in providing aid to minorities, the disadvantaged, and the poor. Yet under Federal revenue sharing localities are using the funds to build tennis courts and golf courses. I don't think that kind of decentralization is what this country needs at this time.

ADMINISTRATION'S ACTION UNDERCUT CONFIDENCE IN ITS LOCAL CONTROL INITIATIVE

How can one have faith and confidence in the purported belief in "decentralization" and "local control" in an Administration which during the past three years:

1. Is withholding money from States and localities which is clearly due them under prior policies.

2. For proposing changes in the regulations dealing with social services which would have restricted State and local options and which the Congress stated was in direct conflict with the intent of Congress.

3. Reversed in the courts for failure to carry out its statutory responsibilities affecting the States in education and welfare.

4. Secretary Richardson was reversed and repudiated by the President in the Secretary's effort to reach a compromise with Senator Ribicoff on the welfare proposal which resulted in the defeat of the welfare revision.

5. A Commissioner of Education has resigned in protest.

6. The Commissioner of Social Security resigned because he couldn't support the cutbacks proposed by the Administration in Medicare.

7. The head of the National Institutes of Health was fired for no public reason.

8. The head physician in the maternal and child health program resigned in protest over the lack of support for these programs.

9. The Deputy Commissioner of Higher Education resigned in disillusionment over the Administration's failure to adequately support the 1972 education legislation.

10. In 1968, I issued regulations, with the approval of the appropriate Committee of the American Bar Association, to give welfare clients the ability to appeal to the courts for judicial review with the cost to be borne by the State agency with the appropriate portion paid by the Federal Government. This Administration has repealed that regulation which was aimed at giving the poorest the same effective opportunity for access to the courts as does every other person.

Is this a record of pride? Is it a record of decentralization? Does it demonstrate that we should have confidence in the wisdom, propriety, ability or social idealism of the present Administration? I say "No."

AMERICA'S IDEALISM NOT SERVED BY REVENUE SHARING

I maintain that revenue sharing—general and special—as proposed by the Nixon Administration, is a hoax, a snare, a delusion which takes us away from dealing with our major social problems. Until we return to redesigning Federal programs to deal with the problems of the inner city, the disadvantaged, the poor, the minorities, and the heavy tax burdens of the poor- and middle-income earners, we will continue to see a frustrated and confused American people. But even more so, the greatness, the vitality, the idealism, the productivity of the American people will not be released and fostered by the policies of revenue sharing under the guise of decentralization, consolidation, or simplification.

A LOOK AT NO-FAULT DIVORCE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mrs. GRIFFITHS. Mr. Speaker, Vera Glaser has taken a hard look at our short experience with no-fault divorce. In a series of five articles, she notes its meaning both emotionally and economically to the parties involved. At this time, I would like to insert in the RECORD the first article in this excellent series, which appeared in the Miami Herald, The article follows:

[From the Miami Herald, Sept. 18, 1973]

NO-FAULT DIVORCES: FOR BETTER OR WORSE?

(By Vera Glaser)

(In the past three years, the "no-fault" idea has been written into the divorce codes in 43 states. The method sounds like a simple, honest, recrimination-avoiding ap-

proach to ending a marriage. And it often is. But "no-fault" and divorce don't automatically go together any better than love and marriage.

In this five-part series, beginning today, Vera Glaser examines some of the ramifications of "no-fault," including the economic backlash, the growing ease with which child support payments can be sidestepped, and the National Organization for Women's doubts about the new divorce laws.)

WASHINGTON.—New-style "no-fault" divorce is catching on like gangbusters.

It's easier, faster, and usually less bitter to end a marriage that way because neither party has to take the "blame."

Since California pioneered the "no-fault" concept three years ago, all but seven states have included some form of it in their divorce codes.

It's civilized. It's modern. It cuts the emotional finger-pointing and name-calling say marriage counselors, psychiatrists, and some of the 15 million Americans who have experienced divorce.

