

October 13, 1973

Committee (Mr. McCLELLAN) the possibility that other conference reports could come over, dealing with appropriations bills, and I am authorized by him to proceed with the consideration of those conference reports, to be handled by voice vote where possible, and it will be agreeable with him for the Senate to act.

I think I have said about all I can say by way of assuring the Members that regarding whatever plans they have made for the 2-week recess, they can proceed, reasonably assured that they can complete those plans.

May I reiterate that the Veterans Day recess, as previously scheduled, will be observed. That recess was to go from the close of business on Thursday, the 18th, until 12 o'clock noon on Tuesday, the 23d. That recess will be observed.

I hope there will not be any rollcall votes during the next 2 weeks, but this does not mean that the Senate will not be meeting at least a couple of days each week. Speeches can be made, business can be transacted by unanimous consent, and voice votes may be taken. Again, the leadership will do everything possible to protect all Members if it is indicated that rollcall votes may be in the offing.

I yield to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. It is my understanding that the Senate will convene on Tuesday. Is that correct?

Mr. ROBERT C. BYRD. The Senator is correct.

Mr. PROXMIRE. And there is a strong possibility that the school lunch conference report may be before the Senate on Tuesday. Is that correct?

Mr. ROBERT C. BYRD. That is correct, yes.

Mr. PROXMIRE. In the event that a

yea-and-nay vote is called for on this conference report, the Senator said that the leadership will do all it can to protect Senators and notify them in advance. Would it be possible, in that event, to have that put over until, say, Thursday, so there will be 48 hours' notice for Senators to come back to vote?

Mr. ROBERT C. BYRD. Yes. The leadership will do everything in its power to see that that is done.

Mr. GRIFFIN. Mr. President, it is my understanding that there has been a request from a Member on our side that there be a rollcall vote on that conference report. I did not realize it until just now. So I think perhaps the majority leadership should take that into consideration in scheduling.

Mr. ROBERT C. BYRD. In the event that the Member—and he has every right to do so—persists in his desire that there be a rollcall vote on that conference report, perhaps the rollcall vote could occur on Thursday next, if it would meet with the approval of that Senator and other Senators. Whether or not such a rollcall vote could be put over until the duration of the 2-week recess, I am in no position to say.

Mr. PROXMIRE. I thank the Senator.

Mr. GRIFFIN. I thank the distinguished majority whip. He has provided us with a great deal of information, and I know it will be very helpful to the Members of the Senate as they try to figure out what to do during this period.

Mr. ROBERT C. BYRD. Mr. President, I shall suggest the absence of a quorum, hoping that this will be the final quorum call of the day and the week.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO TUESDAY, OCTOBER 16, 1973

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Tuesday next.

The motion was agreed to; and at 12:21 p.m. the Senate adjourned until Tuesday, October 16, 1973, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate October 13, 1973:

VICE PRESIDENT OF THE UNITED STATES

Pursuant to the provisions of Section 2 of the 25th amendment to the Constitution of the United States, GERALD R. FORD, of Michigan, to be the Vice President of the United States.

CONFIRMATION

Executive nomination confirmed by the Senate October 13, 1973:

ATOMIC ENERGY COMMISSION

Donald R. Cotter, of New Mexico, to be Chairman of the Military Liaison Committee to the Atomic Energy Commission.

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

EXTENSIONS OF REMARKS

MAN PLUS SHUTTLE: AMERICA'S FOOTHOLD IN SPACE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Mrs. Russell E. Greenwood of Swansea, Mass., an outstanding writer on the American space program, published an article in August 17 edition of the Fall River Herald News which explains well the importance of our national space program, its current achievement with Skylab, and the importance of a low cost Earth to orbit transportation system, the space shuttle.

I am including this significant article in the RECORD for the benefit of my colleagues and the general public.

[From the Fall River (Mass.) Herald News, Aug. 17, 1973]

MAN PLUS SHUTTLE: AMERICA'S FOOTHOLD IN SPACE

(By Barbara Greenwood)

"If we hadn't been able to deploy the heat shield, we would have essentially had a

scrubbed mission . . ." These are the emphatic words of William Schneider, Director of the Skylab program.

All of us should feel a deep sense of pride in the derring-do and competent know-how of our three astronauts (Messrs. Conrad, Kerwin and Weitz) who, with our superb ground support team, proved their spaceshipmanship in overcoming extreme technical difficulties in a hostile environment and who certainly do not know the meaning of the words, "this cannot be done"!

We have only to pause and think about this successful man-in-orbit maintenance of our Skylab I to realize fully the importance of a manned space program. And further steps must be taken to actualize the full potential of our capability, which brings our space shuttle program into its proper perspective—the human element! The shuttle will be our "foothold in space"; however it is only our initial step into the infinite universe!

The human spirit has an innate need for involvement in exploration and our beginnings in the space program were that kind of an enterprise as well as in research of science and technology; each separate effort vastly altered our sense of proportion to ourselves and the world around us. Through the magic of television, we earthlings were able to see for ourselves a fragile planet—shimmering in a void of blackness—and at that moment we temporarily forgot the technical

wizardry our Nation is blessed with; we felt, instead, an almost mystical new vision of man and earth.

Instantly, we were aware that we are all travelers together through the vacuum of space. Our worldly problems—population, food, race, resources and energy—know no national limits. In the long march of history, political and economic enthusiasm for exploration and discovery has waxed and waned but there is one invariable that assured success, i.e. man's resolution and motivation. These human attributes continue to exist and our Nation—along with other nations—should forge ahead and nurture our highest goals of achievement in space exploration and research for in this age of instant communication, we cannot afford to sit back and just reminisce! Arthur Clarke, a noted writer, bluntly stated, ". . . a nation which concentrates on the present will have no future . . ." We cannot—we must not—turn our backs on the future.

And our space shuttle is America's future! It is the key to American power and productivity in space for the rest of this century. We need the ability to use space routinely and cheaply and extensively for scientific research, practical benefits and national security; therefore, there is no substitute for the shuttle. It is the logical next step forward.

The shuttle will safely and comfortably transport scientists, technicians, astronauts

into orbit while delivering payloads. This permits direct participation in space experiments and observations by the top men and women in their fields. As a result, mankind will harvest enormous benefits as the promise of space flight is fulfilled, i.e. updating inventories of our resources (water, crops and minerals) allowing more effective application of these very resources in meeting human needs! Another plus is the scientific payloads which will acquire new data on the chemistry and physics of the sun and the stars and may provide the key to facilitate the development of unlimited, pollution-free power for the needs of man. In addition, the program will provide a spearhead for advancing our technological capabilities so necessary for retaining our foreign markets and our standard of living. It is important to remember—the solution to such problems may result only from the manned scientific experiments and observations made in earth orbit and lunar space.

Our entire space program has been varied and complex as are the skills required to successfully accomplish each segment of the program. Yet no task was inconsequential, no job too trivial and no individual unimportant! The tens of thousands of workers in government and private industry who have been employed because of our space program is beyond comprehension. Consequently, we should guard against our own short-sightedness and prevent the dissidents from making a mockery of our technical expertise. Our earth's destiny is truly in the path to the stars; we should now set our sights on the larger target, for our Apollo lunar program was the twinkle of adventure; our Skylab missions will jell adventurism with benefits to mankind; our space shuttle is the connecting link to outer space. Indications are most favorable at this moment in time where international scientific cooperation is already surfacing. There can be no scoffing at the suggestion of international laboratories (space stations) in orbit around earth—a perfect stopping-off place for man's eventual journey to other planets, such as Mars, and ultimately to colonize the moon!

Space and social programs are not mutually exclusive; they must exist together, each with its own importance. James E. Webb, the former administrator of NASA, made this statement, "... the world of space holds vast promise for the service of mankind and it is a world we have only begun to explore ..." and former astronaut, Frank Borman, made this statement to Congress upon his return to earth from man's first flight to the vicinity of the moon: "Exploration really is the essence of the human spirit, and to pause, to falter, to turn back on the quest for knowledge is to perish."

Prayerfully, I hope that this nation will be the one which leads, not lag!

EXTENSIONS OF REMARKS

known for the old State, War, and Navy Building here in Washington, which now serves as the Executive Office Building.

Recently, Mrs. James T. "Florence" Myers made an in-depth study of the history of the Columbia City Hall, which is listed on the National Register of Historic Places. I understand that it was during the course of her research that she discovered the original Mullett drawings of this famous structure. Mrs. Myers, an employee of the South Carolina Department of Archives and History, has a background in art history and was once employed here in the National Gallery of Art.

In preparation for the current exhibition of the drawings, a brochure has been printed in which Mrs. Myers outlines in some detail the history and background of the Columbia City Hall, its architect, and the drawings themselves. I am pleased to include the text of the brochure at the end of my remarks and I commend it to the attention of each of my colleagues. While it will be of particular interest to history buffs, I believe that it will have a strong appeal for every citizen. Further, I hope that any of you who visit Columbia in the future will make it a point to visit this unique and historic building. The text of the article follows:

COLUMBIA CITY HALL

THE BUILDING

The Columbia City Hall was originally designed as a United States Courthouse and Post Office; aside from the State House, it is the oldest government building in Columbia. It was designed by Alfred Bult Mullett, Supervising Architect of the U.S. Treasury, in 1870. As early as 1857, the federal government appropriated \$50,000 for a courthouse and post office in Columbia, South Carolina. The Civil War interrupted these first plans. In 1870, thirty-five Columbia citizens purchased a tract of land on the corner of Laurel and Richardson (now Main) streets for \$2,500 which they donated to the government for a building site. Construction began on this site in 1871; the building was completed in 1874 at a total cost of \$407,189.17. At today's prices this would mean that the building would cost more than \$2,000,000, provided that materials and skilled stone masons could be found.

The building is constructed of beige Fairfield granite, which was quarried twenty miles north of Columbia; wall surfaces are smooth ashlar with rusticated quoins at the corners. Drawings No. 14 and No. 16 indicate that each one of these stones was numbered and measured exactly to fit into its designated space. These smooth granite walls contrast well with the richly-carved decorative elements—modillions, cornice, window trim, pediments—to create a strong three-dimensional effect. The resulting light and shadow add to the sculptural quality of the building.

Rectangular in plan with central pavilions on each facade, the building has three stories above an arched basement. Window styles vary from story to story: first-story windows and doorways are arched; second-story windows are pedimented and framed with pilasters; third-story windows are framed by hood mouldings with keystones in the centers. Projecting beltcourses divide the floors.

The cross-hipped roof, the cast-iron hexagonal skylight, circular iron ventilators, and stately granite chimneys are among the most notable aspects of the building. Because of their pure geometric shapes, the chimneys, skylight, and ventilators seem to be designs of the twentieth century rather than of the nineteenth.

Mullett's concern with geometric patterns is further reflected in his use of circular, triangular, and rectangular motifs in the third floor courtroom, now the City Council Chamber. This room, basically neo-Renaissance in spirit with egg-and-dart, foliated scroll, and pearl mouldings, and the entirely altered first-floor post office, were given the most lavish decorative schemes.