It's more honest, less demeaning to the courts. No need now for trumped-up tomcatting or perjury, say lawyers and judges.

But the "no-fault" coin has another side.

While mercifully dissolving marriages not made in heaven, and some that have ossified on earth, its "quickie" aspects kill off others that time and effort might have saved.

And while "no-fault" is swift and has an easy sound to it, it hasn't made divorce any less an economic disaster for both parties. In certain types of cases, the absence of fault-finding has left clearly wronged parties lacking even the sort of economic balm they would get if they had been hit by a careless driver.

ECONOMIC BITE

Ex-wives in particular feel the economic bite. Although spectacular divorce settlements among the rich and famous capture headlines, and the belief persists that most ex-husbands are alimony-poor, the dollar inch hits the average ex-wife harder. With "no-fault" she's even worse off and may be forced onto welfare.

Under "no-fault" a marriage can be dissolved by one or both partners by citing "irreconcilable differences," "incompatibility," or "irremediable breakdown." Some states merely require a separation period.

Charges of adultery, desertion, drunkenness and the like are not necessary.

In some states, the judge may delay the decree for a few months if small children are involved, but rarely is it denied.

Perhaps hardest to take is the knowledge that removing fault also removes a spouse's leverage for a better economic settlement.

John F. is an example. A Californian in his early 40s, he was shaken and close to tears as he poured out his woes to his lawyer.

John's wife, Betty, 13 years his junior, had run off with his best friend, culminating a secret months-long affair. The F's have a four-year-old child.

Do the circumstances lessen John's legal obligation to his family? Not necessarily.

"He'll have to support his wife and child in spite of what she's done," F's attorney said in San Francisco—because of "no-fault."

Under the old law, Betty would have been the "guilty" party. The court would have allowed her child support, but no alimony, and probably less than half of their jointly owned property.

A FLORIDA CASE

In Florida, another "no-fault" state, Leonard S. is divorcing his wife, Helen, after 18 years of what he terms "boredom and lack of communication." They have two teenage children and an income in the $35,000 range.

Early in their marriage Helen worked as a secretary to help Leonard earn his graduate business degree. With the career she helped build now beginning to pay off, she is being "ditched for a younger model," to use her words.

As Helen's lawyer summarizes it, under "no-fault" "the discarded spouse is being treated about the same as if she's run out on him. She'll get some support for the kids and some personal maintenance—maybe six months to a year—to tide her over until she finds a job."

Since Helen and Leonard have not been married 20 years, she can't share his Social Security and Medicare.

She'll reenter a youth-oriented job market with limited earning power, and the ills of middle age are looming.

Law professor Michael Wheeler, author of a forthcoming book on "No-Fault Divorce," doubts it has changed the dynamics of marriage, but says, "It changes the necessity for a man to persuade his wife to give him a divorce. He no longer has to make as many concessions on property and children's custody as he did before."

DIVORCE STATISTICS

As of now, one out of every three U.S. marriages break up. Sixty per cent of them involve children under 18.

"It's frightening," said Virginia Anne Church, a family law specialist in Clearwater, pointing out that the Florida Supreme Court has ruled that a marriage can be "irretrievably broken if one party wants out, even if the other is a "perfect" spouse.

Maryland Gov. Marvin Mandel's much-publicized "walkout" will take longer to reach the divorce court. He has left his wife of 32 years for a younger woman, but unless Mrs. Mandel cooperates, a three-year separation will be required under state law. If Mrs. Mandel agreed the marriage could be dissolved in one year.

However, Maryland has retained some "fault" provisions in its code, and Mrs. Mandel if she wished, could sue her husband now under those provisions for desertion and/or other charges. She probably could demand—and get—a handsomer settlement than the judge would award at the end of three years under "no-fault."

Michigan's "no-fault" law, after about a year in operation was found not always to expedite divorces. Sometimes it re-focused acrimony to child custody and property fights.

ESSENTIALLY UNILATERAL

Divorce lawyer Elizabeth Guhring, who practices in Maryland, Virginia and the District of Columbia criticizes "no-fault" as "essentially unilateral divorce. If one says the marriage is beyond repair, that's it. The other can plead, think, wish and hope. It doesn't matter. That bothers me terribly."

Most of Miss Guhring's clients are men who she says "either outgrow their wives or put up with a lousy wife for 15 years. They want out, and they've reached a point where they can afford to get out."

Among her women clients, she says, a growing number are in the late 50s, married 25 years or more.

Studies show that men have initiated most divorce actions over the years, although wives usually bring the formal charges. The women's movement is beginning to change that trend.

No matter how amicably a couple approaches divorce, bitterness usually develops over child custody and finances.

In most breakups, husband and wife work out their property split, child custody, and support arrangement in a written agreement drawn up with the help of their lawyers.

The judge may approve it routinely, or change it to what he regards as "fairer." If the parties can't agree, as often happens, the judge decides, guided by state law.

Most judges have wide latitude. They are human, fallible, and they sometimes hand down bad decisions.

"The court sits there and plays God," said attorney Harry Fain of Beverly Hills, Calif. "The decisions you get are not so much a question of law, but of character, bias, temperament and personality of who sits in judgement."

AWARDS DWINDLING

In Los Angeles County, Calif., where divorce traffic is among the nation's heaviest, judges and lawyers report that awards to women are dwindling, but they attribute it to women's growing independence, rather than "no-fault."

"There's a recognition that husbands have been getting stuck," said presiding Juvenile Court Judge William P. Hogoboom.

"Women simply have to recognize they can't have it both ways. If they want to be independent, great. But if they want doors opened for them, they must be somewhat subservient to men," he said.

Could some of the marriages be salvaged?

Lawyer Fain thinks five to 10 per cent could be, with proper counseling.

"They come to me saying, 'I don't want a divorce, but I can't do anything about it,'" he said. "Ninety per cent of them can't afford it. It seems to me some should be salvaged."

Fain worries that "we're rubber-stamping divorces on what amounts to a two-minute hearing. The courts have abdictaed their function of trying to maintain whatever tenuous thread there may be in the marriage."

CAPTIVE NATIONS WEEK IN FREE CHINA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. DERWINSKI. Mr. Speaker, for well over a decade the Republic of China has consistently sponsored the most impressive annual observance of Captive Nations Week. The 1973 week was no exception. In fact, it was the most extensive and best yet. Naturally it was directed at the largest captive nation of them all, namely the some 700-million mainland Chinese.

As further encouraging examples of the week's observance, the following should be of keen interest to our Members: first, highlights of Dr. Ku Cheng-kang's address at the Taipei rally in July; second, excerpts from President Chiang Kai-shek's message; and third, the main points in Vice President Yen Chia-kan's address.

The address follows:

ADDRESS BY DR. CHENG-KANG

Vice President Yen, Distinguished Guests, Ladies and Gentlemen: Today in the wake of U.S.-Soviet summit talks and the Conference on Security and Cooperation in Europe, the whole world on the surface is occupied by thick air of cold peace. Behind the Iron Curtain in the East and the West, however, captive people are waging new series of anti-Communist struggles. Examples include the recent escape of 50 Russian workers to Sweden, the quest of freedom by East Germans leading to the destruction of the Wall by angry West Berliners, and the quickened influx of Chinese mainland refugees into the Hongkong-Macao area. There are adequate evidences that the Iron Curtain people are forcibly striking back at the international

appeasers who are acting contrary to the flow of time. All these evidences signify a new development in the anti-Communist movement. It is therefore of particularly great timely significance that we people from the Republic of China's various circles are gathered here today to call upon all the freedom-loving people of the world to join forces for stepped-up support to the captive people's struggle for freedom.