THE SECOND EMPIRE STYLE

Alfred B. Mullett is recognized by architectural historians today as one of the major architects of the Second Empire style in America. Basically derived from French interpretations of Renaissance designs, the Second Empire style gained acceptance in America during the late 1850s, reaching its zenith during the 1870s. After decades of experimentation with derivative styles, mainly Gothic and Egyptian—which had themselves been reactions against the order and restraint of the Greek revival in the earlier part of the century—many architects were anxious to find new vehicles for expression. Mullett was one of these architects. A trip to Europe in the late 1850s and his possible contact with Richard Morris Hunt, the first American architect to study at the Ecole des Beaux Arts in Paris, stimulated Mullett's interest in Second Empire architecture. Characterized by rich carving, classical proportions, high mansard roofs, wide overhanging modillioned cornices, and tall chimneys, Second Empire architecture is both rationally ordered and richly sculptural. Compared to the neo-classical designs of Robert Mills, who was Architect of Public Buildings from 1836 to 1851, or those of Ammi B. Young, who held that office from 1852 to 1862, Mullett's buildings are massive in size and lavish in detail. In an eclectic architectural period, Mullett favored a rational approach based upon the French academic tradition. A man of definite opinions, Mullett wrote that "classical architecture alone is suitable for large secular edifices," and that this style was "equally adaptable to a large building as a small one."

Although Mullett worked from classic texts on architecture which illustrated details of buildings, noting precise measurements and relationships of parts, he did not copy earlier buildings. Instead, his designs were like academic puzzle pieces which he assembled with imagination and skill. He designed the largest number of major buildings in this style, and during the period in which he held the office of Supervising Architect of the Treasury, he received the most expensive commissions of any American architect.

THE ARCHITECT

Born in Taunton, England on April 7, 1834, Alfred B. Mullett came to the United States with his parents when he was eleven years old. They settled in Glendale, Ohio, a small town just outside Cincinnati. Documentation for Mullett's student days is sparse, but he probably attended either the Ohio Mechanic Institute or the University of Cincinnati. In the late 1850s he left Cincinnati for a European tour. When he returned to America he became a partner of Isaiah Rogers, a Cincinnati architect. Rogers became Supervising Architect of the Treasury in 1862 and was perhaps instrumental in bringing Mullett to Washington the following year to become clerk in the bureau of construction.

Mullett officially succeeded Rogers as Supervising Architect of the Treasury on May 29, 1866. In practice, however, he was responsible for the post, a position appointed by the President of the United States, from October, 1865. He held the office until November, 1874. The Supervising Architect of the Treasury was required to design and oversee construction of new government buildings and to maintain all buildings owned by the federal government. Mullett was responsible for about 120 buildings and designed approximately 36 structures during

COLUMBIA CITY HALL

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. SPENCE. Mr. Speaker, beginning on September 30 and continuing through Sunday, October 21, 1973, the South Carolina Department of Archives and History in cooperation with the Columbia Museum of Art is sponsoring an exhibition of the architectural drawings of the Columbia City Hall, a building designed by the talented and renowned Alfred B. Mullett. While he designed many well-known structures, he is best

EXTENSIONS OF REMARKS

his years in office. Only half of these buildings remain today. At the time, the buildings' total cost was \$55,000,000, a sum comparable to more than \$300,000,000 today.

Mullett is best known for the State, War, and Navy Building in Washington, now the Executive Office Building. With its pavilions, high mansard roofs, and intricately-carved columns, pediments, and window frames, it is a masterpiece of Second Empire design. Other ambitious buildings were the courthouses and post offices in Philadelphia, New York, Cincinnati, and St. Louis; Mullett's Branch Mint in San Francisco has been called one of the last great monuments of the Classical revival.

Custom houses, post offices, and courthouses were designed by Mullett for—to cite only a few—Astoria, Oregon (1869-73), Rockland, Maine (1873-77), St. Paul, Minnesota (1867-73), and Cairo, Illinois (1869-72). They ranged in size from small two-story structures to elaborately ornamented edifices. The Columbia City Hall—which would fit midway between the two extremes—is one of Mullett's most beautifully-proportioned Renaissance revival buildings.

When Mullett resigned from his post in 1874, he agreed to continue as Superintendent Architect of six major buildings. He established an architectural firm in Washington, D.C. in 1875 with his two oldest sons, Thomas and Frederick; fifteen years later, in 1890, he committed suicide.

THE NATIONAL REGISTER OF HISTORIC PLACES

The Columbia City Hall is listed on the National Register of Historic Places as site of national significance. For the building to achieve this status, both the South Carolina Board of Review, composed of members of the South Carolina Archives and History Commission, and the Office of Archeology and Historic Preservation, United States Department of the Interior, judged the Columbia City Hall to be an important architectural achievement. According to the National Historic Preservation Act of 1966, only properties that are "significant in American history, architecture, archeology, and culture" are included. Further provisions state that the National Register is "a protective inventory of irreplaceable resources" in our nation. Published biennially, the National Register lists more than 6,600 properties nationwide; of these South Carolina currently has 247 places listed.

THE DRAWINGS

There are 42 drawings of the old Columbia Courthouse and Post Office signed by Alfred B. Mullett in the collection given by the City of Columbia, in August 1973, to the South Carolina Department of Archives and History for safekeeping and preservation. In addition to all four exterior elevations, the collection contains drawings of the sectional elevations, points of structural stress, and floor plans for each story. Included also are numerous illustrations of interior and exterior details, such as column capitals, the post office screen, windows and doors, stairways, brackets, and mouldings.

Of particular interest are the drawings of full size details (Drawings Nos. I, II, III, and IV); several are superimposed on the same sheet for the sake of economy and efficiency. Their strong lines and fluid silhouettes are especially pleasing to the twentieth century eye. Also notable are the drawings of the federal courtroom on the third story; these drawings reflect the importance of this room as a climactic point in the overall design. Drawing No. 18, a vertical section of the building, illustrates this conclusively. Situated in the center of the building it is the only room on that floor with high ceilings and a skylight tower which is hidden by a subceiling. The interior drawings of this room, Sheets No. 33 and 34, illustrating lav-

ishly carved Italianate mouldings, brackets, panels, and pilasters, reveal the elaborate decorative scheme for the courtroom.

The structural systems illustrated in the drawings also deserve comment, for they are of the highest quality and are representative of the method of construction used at the time. The brick arches and wrought-iron floor beams, which can be seen in Drawings No. 17 and 18, were a means of fireproofing the building. Note also the iron nuts and bolts used in the construction of the skylight (Drawing No. 26). The roof trusses were also iron and the exterior walls of load-bearing masonry construction.

In the latter half of the nineteenth century, classes in drawing were an integral part of the architect's training and many hours were spent mastering precise techniques in draftsmanship. Architectural firms employed young draftsmen who by following rough plans by the supervising architect, drew up sheets of detailed specifications to be signed by the architect in charge. Although the sheets in the collection are signed by Mullett, they were probably executed by various members of his staff. Staff members also tinted the drawings in standard colors to specify the type of material to be used; pink is used for brick; grey for stone; tan for wood, often simulating woodgrain.

Each one of the drawings represents a large investment of time and creative energy. Although each was drawn for a specific purpose, that is, to present visual directions for carpenters, masons, ironworkers, and plasterers, they are all beautifully drawn and meticulously executed. Each stands on its own as an individual work of art.

GENOCIDE IN PARAGUAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RANGEL. Mr. Speaker, our Government's capacity to ignore brutal and repressive regimes who go so far as to practice genocide against their populations so long as these governments pass a litmus test proving their anticommunism has, unfortunately, often been noted.

The hypocrisy of our claim that we were fighting for freedom and self-determination in Vietnam while we supported a succession of dictatorial regimes in South Vietnam was enough to turn off a generation of American youth. Vietnam, however, is just one area in which we have ignored moral, and even legal, considerations to back a regime because it has been sufficiently anti-Communist despite the negative effects such U.S. backing has had on the native population—and shockingly, on our own citizens.

I think now specifically of the well-documented tolerance of the CIA for international drug trafficking in Southeast Asia so long as the smugglers are willing to fight against communism or had sufficiently good connections in friendly governments. I also speak of the reluctance of our Government for many years, and still today, to terminate foreign and military assistance to governments which have not been very vigorous in their efforts to eliminate the profitable narcotics

October 13, 1973

trade and traffic indulged in by their nationals because these governments are our allies against the Communist bloc.

The negative domestic consequences of this anti-Communist international policy have been evident to us all in the increasing numbers of our children addicted to narcotics.

Our continued morally repugnant support of the apartheid regimes in Southern Africa is an outrage, but unfortunately it is not an aberration in our foreign policy.

In our own hemisphere this Nation has earned the same reputation it has in Africa by its support of those governments who have been most brutal in their subjugation, repression, and even elimination of their native Indian populations. Such a case is the Government of Paraguay.

Paraguay, recipient of massive U.S. aid since 1954, is currently represented by a government whose policy is the genocidal extermination of Paraguayan Indians.

The documentation of these charges in an article by Richard Arens, professor of law at Temple University, which appeared in the Nation magazine on September 24, 1973, raises the question of American complicity in genocide if our aid to Paraguay is not immediately stopped. If the practices described in the Arens article are not discontinued by General Stroessner, we should recall our Ambassador and introduce a resolution of censure in the Organization of American States. We have shown in Chile the capacity to intervene against a government whose policies offended our economic interests. Would that we were willing to do the same against a government whose policies offend the moral sensibilities of many Americans.

I place the Nation article by Professor Arens in the RECORD for the information of my colleagues.

The article follows:

PARAGUAYAN INDIAN HUNT

(By Richard Arens)

On June 4, 1973, the University of Bern released an open letter to the Paraguayan Government. It charged that carefully organized massacres of Aché Indians (otherwise known as Guayaki, of Tupi linguistic stock), added to the detention of Aché Indians in "reservations" indistinguishable from Nazi concentration camps and calculated to insure physical and psychological collapse, had taken on genocidal proportions and had been carried on with the apparent approval and indeed connivance of Paraguayan governmental agencies.

The picture sketched by the University of Bern leaves one with a sense of horror hitherto induced only by the picture of the Nazi "final solution." In some respects, the picture is indeed more dismal.

Achés are being systematically hunted by armed raiding parties. Men, women, and children are being indiscriminately mowed down in such "hunts." The preferred weapon of the massacre is the machete, which saves the expense of bullets.

An exception may be made for Achés who submit to being tamed and trained as killers of their own kindred. Their reward is a diet capable of insuring survival and the assignment of captured Aché women as their "wives." Both the Aché killers and their "wives" may be guaranteed survival during

good behavior. Those willing to accept unadulterated slavery may also be kept alive for indefinite periods as work hands at a bare subsistence level and without medical attention. The use of their language is discouraged; their traditional music prohibited. The attendant death rate from diseases of malnutrition and sheer lack of will to survive is decimating them.

This inevitable attrition is accelerated by such acts as that reported by a team of anthropologists—that "about one-half . . . [of a] recently captured band [of Achés on a reservation] was liquidated, partly by the conscious withholding of food and medicine."

The rites of their religion are denied the Achés even in death. What is felt by the survivors is pervasive melancholy and a sense of degradation, rarely capable of verbalization, yet occasionally captured in a "weeping song," taped by an anthropologist, in which the singer laments the end of the Aché Nation and "regards himself as no longer an Aché and not even a human being . . . [and] as half dead."

Yet another group permitted to survive may be children, largely girls (ranging from 10 years upward). These are being sold as slaves, principally for sexual purposes. And as if in a nightmare world we read of yet another "weeping song," recorded on tape by an anthropologist in March of 1972 in which "the perhaps 30-year-old Aché woman Kanechirigi complains that she does not know what has happened to her daughters, who are now living "in the houses of mighty Paraguayans." The price of an Aché girl, quoted by a German anthropologist, whose eyewitness account constitutes one basis of the open letter of the University of Bern, is in the neighborhood of \$5.