The advancement of science is enabling man to conquer the space. On the earth, however, Communist tyranny is still being allowed to keep human beings in servitude. All the Chinese in the free area are deeply aware of the graveness of their responsibility to save the compatriots on the mainland. All the people of the free world must keenly take note of the solemn moral responsibility in restoring the captive people to freedom.

For the whole world to work for an early return of freedom to the enslaved masses, we must positively continue to expose Communist peace plots, break through the dark current of international appeasement, and turn the tide of the world that is now deplorably lost in fear and suspicion. To do these things, we must join all the freedom forces, both behind and outside the Iron Curtain, and make heroic struggles toward a final victory for freedom.

In the Iron Curtain areas, we must call upon the captive people to launch all-out struggles against dictatorial Communist rulers. More specifically speaking, efforts should include the following:

In the political field, overthrow tyranny and establish democratic systems, oppose struggle and liquidation, eliminate class hatred, and fight for individual dignity as well as freedom to enjoy equal human rights.

In the economic field, abolish all systems of enslavement for farmers and workers, assure free management of business and industrial enterprises, and win freedom for the people to work as they want and enjoy what they produce.

In the cultural and educational fields, protect national cultural traits, oppose distortion of historical facts, do away with forcible sending of young people to factories and rural areas, and win freedom of learning, freedom of advancement to higher-level schools, freedom of research activities and freedom to choose occupation.

In the field of thinking and expression of views, lift all forms of control imposed in the name of Communist teaching, throw the door open for the expansion of the domain of thinking, and win for all the people freedom of speech, of publication, of assembly, of association, of the press, of writing and of expression.

In the area of belief, oppose religious persecution and win freedom of religious belief and of preaching.

In matters concerning society, stand firmly against reform through labor, end secret agent terrorism once for all, disband people's communes, and assure people of security and freedom to lead a happy healthy life of their own choice.

In the free world, we should increasingly strengthen the unity of free democratic forces and together provide positive encouragement and effective support to the Iron Curtain people's fight for freedom.

We also must point out that whoever chooses appeasement and compromise in the face of the Communists will cause his own downfall, that wavering and ambiguous attitudes will inevitably lead to loss of foothold altogether, and that individual defeat awaits those who prefer to remain neutral or to mind only their own defense. * * *

We therefore urge all the free nations to strengthen ties of economic cooperation, promote mutual assistance for mutual benefit, quicken the pace of cultural intercourse, and furthermore develop these relations into a united battlefront for the preservation of common security. We also urge the free nations to give further positive spiritual and material support to the people behind the Iron Curtain, develop these people's intellectual faculties, and stimulate the growth of freedom campaigns in all the Communist-occupied areas of the East and the West. A surging tide will then be shaped up to steer man's destiny in the correct direction. Freedom restored to the enslaved people will be a lasting protection for the freedom of the people who are now free.

PRESIDENT CHIANG KAI-SHEK'S MESSAGE

Support of the captive nations and peoples in their struggle against Communist tyranny and persecution and for freedom demonstrates the moral force of humankind and constitutes the mainstream of the world anti-Communist movement. Universal human freedom can be assured only after the captive peoples have been freed. World peace can be attained only after captive nations have cast off tyrannical rule.

* * * * *

We believe that the true world peace can be brought into existence only after the triumph of human freedom and that this triumph can be made manifest only by the mighty combined force of world justice and the masses of people shut behind the Iron Curtain. I should like to take this opportunity to express my wish for success and victory in our struggle against Communism and enslavement and for freedom and peace.

ADDRESS BY VICE PRESIDENT YEN CHIA-KAN

It is a great pleasure for me to have the opportunity to participate in this rally, which climaxes the activities of Captive Nations Week. First, I should like to express my respects to every one of you and my welcome to U.S. Rep. Jack F. Kemp, who has come from afar, and to the diplomats who have been invited to be with us.

Since 1959, the United States has designated the third week of July as Captive Nations Week. These observances will continue until all captive nations have regained their freedom and independence. This is a manifestation of support for the rightful aspirations of the people of the world for freedom and independence. The movement has won universal support in the free world and provided boundless encouragement to people shut behind the Iron Curtain.

In the last two years, the camp of the democracies has been confused by the Russian and Chinese Communist smokescreen of peace offensive and chicanery. The defense alliance of the free world has been shaken. Countries have failed to distinguish right from wrong and have been lured by immediate profit to accord diplomatic recognition to the Chinese Communist regime. Most states did this with trade in mind. Instead of economic gains, recognition has brought them political trepidation. This development has heralded for humankind an era in which the atmosphere of appeasement is pervasive and justice and righteousness are suppressed.

Some of the nations which have made deals with the Peiping regime are not aware of its pervasion and tyranny. Their political leaders lack a sound philosophy and moral courage. They have betrayed the principle of justice they used to espouse by "opening the door to greet the bandit." They must accept the responsibility for tragedy.

Under the buffetings of adverse international tides and in all the turmoils of Asia, the Republic of China has pursued its fundamental and consistent national policy of anti-Communism. Our country has never been discouraged by adversity. It will never change its course or allow itself to be influenced by unfavorable aspects of the objective situation.

The theme of this year's Captive Nations Week activities in support of the enslaved nations' struggle for freedom is "Elimination of Enslavement for Peace." This implies that not only should we seek to restore the right of enslaved people to live free lives but should also terminate the expansion of Communism and thus protect free people from tyranny.

FEDERAL BUREAU OF PRISONS AND BEHAVIOR MODIFICATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 10, 1973

Mr. RANGEL. Mr. Speaker, in line with my previous extensions of remarks regarding the Federal Bureau of Prisons involvement in the area of behavior modification, I have taken the liberty of placing another article on this subject in the CONGRESSIONAL RECORD.

I am sure that my colleagues will find the following article by Mr. Michael Stachell of the Star-News to be most informative.

The article follows:

REFORM OR BRAINWASHING?—RESEARCH PRISON UNDER FIRE

(By Michael Satchell)

The U.S. Bureau of Prisons, acknowledging that the American penal system is in trouble and needs major revamping, has begun construction of the country's first large-scale corrections research center at Butner, N.C.

Scheduled for completion early next year, the $14 million Butner project is the first major attempt to learn better ways of handling incarcerated criminals since 18th century penologists decided that long prison terms and hard labor were the best crime deterrent.

Butner will serve a dual role in the federal prison system with one section providing care and treatment for 140 inmates with severe mental disturbances.

The other half—and the one that is drawing the interest and suspicion of observers on both sides of the jail bars—is the 200-bed behavior modification unit that will, among other things, experiment with various types of offenders such as alcoholic felons, convicts who are members of racial minorities, passive inmates, sexually assaultive prisoners, "high security risks" and the "hard cases" who are virtually unmanageable outside of solitary confinement.

Some observers see Orwellian implications in the Butner concept and in two other penal research programs under way at the maximum-security U.S. penitentiary at Marion, Ill., and the U.S. Medical Center at Springfield, Mo.

The Federal Prisoners Coalition, an inmate organization that disseminates information from behind the walls to Congress and the press, has filed detailed protests with the United Nations on "Project START" at Springfield and the "Asklepieion Society" program at Marion. They fear the programs are aimed at "brainwashing" prisoners.

"START"—an acronym for Special Treatment And Rehabilitative Training—is a behavior modification program for hard core unmanageable inmates. "Asklepieion"—named for the Greek God of medicine—is an inmate self-improvement program based on transactional analysis and Synanon-style group therapy.

Some prisoners and their supporters on the outside express the fear that Butner will become one giant brainwashing factory. Dr. Peter Breggin, a penal critic and staff member of the Washington School of Psychiatry, worried in a recently published article that Butner could become another Vacaville, the

California prison hospital where brain surgery, massive drug doses and other controversial techniques were used on prisoners.