Not unreasonably, the open letter of the University of Bern demands the immediate cessation of these crimes and the criminal prosecution of all those responsible, regardless of their station of life.

The Genocide Convention, which has been signed by Paraguay, and which must be viewed as a part of the customary Law of Nations, explicitly encompasses all of the activities described in the Bern indictment.

In addition to genocide, the convention renders "complicity in genocide" subject to punishment as an international crime and declares that persons committing genocide or accomplices therein "shall be punished whether they are constitutionally responsible rulers, public officials or private individuals."

The accusations contained in the open letter by the University of Bern are based upon extensive first-hand observation. The pioneering study in this field has been presented by a German anthropologist, Dr. Mark Münzel. Titled "The Aché Indians: Genocide in Paraguay," and published in 1973 by the International Work Group for Indigenous Affairs in Copenhagen, it cites first-hand account upon first-hand account, identifying eyewitnesses located throughout the Americas and Western Europe in a manner satisfying to the most fastidious of legal technicians. Dr. Münzel himself has been an eyewitness to some of these episodes. Photographs included in his report show the bloated bodies of the dying on the reservations. His attempts at persuading the killers, whom he met as they set out for an Indian hunt, to abandon their pursuits, have been fruitless. His denunciation of the practices led to a strongly worded suggestion by the German diplomatic mission that he return to his German home base at the University of Frankfurt.

Col. Patrick Montgomery, the British Secretary of the Anti-Slavery Society, presented substantially identical allegations before the U.N. Commission on Human Rights in Geneva on March 29, 1973, based upon independent and further first-hand evidence. His report was uncontradicted.

EXTENSIONS OF REMARKS

The Roman Catholic Church in Paraguay has acknowledged the existence of these practices and has denounced them. So has the World Council of Churches. The British and German press have at various times featured accounts of the liquidation of these hapless people.

The extermination of the Aché population of Paraguay has been progressing over a period of more than a decade to the point where the Achés are almost extinct and the Anti-Slavery Society of Great Britain voices the apprehension "that plans may already exist for the liquidation of other tribes before the limelight has a chance to prevent it."

Liquidation of the Achés has progressed apace with road building and "settlement" of "civilized" communities upon once virgin soil, in short, with commercial penetration which has been heavily financed from the United States.

The involvement of the Paraguayan Government has been direct and immediate. Its knowledge of these practices is incontrovertible. General Stroessner, the dictator of Paraguay, has himself been repeatedly informed, most recently perhaps by the International Commission of Jurists, which sought to "intervene" with him against these massacres.

Clinching evidence concerning the explicit Paraguayan governmental collaboration in the extermination of the Aché Indians has been furnished by eyewitnesses. The typical hunt leading to the roundup and massacre of the native population was consistently observed to be accompanied either by the military vehicles of the Paraguayan armed forces or by trucks "put at the disposal of the Reservation by the Ministry of Public Works and Communication with a soldier as the driver."

Paraguay has been under the iron rule of Gen. Alfredo Stroessner, dictator since 1954. Its nominal governmental structure has from time to time been cosmetized to provide a more tolerable appearance to the outside world.

Hundreds of political prisoners are detained without trial under conditions of the utmost deprivation, degradation and torture. Standard operating procedure for the handling of political prisoners, as reported by Amnesty International, includes "prolonged beating for periods of up to two hours non-stop with whips and sticks, burning of sensitive parts of the body with cigarettes and the removal of fingernails." Further refinements are exemplified by the application of electricity to the body of the prisoner "with a prodlike instrument called *picana electrica*" and total immersion to the point of near suffocation in a tub filled with excrement. Amnesty International has reported that such torture sessions have been attended by the ranking members of the Paraguayan general staff as well as the 25-year-old son-in-law of General Stroessner. Medical emergencies, appearing to be imminently life-threatening, may be treated at the police hospital, the Polyclinico Rigoberto Caballero, though it does not seem clear whether the available medical treatment is designed to be life-saving or to provide more sophisticated forms of coercion. In a manner strangely reminiscent of the situation obtaining in Athens under the rule of the Colonels, this police installation is within easy walking and hearing distance of the U.S. Embassy.

General Stroessner has played host to numerous fugitives from post-World War II Nuremberg justice. In the early years of his regime, a Herr Contric, a former S.S. man, acted in an official and leading advisory capacity in the Paraguayan system of internal repression. Amnesty International has asserted that it has evidence that Dr. Josef Mengele, "the doctor of Auschwitz," had been acting in a similar advisory capacity in

Paraguay. So have other Nazi fugitives. It appears that under U.S. pressure, Nazis are no longer visibly engaged within the Paraguayan system of "law and order," though the influence of both Herr Contric and the Herr Doktor is discounted by few objective observers of the Paraguayan scene.

U.S. aid has been flowing into Paraguay, the poorest country in South America, in massive volume significantly since 1954, the year of Alfredo Stroessner's accession to dictatorial power. American investment has been both private and governmental. Standard encyclopedias—ranging from the *Americana* to the *Britannica*—point to a multi-million-dollar inflow of U.S. capital. The impoverishment of the Paraguayan masses of course remains unaffected. Members of the general staff thrive, sometimes as in Vietnam, on the proceeds of a heroin traffic directed to the United States.

Statistics published by the Paraguayan treasury reflect 50 per cent of available budgetary expenditures on military and police operations. The U.S. Government, which in 1971 granted \$400,000 in military aid to Paraguay, has been training Paraguayan military personnel and there is every reason to justify the belief that it has participated in the training of paramilitary and police personnel as well. It would not seem unfair to infer that the Paraguayan military vehicles accompanying Aché hunts are of American manufacture.

General Stroessner, of course, has been Washington's man in Asunción. Widespread military facilities, airstrips and roads leading to them, pushed through inhabited as well as virgin territory once populated by Achés have been made available to the United States.

On a visit to Washington in March 1968, General Stroessner told American reporters that he regarded the United States ambassador as a member of his cabinet. (A similar statement was once made in an unguarded moment by Colonel Papadopoulos in Athens.) General Stroessner used the occasion of his Washington visit to offer the dispatch of Paraguayan troops to Vietnam.

Any assertion of the Nixon Administration that it lacks all knowledge and control of racial and political persecution—and specifically the genocide of the Aché Indians in Paraguay—would seem as credible under these circumstances as its recent protestations of innocence of events in Athens or Saigon.

The release of the University of Bern letter was noted in the *Basler Nachrichten* and by Swiss radio and television. It was greeted by total silence from the American press, radio and television. The London bureau of *The New York Times* was explicitly informed and was obviously sympathetic to giving the story the prominence it deserved. Yet no such story appeared.

How explain the silence of the American media while Achés die?

THE UNITED STATES AND LATIN AMERICA: PARTNERS IN AN INTERDEPENDENT WORLD

HON. THOMAS M. REES
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. REES. Mr. Speaker, last month Mr. Antonio Ortiz Mena, President of the Inter-American Development Bank, spoke to the Los Angeles World Affairs Council on the work of the Bank and the relationship between the United States pressed with his observations which I would like to share with my colleagues

EXTENSIONS OF REMARKS

October 13, 1973

and Latin America. I was very impressed with his observations which I would like to share with my colleagues at this time:

REMARKS BY MR. ANTONIO ORTIZ MENA

It is with a sense of great personal pleasure that I accepted your kind invitation to come to Los Angeles and address the World Affairs Council. It is good to get away from Washington from time to time, and it is even better when one can come to the City of the Angels. Of course, for a Mexican it is a particular pleasure since we do have a bit of a proprietary interest here in Los Angeles.

Yesterday, I participated here in Los Angeles in the celebration of the "Dia 16 de Septiembre". It was the first time I did so since coming to the Inter-American Development Bank, and it was a wonderful experience, but I also remember with great pleasure my two previous participations in the *fiesta*, in 1962 and 1966, when I came here for the occasion representing the Presidents of Mexico. This splendid annual celebration, which means so much to us from the days when California was part of our nation, brought home to me again the manifold ties which exist between this city and Latin America. Los Angeles illustrates the lasting contribution made by the Iberian culture to that of the United States. The vestiges of our common Latin heritage are present everywhere in the city.

Among your representatives in Congress there are many who have played leading roles in the execution of foreign policy, particularly with respect to Latin America: for example, Tom Rees and Dick Hanna as members of the Banking and Currency Committee of the House, which considers legislation involving the U.S. membership in the Inter-American Development Bank, and Congressman Ed Roybal as a member of the Appropriations Sub-Committee which considers the U.S. subscription and contributions to the Bank. They have done much to make the Bank's achievements possible, and I wish to compliment them on their vision and statesmanship.

I have come today to talk to you about Latin America and its relationship with the United States, as partners in an interdependent world. We live in a world of swift change, of sweeping transformation and instant communication. The political polarization of yesterday between East and West has changed into close relations. In a few short years, the enemies of World War II have become principal trading partners. It is these massive swings of world politics which have removed from public scrutiny, and to some extent from public concern, a much larger and ever present threat which was clearly recognized in the 1950's and is still very much with us today. I refer to the threat arising from the ever widening gap between the rich and the poor. The threat to security is now economic at least as much as it is political.

As communications continue to improve welding us into one community, this disparity between the *have* and *have-not* nations presents a clear and present danger to the peace and tranquility of the world. This danger is more evident in our continent than I believe is recognized and appreciated in this country. Our hemisphere has become divided into nations that know how to manage technology to create wealth and nations that do not. Internally, within the developed countries, capital and technology have succeeded to an amazing extent in lessening the cleavage between the rich and the poor, not by making the rich poorer—as the Marxists had predicted—but rather by making the poor richer. However, this process has widened the gap in income and opportunities between the rich and the poor nations, to an extent hitherto unknown. While this did little harm when communications were

limited, today the masses of poor among us are very much aware of this gap.

The political impact and the psychological consequences of this demonstration effect are self-evident. President Truman clearly recognized this when he embarked this country on the Point Four Program, based on the enlightened self-interest of the United States. Subsequent Presidents have recognized the responsibility of this and other industrialized nations to help, in one way or another, to overcome the gap; we all should realize that ways must be found to make the poor countries more prosperous because, alternatively, the rich countries will inevitably see their own progress curtailed.

Until World War I, a new major industrial nation emerged nearly every twenty years, but none has emerged since, although a few are coming close to the point. A broader-based industrialization must be achieved in a way which will benefit a larger proportion of the world's peoples. Recognition of the problem that I have described, as it applies to the Western Hemisphere, was a principal motivation for the creation of the Inter-American Development Bank, the institution which I am now privileged to head. The Bank was established in 1959 in response to a nearly sixty-year-old dream by Latin American countries for a financial institution dedicated to their development. The Bank was given the function of channeling resources for the economic and social development of the region, thus permitting our countries to help themselves more effectively in the permanent struggle to fulfill the aspirations and needs of their peoples. The amount of loans committed by the Bank up to date is nearly 6 billion dollars, to contribute to the financing of projects for a total cost of approximately eighteen billion dollars. The Latin countries themselves provide about two-thirds of the investment required.