The uneasiness over the Butner project has prompted inquiries by Sen. Edward Brooke, R-Mass., Rep. Ronald Dellums, D-Calif., and the Senate subcommittee on constitutional rights headed by Sen. Sam Ervin, D-N.C.

Dr. Martin Groder, who organized the Asklepieion program and who will head the Butner facility when it is completed, and Dr. Robert B. Levinson, the bureau's mental-health coordinator, describe such fears and criticism as unwarranted.

Both men said that although program planning for Butner is still in its infancy, such controversial techniques are electroshock, massive drug dosage, psychosurgery, sensory deprivation, aversive conditioning and negative reinforcement therapy will have no part in the Butner correctional research.

Psychosurgery—which has been performed at Vacaville—means cutting out a portion of the brain to modify aggressive or other forms of undesirable behavior.

CURED AND MEEK

Sensory deprivation, aversive conditioning and negative reinforcement therapy were the techniques used on Alex in the movie "Clockwork Orange." Alex, who delighted in violence and sexual perversion, was given heavy forced doses of his avocations, along with drugs and other therapy, and emerged from prison "cured" and as meek as a lamb.

Said Groder: "In the research section, we will not use drugs, there will be no psychosurgery—it's obnoxious—and there will be no major aversive training like in 'Clockwork Orange.' We may do minor things with aversive conditioning. There will be no sensory deprivation (keeping inmates in total darkness or utter silence). That's old fashioned."

"As long as I am in charge," he stressed, "the work will be in the frame of a humanistic approach. We're going to avoid the Vacaville-type mistakes."

Butner, which was envisioned in 1961 but not funded by Congress until 1971, will be built close to three universities—Duke, North Carolina State and the University of North Carolina—with the idea of utilizing the academic talent on tap at these schools.

Originally it was called the "Behavioral Research Center" but the name was changed recently to the "Federal Center for Correctional Research." Groder said the change was not in response to the pejorative implications of "behavioral modification" but simply because the original title was not broad enough to encompass the work that will go on.

Groder envisions Butner as a facility where somebody with a good idea for improving some aspect of corrections can test it out under scientific conditions rather than simply implementing it piecemeal in a prison and hoping it will work out somehow.

"As long as we have had institutions," he said in an interview, "there has been no rapid process of taking bright ideas and testing them out. Take parole for example. There was a silly idea that if you promise a criminal that he will be out on the street in a short time, then he will be grateful and behave himself. It hasn't worked.

"We can test whether in fact institutionalizing a person does any good at all. We can use modern psychotherapeutic techniques and try to apply them in a prison setting.

VOLUNTEERS PREFERRED

"Maybe we can demonstrate that two years served in a prison under certain conditions will be sufficient to rehabilitate an offender. We can test out ways of following released prisoners into the community and seeing whether they do better by returning to their home towns, or whether we can transplant them to North Carolina. Here we can do a close follow up of their cases."

Groder, who said he preferred volunteers for the research, did not rule out the possibility that inmates may be placed in the research programs.

One area where Groder clashes with other advocates of penal reform is "community corrections" which is now gaining support among the more liberal groups.

Groder contends that not enough is known yet about rehabilitation to allow legions of felons to return to the community after serving brief prison sentences, and he doubts that the community concept will receive wide public acceptance in the near future.

MORE EFFECTIVE WAYS

"If we can get a top-notch rehabilitation program within an institution," he says, "a prisoner will be better off than wandering around the streets."

Said Levinson, the bureau's mental health chief: "There are always going to be people in institutions even though more may be returned to the community. What are we gonna do with them? The idea of Butner is to determine more effective ways of dealing with the various types of people that will be imprisoned."

The view of Groder and Levinson counters the approach advocated by such groups as the National Council on Crime and Delinquency.