Despite the apparent magnitude of these figures, they are not nearly enough. Let me just say that, after adjustments for purchasing power, the U.S. obtained more external capital between 1870 and 1890 to build the transcontinental railroads than all the money which this country has spent in aid to all the developing countries in the past twenty years.

The Bank as a development institution not only mobilizes resources but also provides financial expertise and sound investment criteria to bear on the achievement of Latin American development. Until the end of last year, and in the critically important field of agriculture, the Bank had financed the improvement of three million hectares of land and the authorization of nearly one million loans to small and intermediate farmers, including over one hundred rural cooperatives, for a total of more than one billion dollars. As for economic infrastructure, in the domain of transport and communications the IDB financed the construction or improvement of nearly twelve thousand miles of road networks, over fifteen hundred miles of gas pipelines, the modernization of eight major ports and the installation of telecommunication systems in seven countries. The Bank helped to install electric plants with a total capacity of 2.7 million kilowatts, construction of over fifteen thousand miles of transmission and distribution lines and the improvement of electrical services in 460 communities. Forty-seven major industrial plants and over five thousand small and intermediate industries were financed by the Bank in the area of industry and mining.

Our financing of water supply and sewerage systems benefitted urban and rural areas with approximately fifty-five million people, that is to say, three and a half times the population of the State of California. Over nine hundred thousand students benefitted from the Bank's operations in advanced, vocational and technical education. In export

financing, the IDB authorized over ninety million dollars in lines of credit to help finance intraregional exports of capital goods. In the field of preinvestment 240 studies were financed with direct loans from the Bank, while another 360 were chargeable to the resources granted by our institution to various national funds.

Thanks in part to these activities and most of all to the Latin American effort of self-help, entailing great determination and sacrifice, the developing portion of our continent is rapidly changing. In Latin America, the future is being telescoped into the present, within our own generation, at a faster rate than at any other moment in history. Naturally, transformation takes place not only within each of our nations but also in the traditional pattern of their inter-relationships with other nations, including notably the United States. The institutions of the inter-American regional system, the oldest in existence, are likewise being thoroughly overhauled in order to bring them into tune with the times, and at the service of development, which is now understood to mean social justice just as much as economic growth. The process of helping to conquer backwardness and improve the quality of life for over 260 million people in Latin America and the Caribbean is a magnificent, dramatic challenge that concerns not only ourselves but all industrialized nations.

In response to the growing demand for our services, the Bank is constantly endeavoring to broaden the base of its resources by reaching out for new partners. In addition to raising capital in the principal money markets of the world, including those of Western Europe and Japan—thus lessening the financial burden on the United States, stemming from this country's participation in our expanding operations—the Bank is widening its membership. Canada joined two years ago, thus adding her weight to the regionalization of our agency. The Canadians keenly feel that their own development is interdependent with that of the rest of the hemisphere. Furthermore, the Bank is currently engaged in negotiations with a number of other capital-exporting countries with a view to pooling their resources for the financing of Latin American development. The central idea is to join forces, because the magnitude of the task confronting us transcends the capability of any nation or even a group of nations. Pragmatic partnership is the main feature of this new posture.

Now that an even larger group of Latin American countries is approaching the stage of the take-off into self-sustained economic growth, the relatively more prosperous nations within the region find themselves in a position to begin to assist the development efforts of their lesser-developed neighbors. This is happening on an increasing scale, and is one of the important new criteria being evolved in this new phase of the Bank's activities, as an institution sensitive to different types of development needs and potential. The Inter-American Development Bank of the seventies cannot be the same institution it was during the decade of the Alliance for Progress.

But even the Latin American countries which have attained a fairly advanced level of industrialization do need additional assistance from international financial institutions such as the IDB. If anything, they need it in increasing amounts, and have improved their ability to absorb it. But they need a different type of aid from that required by the lesser-developed countries, where loans and grants based on project-by-project evaluations constitute the bulk of such aid. In the case of these relatively more developed countries, new financial techniques will have to be devised, whereby the Bank may carry out its role as a financial agent and advisor in the mobilization of external resources. The Bank will have to be more selective in the allocation of its resources with a view, on the one hand, to achieving maximum impact

EXTENSIONS OF REMARKS

on the development process, and, on the other, to attaining the greatest possible catalytic effect in this effort.

Let us look at Brazil, for instance, with its dramatic rate of growth of over 10 per cent per annum over the last four years—a record unmatched anywhere else. Brazil's requirements of investment capital in only one sector of the economy would consume the IDB's entire resources available for all of Latin America. This leads us to share, with other multilateral institutions and capital-exporting countries, the opportunity of providing the huge amounts of capital needed to finance Brazil's industrial development. Consider, for example, the Brazilian steel industry. The IDB has lent to it 120 million dollars, about 10 per cent of the 1.2 billion dollars needed for the sector's current expansion, half of which the Brazilian Government itself is financing; the World Bank has contributed an additional 180 million dollars, totalling 300 million from the international financial institutions; thanks to the IDB's and World Bank's catalytic role in this operation, an additional 300 million dollars were raised in the form of supplier's credits under conditions far more favorable than those normally obtained. A similar example is that of the Las Truchas steel complex in Mexico, now under advanced consideration at the IDB. The cost of the project is nearly 650 million dollars, of which Mexico provides over one half, the World Bank and IDB together are expected to contribute over 120 million dollars and suppliers from nine countries committed credits worth 180 million dollars, again on very favorable terms.

There are several other impressive examples of this kind of externally-assisted self-help within Latin America. Our Bank, for its part, will encourage this trend. The smaller countries of the region also have an impeccable record as borrowers, and participate in large-scale multinational projects. For example, Bolivia is furnishing natural gas to Argentina, and Mexico participates in the fertilizer industry in Central America, where integrated plants already installed in three countries of the sub-region will eventually be operating in all five, under local control.

This brings me to the concept of regional economic integration in Latin America. We view it as one of the key instrumentalities to promote development in the hemisphere. In this spirit, the Inter-American Development Bank has consistently given vigorous impulse and support to the efforts of our nations to integrate themselves. While regional integration is the ultimate goal, the strategy is to proceed by sub-regional clusters for Central America, the Caribbean, the eleven-country Latin American Free Trade Association, and most recently the Andean Group. Integration offers better opportunities to all nations participating in the process. For the United States, it is advantageous because, through a better allocation of resources in the region, it will generate a greater demand by Latin America for capital goods and a more advanced technology, which this country is well equipped to supply on competitive conditions.

The Inter-American Development Bank can be and has already been of assistance in the area of foreign private investment, which is of common concern to the United States and Latin America. The nature and geography of international capital flows to the region are also influenced by the changing pattern of international relationships. Earlier in this century, foreign capital in the region took the form mainly of investments in essential public utilities, and later in the extraction of natural resources, primarily for export to the industrialized nations. In time, the export of raw materials became for many countries their principal source of foreign exchange. As has occurred elsewhere, in industrialized as well as in developing countries, those of Latin America have become increasingly aware of the need for national

control over natural resources, as crucial factors in their development. Throughout the region, such foreign-owned investments were gradually nationalized. While this process led to occasional friction, with political overtones, in most instances the change was peaceful and gradual, with investors compensated fairly for their assets.

From my perspective as President of an international investment bank that last year committed over 800 million dollars in new loans, I can confidently state that Latin America is a good credit risk, with a savings to investment ratio higher than in any other developing area (including Southern Europe). On the whole, the climate for foreign private investment in Latin America is quite favorable, notwithstanding occasional reports to the contrary, which may be justified in isolated instances but do not constitute a trend.

The countries of the region realize that they need foreign capital and know-how, in pragmatic businesslike terms. Every nation has the sovereign right to determine independently whether or not it is willing to import foreign private capital and technology, and if so under what terms and conditions; conversely, foreign investors must know with reasonable certainty the policies and procedures under which their capital and technology will be acceptable. More often than not, they will find in Latin America high rates of return and conditions propitious to a successful investment. This is so particularly if the foreign investor associates with local entrepreneurs, in lasting associations that are rewarding for all parties involved.

Frankly speaking, I am convinced that there is an urgent need to apply greater imagination and creativity to this issue. Great benefits are being reaped in our region by entrepreneurs who have learned how best to adjust to local development policies. This generally means contributing to the generation of local employment, of export revenues, of a technological and managerial infrastructure and of industrial development in the host countries.

Herein lies the essence of the concept of partnership, between businessmen as well as between nations. The more bridges we manage to throw across the gaps which separate us, the better will our interests converge, and the more meaningful shall our interdependence be. The favorable climate for foreign enterprise requires a *quid pro quo*, in the form of new patterns of corporate behavior. Foreign corporations must also be good citizens. When only a few fail in this duty, the damage can be disproportionate. In other words, for a foreign investor to be successful, he must display the qualities of adaptability to local conditions, of empathy and forbearance.

In its new role as a financial advisor to the Latin American countries desiring this service, as well as a major supplier of capital and technical assistance, the Inter-American Development Bank can play an important function in reconciling the interests of capital-exporting and importing countries. Together with other international organizations including the United Nations, the World Bank and the Organization of American States, the IDB has been active in its quest for guidelines acceptable to all sides concerned with international investment in Latin America. We shall continue to pursue these efforts. It is important to play the game according to rules of general validity. More work is needed in this field, and we shall be prepared to cooperate with governments and multilateral agencies toward this end.

The need for additional economic aid to Latin America and the notion of interdependence among nations are twin concepts, by no means mutually exclusive. The structure of Latin America's external debt towards the developed countries, is such that the terms of borrowing for the region are con-

siderably harder than those applicable to the other developing nations. The Latin American countries are desperately trying to bridge the gap with increased export revenues. Unfortunately, however, there is a protectionist mood in the industrialized nations. The problem is not confined to the United States, since in other parts of the world both tariff and non-tariff barriers impede the access of Latin American exports to their markets, thereby penalizing the consumers and adding to the world's inflation. The United States and Latin America concur on the need for a greater liberalization of world trade. Let us hope that the Tokyo meeting of GATT, in progress since a few days ago, may bring some relief to an otherwise grave situation.

Economic interdependence between nations or regions pre-supposes a two-way traffic, predicated upon reciprocal needs. While development aid is welcomed by the recipient countries, it is also good business for the donors, if only because it expands the markets for their products. At the time of the most serious trade deficits of the United States, its balance of trade with Latin America was still favorable. When the dollar was in a most serious crisis, Latin America did not convert its reserve holdings in dollars into gold, when the option existed. Latin American economic solidarity with the United States is a demonstrated fact.

The United States needs to have access to Latin American resources, and vice versa. If one pauses to consider that by the end of this century, that is to say less than thirty years hence, Latin America will have an estimated population of 650 million, with a purchasing power roughly equal to that enjoyed by the European Community today, the vast potential of our region as an orderly-managed geo-economic space, a market, a supplier of food and energy, and a reservoir of human talent closely identified with Western values and culture, becomes immediately apparent. It is thus clearly in the interest of the United States to support the efforts of our nations, which have amply demonstrated their ability to raise themselves by their bootstraps from the agonies of underdevelopment.

The institution over which I preside is but a part of a great regional system. This system is endowed with an identity all its own, forged through decades of collaboration in every field by generations of Americans, from the North, the Central Isthmus, the South and the Caribbean. On your own prosperity in this country depends ours, and our development will have an influence also on the continued growth and expansion of the United States. That is why we need your support and you need ours. As I said at the beginning of my remarks, California is a link, a bridge between the Latin culture and the Anglo-Saxon tradition. You understand us, and we have the greatest admiration for your achievements. What we need is to strengthen such bridges. Within this framework of interdependence, let us go ahead and join in partnership with a fresh awareness of the vital role of the Americas for the welfare of all mankind.

NEW YORK CABBIERS ARE A UNIQUE BREED

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. DERWINSKI. Mr. Speaker, New York is again in the headlines with its mayoralty race, strikes, riots, the success of the Mets, and sundry other newsworthy items.

One of New York's greatest claims to fame has been the reputation of its cab

EXTENSIONS OF REMARKS

October 13, 1973

drivers for being a unique breed. These intriguing individuals are the subject of a very entertaining column by Orv Lifka, editor of the *Suburban Life*, on October 4 which I am pleased to share with my colleagues:

GOTHAM CABPIES TRY NEW ROUTE
(By Orv Lifka)

The domestication of that unusual species of American wildlife, the New York taxi driver, continues at a speed that may blur the vision of his arch-enemy, the traffic policeman.

Midwesterners who have ridden with these rollicking rickshawmen invariably conclude that they would sooner go over Niagara Falls in a barrel. These hackies make kamikaze pilots look like the Cowardly Lion.

Their cabs are filled with rattles and the screams of yesterday's riders. Ticking meters convince customers they are traveling in time bombs. As they eye life's passing stream through the mottled windows patrons wonder when they will go down for the third time.

However, like the dieter who went on an eating binge, the New York taxi driver is out to change his image. Help has been received from an unwelcome source, the city. It knows these ferrymen deserve special attention, like a hot wire downed in a thunderstorm.

With approximately muted fanfare the city passed a law some months ago prohibiting unnecessary horn tooting, thereby cutting off a favorite pastime of the jitneymen.

For a while academic disagreement persisted as to what was "unnecessary," but when the courts relied on the judgment of the police and began collecting \$25 for each so-determined serenade the cabbies put away their music.

At last reports, easily heard in the quiet streets, the hackmen had survived this dent in their lifestyle. Many conclude now that the legislation was needed to curb a bad habit of their churlish competitors.

Using another avenue, New York recently decreed that taxi operators be separated from their customers by bulletproof windows as well as views on their driving. Such windows will protect the cabbies from criminals but also will cut off these gifted monologists from captive ears.

Hackmen may compensate for this by lowering their windows and calling the attention of other motorists to their shortcomings, which are considerably more aggravating than their longgoings. Such vocalizing, however, will never replace the horn as a means of criticism.

Cabmen also are steering themselves toward self improvement. Whistled down by a group of taxi drivers, Amy Vanderbilt briefed them in the social graces applicable to their line of work.

The tips were greatly appreciated even though she recommended that the boys refer to woman customers as "madam" instead of "sugar," which invariably creates a stir.

How riders will react to the cabbies' new look is as hard to determine as a fast route across Manhattan. Things are getting brighter than a windshield washed by a rainstorm. But the "unfortunate international image" Amy mentioned may continue as long as they drive like a boulder in an avalanche.

The New York taxi driver isn't an endangered species; his customers are.

CHINA'S 62D ANNIVERSARY

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973.

Mr. WON PAT. Mr. Speaker, on October 10, 1973, the Republic of China celebrated the 62d anniversary of its founding. I would like to take this opportunity to offer my congratulations and to take note of the tremendous achievements that have been made on Taiwan, the present home of over 15 million Chinese citizens.

The people of China have suffered much in the past. For several hundred years they were ruled by a Manchu Dynasty, and it was not until October 10, 1911, that Dr. Sun Yat-sen and his revolutionary followers were successful in overthrowing the alien rulers. Following that event, there was much division among the various factions seeking power in China, with resulting warfare and chaos, and untold tragedy for the people. The Second World War brought its own problems and resulted in the Communist takeover in 1949, when the Government of the Republic of China was forced to withdraw to the province of Taiwan.

During the post-World War II period, the United States contributed large amounts of financial, technical, and military assistance to the Republic of China. Land reform and rural construction were initiated, and the expansion of commerce and industry was encouraged. With our help, but mainly through their own heroic efforts, the Chinese people on Taiwan were so successful in achieving a self-sufficient and thriving economy that all American aid was suspended a few years ago. Today, Taiwan is making tremendous strides in commerce and industry, and is rapidly developing a place for itself in the markets of the world.

Taiwan stands as an excellent showcase for the kind of progress that is possible under enlightened leadership. Advances have been made in all areas of activity, with resulting benefits for all the people.

I am pleased to report that recently I saw first-hand the achievements the Chinese people have made on Taiwan. During a visit to the island, I was privileged to see many inspiring examples of its progress in government, commerce, industry, housing, education, social welfare, and the arts. As a result of the overall prosperity, the standard of living of all the people has improved significantly. Where only 20 years ago the chief means of transportation was

the pedicab, today it is the automobile and taxi. Where before the ordinary Chinese family sweltered in the tropical heat with only a fan to stir the air, today many Chinese have air-conditioners in their homes. Where before many children of poor families could not attend school because they lacked the funds for books, paper, and pencils, today every child is able to obtain an education. The construction of many new buildings, some 20 stories high, to meet the demand for the increased business activity on the island is concrete evidence of Taiwan's progress. Happily, the economic gains have been accompanied by improved changes in the political structure of the government at all levels: city, county, and township.

Throughout history, the people of China and America have always had a strong bond of friendship and mutual respect and admiration. Regardless of its political status in the future, I would like to reassure the Chinese people living in the Republic of China on Taiwan that the people of America admire their recent achievements and wish them continued progress and prosperity.

TITLE I EDUCATION FUNDS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. LEHMAN. Mr. Speaker, yesterday, I voted to recommit the conference report on House Joint Resolution 727. This conference report includes a provision that for title I education funds, a local educational agency would receive no less than 90 percent nor more than 115 percent of the title I funds it received in 1973.

Year 1973 allocations were based on 1960 census figures. It is clear that in those intervening 13 years, enormous and significant population shifts occurred. The result of this conference report is those areas which have experienced large growth in population will not be given title I funds in proportion to the true numbers of persons the local school districts must serve.

I cannot support hold harmless provisions when such Federal funding is going to provide services for nonexistent children. Hold harmless clauses are particularly hard to swallow when coupled with increased ceilings.

I am inserting in the RECORD a breakdown which shows population shifts among the school districts in Florida:

POPULATION

District	1.1		1.2		1.3		1.4			
	Total population by district		Percent change, 1960-70 (percent)	Average yearly change, 1960-70 (percent)	Births	Deaths	Components of change 1960-70		Net migration	Percent
	1960	1970					Number	Percent		
Alachua	74,074	104,764	41.4	4.1	20,512	6,570	13,942	18.82	16,748	22.61
Baker	7,363	9,242	25.5	2.6	1,801	704	1,097	14.90	782	10.62
Bay	67,131	75,283	12.1	1.2	16,656	4,979	11,677	17.39	-3,525	-5.25
Bradford	12,446	14,625	17.5	1.8	2,613	1,382	1,231	9.89	948	7.62
Brevard	111,435	230,000	106.4	10.6	41,045	9,677	31,368	28.15	87,203	78.25
Broward	333,946	620,059	85.7	8.6	75,532	46,568	28,964	8.67	257,190	77.02
Cahoun	7,422	7,624	2.7	1.3	1,462	816	647	8.72	-445	-6.00
Charlotte	12,594	27,559	118.8	11.9	2,058	3,341	-1,283	-10.19	16,248	129.01
Citrus	9,268	19,196	107.1	10.7	1,827	1,787	40	.43	9,888	106.69
Clay	19,535	32,059	64.1	6.4	5,325	1,789	3,536	18.10	8,988	46.01
Collier	15,753	38,040	141.5	14.2	5,200	2,460	2,740	17.39	19,547	124.08
Columbia	20,077	25,250	25.8	2.6	5,179	2,406	2,773	13.81	2,400	11.95
Dade	935,047	1,267,792	35.6	3.6	184,016	106,403	77,613	8.30	255,132	27.29
De Soto	11,683	13,060	11.8	1.2	2,342	1,370	972	8.32	405	3.47
Dixie	4,479	5,480	22.3	2.2	1,277	467	810	18.08	191	4.26
Duval	455,411	528,865	16.1	1.6	112,893	42,450	70,443	15.47	3,011	.66
Escambia	173,829	205,334	18.1	1.8	46,322	13,567	32,755	18.84	-1,250	-.72
Flagler	4,566	4,454	-2.5	-.3	995	584	411	9.00	-523	-11.45
Franklin	6,576	7,065	7.4	.7	1,526	878	648	9.85	-159	-2.42
Gadsden	41,989	39,184	-6.7	-.7	10,021	3,570	6,451	15.36	-9,256	-22.04
Gilchrist	2,868	3,551	23.8	2.4	590	323	267	9.31	416	14.50
Glades	2,950	3,669	24.4	2.4	599	275	324	10.98	395	13.39
Gulf	9,937	10,096	1.6	.2	2,170	767	1,403	14.12	-1,244	-12.52
Hamilton	7,705	7,787	1.1	.1	1,878	835	1,043	13.54	-961	-12.47
Hardee	12,370	14,889	20.4	2.0	2,819	1,409	1,410	11.40	1,109	8.97
Hendry	8,119	11,859	46.1	4.6	2,761	937	1,824	22.47	1,916	23.60
Hernando	11,205	17,004	51.8	5.2	2,569	1,747	822	7.34	4,977	44.42
Highlands	21,338	29,507	38.3	3.8	4,891	3,176	1,715	8.04	6,454	30.25
Hillsborough	397,788	490,260	23.2	2.3	88,845	43,532	45,313	11.39	47,164	11.86
Holmes	10,844	10,720	-1.1	-.1	1,613	1,276	337	3.11	-461	-4.25
Indian River	25,309	35,992	42.2	4.2	6,111	3,434	2,677	10.58	8,006	31.63
Jackson	36,208	34,434	-4.9	-.5	6,293	3,418	2,875	7.94	-4,649	-12.84
Jefferson	9,543	8,778	-8.0	-.8	2,158	1,104	1,054	11.04	-1,819	-19.06
Lafayette	2,889	2,892	.1	0	456	331	125	4.33	-122	-4.22
Lake	57,383	69,305	20.8	2.1	10,890	8,368	2,522	4.40	9,400	16.38
Lee	54,539	105,216	92.9	9.3	13,192	8,363	4,829	8.85	45,848	84.06
Leon	74,225	103,043	38.8	3.9	17,609	5,766	11,843	15.36	16,979	22.88
Levy	10,364	12,756	23.1	2.3	2,250	1,361	889	8.58	1,503	14.50
Liberty	3,138	3,379	7.7	.8	645	317	328	10.45	-87	-2.77
Madison	14,154	13,481	-4.8	-.5	3,020	1,507	1,513	10.69	-2,186	-15.44
Manatee	69,168	97,115	40.4	4.0	11,195	11,788	-593	-.86	28,540	41.26
Marion	51,616	69,030	33.7	3.4	12,182	6,623	5,559	10.77	11,855	22.97
Martin	16,932	28,035	65.6	6.6	3,981	2,736	1,245	7.35	9,858	58.22
Monroe	47,921	52,586	9.7	1.0	12,635	3,957	8,678	18.11	-4,013	-8.37
Nassau	17,189	20,626	20.0	2.0	3,952	1,571	2,381	13.85	1,056	6.14
Okaloosa	61,175	88,187	44.2	4.4	19,645	3,443	16,202	26.48	10,810	17.67
Okeechobee	6,424	11,233	74.9	7.5	2,294	843	1,451	22.59	3,358	52.27
Orange	263,540	344,311	30.6	3.1	62,507	25,449	37,058	14.06	43,713	16.59
Osceola	19,029	25,267	32.8	3.3	3,471	3,468	3	.02	6,235	32.77
Palm Beach	228,016	348,753	52.9	5.3	50,705	30,915	19,790	8.68	101,097	44.32
Pasco	36,785	75,955	106.5	10.7	6,397	7,661	-1,264	-3.44	40,434	109.92
Pinellas	374,665	522,325	39.4	3.9	54,724	72,231	-17,507	-4.67	165,171	44.08
Polk	195,139	227,222	16.4	1.6	42,760	20,925	21,835	11.19	11,052	5.66
Putnam	32,212	36,290	12.7	1.3	7,300	3,557	3,743	11.62	469	1.46
St. Johns	30,034	30,727	2.3	.2	5,721	3,818	1,903	6.34	-902	-3.00
St. Lucie	39,294	50,836	29.4	2.9	9,536	4,999	4,537	11.55	7,005	17.83
Santa Rosa	29,547	37,741	27.7	2.8	9,265	2,273	6,992	23.66	1,202	4.07
Sarasota	76,895	120,413	56.6	5.7	12,329	13,326	-997	-1.30	44,515	57.89
Seminole	54,947	83,692	52.3	5.2	14,552	5,548	9,004	16.39	19,741	35.93
Sumter	11,869	14,839	25.0	2.5	2,580	1,549	1,031	8.69	1,939	16.34
Suwannee	14,961	15,559	4.0	.4	3,179	1,710	1,469	9.82	-871	-5.82
Taylor	13,168	13,641	3.6	.4	2,977	1,309	1,668	12.67	-1,195	-9.08
Union	6,043	8,112	34.2	3.4	939	510	429	7.10	1,640	27.14
Volusia	125,319	169,487	35.2	3.5	23,417	21,954	1,465	1.17	42,703	34.08
Wakulla	5,257	6,308	20.0	2.0	1,055	564	491	9.34	560	10.65
Walton	15,576	16,087	3.3	.3	2,385	1,681	704	4.52	-193	-1.24
Washington	11,249	11,453	1.8	.2	2,143	1,321	822	7.31	-618	-5.49
Total	4,951,560	6,789,383	37.1	3.7	1,093,790	595,743	498,047	10.06	1,341,322	27.09