NCCD director Milton Rector emphasizes that the traditional large penal institutions are proven failures in corrections and such programs as Butner only further uproot inmates who should be placed in their own community programs funded by federal money.

Groder and Levinson, who feel the bureau is "dammed if it does and dammed if it doesn't" try new programs, are unhappy with the Federal Prisoners Coalition which has been nipping at the bureau's heels recently over the research programs in Marion and Springfield.

The coalition, in a treatise mailed in July to the United Nations, alleged that the Asklepieion program at Marion is based on techniques used to brainwash American POWs captured by the Chinese and North Koreans during the Korean war.

The document sees a conspiracy by the Bureau of Prisons to introduce brainwashing measures under the guise of accepted psychiatric practices and describes Asklepieion as "selective psychic-genocide."

Groder agrees that there are certain analogies between the program he founded at Marion and some of the techniques used by the Chinese to indoctrinate U.S. POWs. These include such things as removing prisoners to other cellblocks to break emotional ties, segregating natural leaders and punishing those who are uncooperative. But he calls the charges of "brainwashing" ludicrous, a fabrication and an attempt by inmate radicals to create trouble.

Asklepieion, as described by Groder and outside observers who have examined the program at Marion, is a therapeutic community of volunteer inmates who live in a separate section of the prison.

It is a psychological program which seeks, in Groder's words, "to take losers and teach them how to win." The unwritten prison code dictates that a convict does his own time, doesn't owe anyone anything, and that society, here the prison administration, is the enemy.

In Asklepieion, convicts are taught to break the mold and induced to get out of the convict role by using several popular psychiatric techniques. Transactional analysis, set out in the best seller "Games People Play" by Dr. Eric Berne, gives inmates new guidelines for dealing with the pressure cooker living situation in a penitentiary.

Attack-therapy, a group game popularized by Synanon, the California-based drug rehabilitation organization, seeks to strip every facet of dishonesty and pretense.

The program was started three years ago and about 100 inmates have participated in some or all parts of it. The bureau sees it as an amazing success in bringing about major behavior changes among inmates in a penitentiary that is the end of the line in the federal prison system.

The shining example is a convict named Vic Taylor whose long escape record, 61 years of accumulated sentences for armed robberies and hard-core reputation labeled him one of the toughest in Marion.

Taylor, according to the bureau, had never read a book in prison. After joining Asklepieion, he started reading novels, began taking junior college courses inside Marion and last year received an honors degree in American studies from Southern Illinois University. He completed the four year B.A. degree work in 21 months, all inside the penitentiary.

Project START at Springfield, which also has prompted "brainwashing" charges from the Federal Prisoners Coalition, was begun in September. Unlike participants in Asklepieion which is voluntary, the inmates in START are transferred to Springfield from various prisons in the federal system because they are constant troublemakers and unresponsive to any form of discipline.

STEP-UP-SYSTEM

Simply stated, they are admitted to the START section at Springfield and placed in solitary confinement with no privileges. If they keep their cell clean and behave for a week, they move up one step and receive more privileges. By good behavior, they can continue to move up, working in the prison brush factory, earning money and receiving full privileges.

If they break the rules, they move back down the ladder, losing privileges as they go.

"In the past," explained Levinson, "we've been fast with the punishments and slow with the rewards. The inmates in START are not psychotic, but they are the absolute worst in the system. The emphasis in START is rewarding positive behavior. It's a simple behavior modification technique, but it seems to hold promise."

HOUSE OF REPRESENTATIVES—*Thursday, October 11, 1973*

The House met at 12 o'clock noon.

Rev. Billy Zeoli, Gospel Films, Muskegon, Mich., offered the following prayer:

Dear God, we do not come just to pray for a collective body of national leaders, although we do. God, we do not come just to pray for a special blessing upon our Nation, although we pray this. Our dear Father, we come to You to plead for each of these gathered here as individual persons with individual needs.

Only You, dear God, know their personal and private needs.

But, God, there is one need in which we