Note: Net migration is the number of persons who moved to the school district during a specified time. In this instance, net migration is the difference between the total increase from 1960 to 1970 and the natural increase. The percent for natural increase added to the percent for net migration will equal the percent change from 1960 to 1970.

DRUG ABUSE PROBLEM IN THE SCHOOLS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. WALDIE. Mr. Speaker, the Select Committee on Crime issued a report over the summer concerning the drug abuse problem in the schools.

The committee has called on Congress to provide funds for both student and teacher drug education programs, to force manufacturers to cut back their

production of harmful drugs, and to monitor the effectiveness of the radio and television industry's regulation of drug advertisements.

Mr. Speaker, I have written principals and superintendents of schools in my State of California about their views of the committee's recommendations. Their letters relate, as well, the independent efforts they are making to fight the drug abuse problem. Their evaluation and experiences should be of great interest to all Members of Congress.

Mr. Speaker, selections from these letters follow:

LETTER FROM MITCHELL L. VOYDAT, AREA ADMINISTRATOR, CAPITAL MALL, SACRAMENTO, CALIF.

We, in California, have developed an outstanding drug abuse program and would welcome sharing our developments/programs with your office. To this end, I'm asking Dr. Donald McCune, State Coordinator for Drug Education, to respond with specifics.

My own suggestions follow:

A interdisciplinary approach to teaching "values formation" and "facts/information" should be an integral part of any school program. Reading, composition, speech, driver education, health, physical education, social sciences, etc., should focus on the problem. The United States Office of Education might well be a focal point for such leadership as well as for the development of such materials.

EXTENSIONS OF REMARKS

October 13, 1973

B. Encouragement/limited funding should be made available to teaching institutions to include such work in their teacher preparation programs. Accrediting associations could be a big help here. State credentialing agencies should recognize the problem and include this in credentialing requirements.

C. The joint efforts of federal health departments/school district offices/county school offices and other social agencies (medical, law enforcement) should be a condition for receipt of existing funding. Area/regional coordinating councils, as part of on-going activities, should be fostered.

D. Existing titles in ESEA III, ESEA II and NDEA III could be expanded or delineated (as the case might be) to include a specific percentage of funding for the drug abuse problem.

As you can see, my concerns revolve around (a) teacher training, (b) values of material development, (c) greater coordination of purpose among existing agencies, and (d) possible funding through inclusion in specific Federal Acts.

LETTER FROM JOHN V. MCGARRY, PRINCIPAL, OXNARD, CALIF.

May I respectfully submit to you that many children who have turned to drugs have done so out of boredom and lack of suitable goals for their respective age groups. Society, as a whole and through various media, has convinced many of our young people that "you're really not living until you're old enough to do what the adults do." Our young teenagers have a tremendous desire to be needed and useful in a society that really does not have time for them unless they are "consumers". For example, let us take a look at the work ethic which helped our young people years ago by providing them with job opportunities. As society has become more technologically inclined and business has become more sophisticated, the need for young boys and girls to help wash windows, sweep floors, stock shelves, do errands, etc. has diminished. It is very difficult for a youth of today to be recognized by business in any other way than as a consumer. Business wants his dollar but they offer no method by which he may earn it. It is truly much easier to have a janitorial service come in "after business hours" to do the cleaning. It requires no supervision, no teaching of novices, no worry about insurance problems with the young—it's the easy and fast way out of the "problem". Stock ordering is now done by computer and, consequently, the inventory and other trivial types of jobs once done by youth are not in evidence as in past years. Children, who years ago, felt they were part of this business now feel, to some extent, alienated towards it and exploited by it. The business world has not taken the responsibility of helping the parents and the school teach the child the beauty of work and the work ethic. Consequently, children have time on their hands with nothing to do and less to look forward to. Children need to be occupied, either with jobs, or with other activities that will keep their minds busy and improve their feeling of personal self-worth in our present day society.

Many schools and school boards, such as ours, have recognized this need to keep children's minds and bodies busy and have contributed in their own way by providing "after school activities" for our young teen-agers. We would like to think that it helps and submit to you, that if, the child is involved at his school, the chance of him being involved in drugs is minimal. We have had many federal programs for many things and one is now being proposed in the area of drug education. I submit to you that in addition to this we must find a way to occupy children's minds and bodies. Why not help school districts provide facilities such as gyms, craft buildings and materials, instructors, etc. to take up this slack? Why

not encourage business to get re-involved in the business of educating children to the field of work and the work ethic? Let's make positive moves, as well as, stop-gap proposals to actively improve the self image of our youth. Let's keep them busy and involved in worthwhile objectives.

LETTER FROM DONALD C. HOLTON, BUILDING PRINCIPAL, OCEANSIDE, CALIF.

Following your line of thought and your request for additional suggestions, I would like to propose the following:

First of all, in reality, students spend a very small portion of their time with each individual teacher, particularly at the secondary school level. The persons with whom they spend the majority of their time is with the parents, and for this reason I recommend that the federal government investigate the possibility of making available to all persons PARENT-EFFECTIVENESS programs which would be geared to all income levels, all socio-economic levels and racial and ethnic groups.

This is not just a school problem—it is a problem of society—the magnitude of which is staggering. For this reason, I believe that a staggering program must be developed if it is going to be successful.

LETTER FROM ARTHUR H. NORTH, ASSOCIATE SUPERINTENDENT, SANTA BARBARA, CALIF.

I was extremely interested in the report of the Select Committee on Crime—"Drugs in Our Schools"—and I want to thank you for your letter.

The secondary administrators of this District agree wholeheartedly with all four Committee recommendations.

School districts in Santa Barbara County initiated organized programs of drug abuse instruction about three years ago, and with federal funding of a County Schools project have expanded the involvement of community, teachers, and students. However, the program is not yet adequate and recommendation #2, "provide adequate funding," is essential.

All principals placed a very high priority on recommendations #3 and #4 concerning "cutback of production" and "advertising guidelines."

Specific programs for students need to be scrutinized with great care, since research now indicates that some programs have tended to increase rather than diminish student use.

Thank you for involving these districts in your sampling.

LETTER FROM WARREN BRYLD, PRINCIPAL, SUNNYVALE, CALIF.

One suggestion which we would recommend is for early and continued education in developing sound value systems in young people. The taking of any drug is a matter of choice based on an individuals' judgment at a given moment. Therefore, it would seem that in order to alter such judgment a program should be developed to strengthen value judgments in young people. There probably would need to be much parent involvement to add to the effectiveness of such a program. It would be imperative that such a program be initiated in the child's early school years and continue through high school on a systematic basis.

We feel that the school, by itself, is not the answer to the drug abuse problem. There has to be a coordinated effort between community agencies, parents and the school. Too much concentration in the schools has been aimed at attempting to correct symptomatic behavior and not enough consideration given to causal factors.

LETTER FROM ROBERT L. FRENCH, ADMINISTRATOR, INSTRUCTIONAL SERVICES, FULLERTON, CALIF.

Thank you for your letter of September 10, 1973, reviewing the progress of the Select

Committee on Crime in regard to drug abuse. We commend you for your efforts with this vital problem.

We, too, are extremely interested in this area and are spending time and monies to study the problem and to upgrade our instructional program. We have carried out a drug use survey every two years and reviewed the findings with the Board of Trustees and the press. Certain of the findings are alarming while others show that some progress is being made.

LETTER FROM SHEREE WARFIELD, RICHMOND, CALIF.

Since you are in the committee on crime you are probably concerned about the problems that we have in the city; such as drugs for instance and alcohol. As you know there is a law that says drugs are illegal but if drugs are illegal shouldn't alcohol be illegal too. Neither one of them is better than the other so they should either be legal or illegal. There is another case such as smoking, they advertise that if you smoke a certain kind of cigarette you will become a better person. Do you think that this is right?

LETTER FROM JOYCE LAYTON, R.N., HEALTH AND SAFETY COORDINATOR, CARLSBAD, CALIF.

Aside from the drug education given in our regular science and health curriculum, we have initiated a Peer and Cross-Age Teaching class in our senior high school. Since students go to other students for information, we are trying to give the right information to the leaders of the various student strata through this class. These students will be going into classrooms, K-12, in the area of drug abuse as well as in other health education areas such as venereal disease. These students work very closely with school counselors, parents, Citizen-Staff Health and Safety Committee, counselors from the Carlsbad Police Department, Public Health Department and our local Defy Agency.

In 1971, the San Diego County Drug Education Workshops, "You and Your Decisions," were found to be very helpful as have subsequent State and County workshops and meetings.

LETTER FROM ROSEMARY DUNN, OAKLAND, CALIF.

As a member of the Select Committee on Crime, undoubtedly you are concerned with the demands for the legislation of marihuana.

I think marihuana is like alcohol—relatively harmless in small amounts, but a public menace in large.

If people can poison themselves with cigarettes, and destroy themselves with alcohol, why can't they smoke marihuana?

What is being done about it? Shouldn't all three things be banned illegal?

LETTER FROM TOM HAND, PRINCIPAL, OXNARD, CALIF.

I believe that teachers should be knowledgeable in the drug-abuse area. We have had in the past local police and former drug-abuse speakers for teachers and for students, but we had not had any thorough program of education of drug-abuse. At our junior high school drug-abuse has never been a significant problem, in so far as numbers involved, but we do not want even one young person to become involved with drugs, so we are still very concerned with any legislation that will assist in lowering the number of drug-abuse cases to even zero if that were possible.

I believe that federal laws should drastically limit the advertising of certain drugs for certain purposes. I concur that proper control of the manufacture, and distribution of drugs used in drug-abuse is necessary.

It is true that any additional instructional program for school students cost money and time and also any additional in-service instruction for teachers costs time and money.

October 13, 1973

34121

but drug-abuse by members of a society costs that society even more in terms of lost lives and non-productive lives.

The Select Committee's recommendations is aimed more at prevention than at cure. However, I would not overlook the great value in using the reformed drug-abusers in assisting in the prevention.

I suggest that the federal government finance and sponsor a speaker's program where cured and reformed drug-abusers can get their sad story across to all young people. We have had such speakers and I'm convinced that their message comes across with an emotional impact that's hard to forget. I remember several years ago a televised panel of convicts presented a program regarding their stumbling. This could also be done in the area of drug-abuse. Mass communication media for such speakers would be very effective—similar to the idea of using personalities to speak out for drinking milk, etc.

ILO DIRECTOR GENERAL WILFRED JINKS DIES IN ROME

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. FRASER. Mr. Speaker, on October 9, Wilfred Jenks, Director General of the International Labor Organization, died in Rome. He was a dedicated international civil servant who ably led the ILO through what was perhaps its most difficult period—the 2-year default by the United States in payment of assessed contributions to the Organization.

Wilfred Jenks spent his entire professional life—42 years—in service to the ILO. Beginning in 1931 as a young law school graduate from England, he served under every Director General in the 54-year history of ILO, rising from the ranks to become Director General himself in 1970. A distinguished international legal scholar, he wrote more than a dozen books on international law, some of which are still used as textbooks. His indispensable contribution to practically every aspect of the important work of the ILO during the past four decades is proof of his high professionalism and dedication to the central tasks of ILO: improving conditions of life and labor, safeguarding freedom of association, and upholding human rights throughout the world.

One of Wilfred Jenks' most striking qualities was courage. When a resolution was introduced at this year's ILO General Conference to condemn Israel and subsequently conduct an inquiry into conditions in that country, Jenks ignored the advice given him and spoke out forcefully against this reversal of due process. Calling on the delegates to maintain the tradition of fairness, he said:

In the name of the reputation for integrity which won the ILO the Nobel Prize I implore the Conference to think many, many times before it abandons this tradition . . . For the Conference first to condemn and then to call for an enquiry, the terms of reference of which would be to confirm such condemnation, would be to offend the principle of due process on which all our work relating to implementation of Conventions rests.

As a result of Jenks' courageous stand, support for the anti-Israel resolution withered away.

EXTENSIONS OF REMARKS

Under Wilfred Jenks' leadership, the essential tripartite structure of ILO—consisting of representatives of governments, employers, and trade unions—was revitalized when the balance was tipping dangerously in favor of government representatives. He also took new initiatives concerning the role of employment in the process of economic development, and said at this year's General Conference:

The employment problems of the developing world remain a top priority in all our work. There will be no relaxation of our work on employment and human resources development. These are vital to cut the cancer of unemployment from the body politic and build up the trained cadre indispensable for true national independence.

From 1970 to 1972, when failure of the United States to pay its ILO dues put the organization under severe strain in carrying out vital programs, Jenks nonetheless was responsible for an increase of 27 percent in the number of American citizens on the ILO staff.

My last meeting with Wilfred Jenks was less than 2 months ago in his office in Geneva. Concerned about maintaining the image of the United States as a leader in defending human rights in the ILO, he said:

Nothing would strengthen the U.S. position in ILO more than some movement toward its ratifying one or more of the six major international conventions on human rights in labor.

I think we would do well to take his advice and move toward ratification of these conventions, which have already been ratified by more than 80 of the 123 members of ILO.

Wilfred Jenks was one of a rare breed of unselfish international civil servants. There is much we can learn from his leadership.

I am pleased to announce that four of our distinguished colleagues join with me in making this statement: Mr. DANIELS, Mr. O'HARA, Mr. PERKINS, and Mr. THOMPSON of New Jersey.

SCOTT COUNTY CHAPTER OF THE DISABLED AMERICAN VETERANS

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MEZVINSKY. Mr. Speaker, I am pleased to note that the Scott County chapter of the Disabled American Veterans has been commended for its fine program of aid to disabled veterans and children. Their trading stamps for needy children program, for instance, serves more children in the eastern part of Iowa than any other currently existing Christmas benefit fund. This Christmas the chapter's all-volunteer staff will serve over 2,000 needy children.

The chapter's wide-ranging programs are costly and funded primarily through donations. Recent contributions from the business community, both from Iowa and across the Nation, have kept this program going. I think their contributions are worthy of our notice and commendation.

PSRO AND THE INDIANA STATE MEDICAL ASSOCIATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RARICK. Mr. Speaker, the Indiana State Medical Association at their 124th annual convention in Indianapolis, Ind., this week adopted two straightforward resolutions relating to PSRO—professional standards review organizations—and HEW.

Summarized the position of the Indiana State Medical Association is:

That HEW be notified that its membership will be encouraged to not participate in PSRO type activities;

That the Indiana State Medical Association establish an independent corporation to accomplish peer review and quality control to be effective only at the request of the local reviewing board;

That the Members of Congress and the Senators of the State of Indiana repeal the PSRO provisions of Public Law 92-603, which was passed into law by the 93d Congress as a provision of title XI of the Social Security Amendments of 1973.

I have introduced H.R. 9375, calling for repeal of the PSRO provisions from the act in order to eliminate the threat of political interference into the area of medicine. The PSRO program for regional and national establishment of norms of medical practice are presently scheduled to become effective January 1, 1974.

I can assure our colleagues that if they have not heard of PSRO yet, they can expect to be hearing it as the effective date approaches. In order to avoid a medical rebellion among our doctors of medicine, I would urge you to introduce similar legislation to H.R. 9375 and work toward early repeal of the unnecessary and impractical provision of law which establishes the groundwork for Federal control of medical practitioners.

H.R. 9375 repeals, under the Social Security Act, the provisions for the establishment of professional standards review organizations to review medical services covered under medicare and medicaid programs.

H.R. 9375 has been referred to the Ways and Means Committee.

I ask that the two related resolutions adopted by the Indiana State Medical Association follow:

RESOLUTION NO. 73-1

Introduced by Clark County Medical Society. Subject: Redeclaration of nonparticipation policy.

Referred to Reference Committee No. 5, William G. Bannon, M.D., Chairman.

Whereas, The free enterprise, fee-for-service system of medical practice in the United States makes most efficient use of available medical personnel, encourages high quality medical care, and preserves the freedom of patient and doctor; and

Whereas, Government intervention between the practicing physician and the patient historically removes responsibility from both parties and leads to increase in quality of medical care; and

Whereas, The provisions of PSRO would

EXTENSIONS OF REMARKS

sharply interfere with the nature of the doctor-patient relationship and lead to a poorer rather than a better health care standard in this country; now, therefore, be it

Resolved, That the Clark County Medical Society urge the Indiana State Medical Association to notify the Department of Health, Education and Welfare that its membership will be encouraged to not participate in PSRO-type activities.

RESOLUTIONS No. 73-21

Introduced by Board of Trustees.

Subject: Involvement in PSRO.

Referred to Reference Committee No. 5, William G. Bannon, M.D., Chairman.

Whereas, Public Law 92-603 calling for establishment of a PSRO mechanism in every state of the nation not later than January 1, 1976;

Whereas, The law makes provision for such organizations to be formed on a trial basis as of January 1, 1974; and

Whereas, The Board of Trustees has gone on record as stating their opposition to this poor law; and

Whereas, The Board of Trustees is of the opinion that this House of Delegates has but two options, one of involvement and one of noninvolvement in PSRO's, and

Whereas, Resolution No. 1-73 recommends non-involvement in PSRO's, and

Whereas, This resolution is presented to provide for an alternative means of peer review and quality control without government control; now, therefore, be it

Resolved, That the Indiana State Medical Association be permitted to establish an independent corporation to accomplish peer review and quality control, such review to be conducted only at the request of the local reviewing body; and be it further

Resolved, That the Indiana State Medical Association urge the members of Congress and senators of the State of Indiana to repeal the PSRO provisions of PL 92-603.

BEEF PRICES—CATTLE PRICES

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. ABDNOR. Mr. Speaker, much has been made in recent months of the rise in prices for raw agricultural products which has permitted the farmers and ranchers to receive an income close to that of those employed in other segments of the American economy for the first time in anyone's memory.

The rises in raw agricultural prices were blamed for the high cost of food—even though food is cheaper in America than anywhere else in the world. The rise in cattle prices was particularly singled out for criticism.

Cattle prices have now come down—drastically. This does not portend well for the continued expansion of our beef supplies for the future, but it may mean financial ruin for many feeders very soon. A marked drop in beef prices in supermarkets has yet to be seen.

The following letter addressed to Mr. John Dunlop of the Cost of Living Council from the Sioux Falls Livestock Foundation states the problem quite succinctly:

SIOUX FALLS LIVESTOCK FOUNDATION,
September 26, 1973.

Mr. JOHN DUNLOP,
Cost-of-Living Council,
Washington, D.C.

DEAR SIR: Although the Sioux Falls Stockyards, this nation's 4th largest livestock mar-

ket, does not pretend to act in an official capacity as a spokesman for the livestock industry, it is our belief that certain facts should be brought to your attention.

Do you realize that since the onset of Phase IV, we have witnessed fluctuations in the price of livestock never before heard of? It should further be noted that since the "peak" the price of live cattle has dropped approximately \$18.00 per hundred, resulting in a total value decrease in excess of \$200.00 per animal. The total value of a market hog has decreased by \$50.00 and that of a market lamb by \$18.00 per head.

We realize that your intended purpose in the initiation of Phase IV was to reduce the price of meat by lowering the price at the farm level. Only a portion of your plan has worked. Livestock prices are now at a level that will result in immeasurable financial loss to many feeders and yet prices at the retail level remain constant. In fact, it has been brought to our attention that many of the chains have raised the price of meat as late as yesterday.

Should these prices remain as they are now, you will observe a decrease in the amount of cattle and hogs being fed with a subsequent decrease in the amount of red meat available to our consumer.

It would be our suggestion that immediate steps be taken to rectify an unbelievably tragic situation. We would ask that you personally visit our Midwestern feeding area and observe the current economic plight. We would further suggest that meat be reinstated as the primary ingredient in this nation's school lunch programs and finally would ask that a Senate Committee be established to investigate the accounts of this nation's major meat retailers. We realize that they too are deserving of a profit, but not at the expense of Agricultural Bankruptcy.

The current situation is more than serious because basic economics and a review of this country's 1930 depression reaffirm the fact that as Agriculture goes, so goes the Nation.

Sincerely,

JAMES L. SMITH,
President and General Manager.

TITLE I EDUCATION FUNDS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. LEHMAN. Mr. Speaker, in the Education and Labor Committee, it has been proposed that title I education funds be distributed on the basis of testing for educational disadvantage.

I, myself, have grave doubts about the wisdom of utilizing tests to determine which children are disadvantaged, and these doubts are well-expressed in a letter which I received today from Dr. E. L. Whigham, superintendent of schools in Dade County, Fla. As I believe this is a matter of concern to all my colleagues, I insert that letter below for their information:

DADE COUNTY PUBLIC SCHOOLS,
Miami, Fla., October 9, 1973.
Hon. WILLIAM LEHMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. LEHMAN: Following my conversation with you in Washington last week, I thought it would be helpful to put into writing some of the concerns I expressed about using the results of a national testing program rather than economic criteria as the basis for the federal government's allocation of ESEA Title I funds to the states. The following items indicate some concerns as to

why the proposed new procedures for allocating Title I funds are inadvisable:

1. A major defect of basing fund allocations on student achievement is that this procedure represents a negative approach to financial aid which will encourage abuses or the rewarding of inefficient programs while reducing funds available to those states and school systems which are significantly reducing the performance gap between economically disadvantaged students and their more advantaged peers.

2. A national testing program would require expensive auditing procedures to assure uniformity of test administration and a comparability in results by states. In fact, national uniformity of test administration probably cannot be attained.

3. Assuming that funds are available for the development of a national testing program, securing professional and lay consensus concerning reading and mathematics objectives throughout the nation would represent a mammoth task. Local school districts and state educational agencies, with considerable justification, would consider a major testing program tied to the allocation of funds a major encroachment on their responsibility for determining educational needs and objectives. In fact, it is likely that the establishment of a national testing program for this purpose will lead directly to federal control of educational programs and policies. The possibility of federally required concentration of expenditures on reading and mathematics and the use of "individualized instruction" as the instructional methodology for teaching basic skills illustrate the potential danger.

4. Deficiencies in basic skills, although critical to the needs of the educationally deprived student, are not the sole and exclusive educational needs of such students. To limit the efforts of school systems to just those educational areas would stifle creative and diverse approaches to solving the problems of educational deprivation.

5. By utilizing scores on a national achievement test as the major criterion for allocation, a sizable number of pupils would be included in Title I entitlements who are not economically disadvantaged even though they are low achievers. In effect, this revised allocation procedure would result in a fundamental departure from the original intent of Title I legislation by funneling such funds to all children regardless of socio-economic status, thereby possibly rewarding those districts which have ineffective instructional programs.

In summary, while there is a certain appeal to using what on the surface seems to be more objective and direct data for the distribution of funds for the educationally deprived, there are very serious drawbacks which would militate against the adoption of the use of testing. Though there are considerable problems related to the present procedure of identifying those in economic need, this procedure or refinement of this basic approach would appear the most appropriate way to distribute ESEA Title I funds to the various states.

Sincerely yours,

E. L. WHIGHAM,
Superintendent of Schools.

CALIFORNIA EFFORTS AT COMBATING DRUG ABUSE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. WALDIE. Mr. Speaker, I have received hundreds of letters from principals and superintendents of schools in my State of California concerning Congress failure to provide funds to local

October 13, 1973

school administrations for the development of drug abuse programs.

The Select Committee on Crime has already reported their recommendations to the House. If these recommendations are not agreeable, then we should consider some alternative ones. The problem continues to exist, and it deserves our attention.

Mr. Speaker, selections from these letters follow. The evaluations and experiences of these local officials should be of great interest to all Members of Congress.

LETTER FROM GEORGE A. GAMMON
(District Superintendent, Travis Air Force Base, Calif.)

First, the four point program as outlined in your letter appears to be both realistic as to implementation and fiscally feasible. While local school boards must assume their share of the responsibility for the education of drug use and abuse, the eroding effects of drug misuse can seriously affect the ability of a free nation to effectively govern itself and the problem, therefore, becomes a total social problem, requiring all levels of education and support; a thought well expressed within your four point plan.

Second, the State of California has, we feel, met the challenge of providing State leadership in the area of in-service training about drug use and misuse. In 1972 and again in 1973 select personnel from our teaching and nursing staff, together with parents and students, attended two three-day workshops sponsored by a State Drug Task Force Team for the purpose of becoming better informed as to classroom instruction, student referral centers and available community services.

Resulting directly from this plus other related district in-service training, drug education programs were developed and are now in the process of being implemented in grades five through twelve. A district drug education committee is presently charged with the responsibility of monitoring these various instructional programs as to their content and goal attainment.

And third, through the influence of the in-service training programs, particularly as these related to parents, students and nurses, we feel that we have developed an organizational plan whereby the high school and intermediate school students will have the opportunity of a referral center to handle a drug problem as well as a V. D. problem.

In keeping with the shift of the nation's young from one social problem to another, we at Travis see a trend now toward more cigarette smoking and a greater use of alcohol. Sensing this trend, we are attempting to meet this situation through counseling as well as through strengthened classroom instructional programs at all levels.

LETTER FROM LOUIS J. ROSETTI
(Superintendent of schools, Red Bluff, Calif.)

In response to your letter of September 10 regarding the recommendations on the drug abuse problem the following suggestions are offered:

1. Federal funding: More funds should be provided for in-service for teachers, students, and interested people in the community. This in-service should be held during the summer with a stipend and college credit granted. On-going in-service during the year with funds available for substitutes to allow teachers and students a release day to attend.

2. More instruction on morals, values and attitudes rather than on the drug pharmacology. New instructional materials including multi-media for instruction should be available to schools.

EXTENSIONS OF REMARKS

3. Counselors are needed, but if teachers and parents have good training in the above, and an empathy for young people, the students will be more comfortable talking with the teacher or parent.

I hope these suggestions are helpful.

LETTER FROM ROBERT E. WALTERS
(Principal, Fairfield, Calif.)

I would like to commend you for your interest in trying to help educate the young people regarding the harm which can be caused by using drugs without medical supervision.

As a school principal, I have had the unfortunate experience of observing our young people using drugs. I feel sympathy for anyone who finds it necessary to use drugs. On the other hand, I feel nothing but disgust, contempt and anger towards anyone who will distribute drugs for a profit.

In addition to the Committee on Crime recommendations, I would like to see a very stiff penalty for anyone who "pushes" drugs. I would recommend that the person who is convicted the second time for such an offense be given the death penalty. Our society should not show any mercy to anyone who attempts to get our young people involved in such activity. The "pushers" are aware of what they are doing and they also know of the serious results of their acts.

LETTER FROM GEORGE P. CHAFFEY
(Superintendent of schools, Redwood City, Calif.)

During the 1972-73 school year we employed, strictly at district expenses, two drug abuse counselors to serve full-time in each of two schools. Those positions were eliminated, however, at the end of the year because of the need to cut our budget by approximately one million dollars. SB 90, passed by the California State Legislature, had a greater negative impact on our district than on any other district in the county.

We continue to give considerable attention to the problem of drug use and abuse in our classrooms, in the use of curriculum materials, through counseling, and through our cooperation with outside agencies. Any expansion of the program or consideration of new approaches will depend very largely on the availability of additional funds from outside sources. The matter of funding is of great concern to virtually all districts this year; therefore, I would hope that either at the Federal or the state levels adequate funding will be provided for any and all new programs that school districts are expected to undertake.

LETTER FROM DORAN W. TREGARTHEN
(Superintendent of schools, Oxnard, Calif.)

My input is simply to voice concern that we do not have an agreed upon approach to the control of drug abuse. Apparently much of what we have been doing in the schools has been counter-productive; the various exhibitions and displays that have been shown to schools have, according to some researchers, encouraged drug abuse rather than discouraged it. Therefore, the crying need at the school level is for a definitive statement on how best to control drug abuse. Until then, simply telling us to increase our staffs and provide funding for doing that are not, in my opinion, in order.

LETTER FROM MARY S. REED
(Superintendent of schools, El Segundo, Calif.)

The recommendations of the Select Committee on Crime to combat the drug problem among our young people are excellent and should certainly help. The availability of funds will encourage school districts to develop and implement programs that will be effective.

When a district is actually ready to plan a

program, specifics are needed. While there are avenues locally that may be used, any additional information or expertise that may be offered would certainly be welcome.

LETTER FROM WALLEN L. ANDREWS
(Superintendent of schools, Whittier, Calif.)

In reply to your letter of September 10, 1973, requesting my suggestions for the Select Committee on Crime recommendations, most school boards have initiated programs on drug abuse instruction for teachers. The difficulty is training the teachers, especially at the elementary level. Professional drug counseling staffs are needed at the high school level but will not be provided until funding is available to finance the program.

It is my opinion that at the federal level policies and funding should be developed for cooperation with state boards of education which, in turn, should have the responsibility of developing programs for drug abuse instruction plus the funding necessary at the local level.

LETTER FROM ALBERT D. COLEBANK
(Consultant, health and physical education, Ontario, Calif.)

The Select Committee on Crime has devoted most of its attention to counseling, treatment, and rehabilitation of drug users. As an educator in an elementary school district, I am primarily interested in preventing drug abuse. What is the best approach for teachers to use in drug education? What educational programs have proved to be most successful? Are informational programs counter-productive? These are some of the questions that need to be answered by extensive longitudinal research, a type of research that few school districts are able to undertake. The National Commission on Marijuana and Drug Abuse, in its report several months ago, dealt with some of these questions and included this statement: "No drug education program in this country or elsewhere has proven sufficiently successful to warrant our recommending it."

In summary, I suggest that federal funds be allocated to research that will attempt to identify effective school drug education programs.

LETTER FROM LLOYD WAMHOF
(Director, drug abuse prevention program, Fresno, Calif.)

Regarding the establishment of "professional drug counseling staffs" in the schools, this would immediately establish the clients as drug users and may then deter their seeking such help. Through our program, we have placed ombudsmen in the schools to act as adjuncts to the school counselors. These people are purposely not labeled a "drug counselor" because they are concerned with basic human behavior, not "drugs". Our experience has shown that students come to these ombudsmen with a myriad of personal problems, which often include drugs. Because of their unique position on the counseling staff, they can handle immediate problems immediately, can assure confidentiality, and can meet the one great need—that of giving time to the student for what we term "active listening".

I would like to offer some specific recommendations:

GENERAL PHILOSOPHY:

1. Decentralization of the drug issue, with integration into a total mental and physical health program, K-12.

2. A shift in existing programs toward primary prevention; the tremendous sums now being poured into rehabilitative efforts assume a never-ending stream of students needing these after-the-fact services.

RECOMMENDATIONS:

1. Improved training of health educators, broadening their scope, making the study

EXTENSIONS OF REMARKS

October 13, 1973

of health not just a study of the body, but of the emotional and mental health of the students in society as a whole.

2. With all teachers, K-12, greater emphasis on self awareness and the development of a positive self image.

3. There should be an enhancement of interchange between students and teacher but with the teacher maintaining his role as model.

4. There is seen development toward more education in the affective domain, which should be encouraged and emphasized.

Young people spend many hours in the school environment, making it absolutely necessary for the educational systems to assist in the development of decision making skills, the clarification of values, and the ability to function with an understanding of self and others.

5. A parent and community awareness program should be initiated in each school district. Those predispositions which lead to the mis-use of drugs usually start in the home. Additionally, the parents must be made aware of the efforts and goals of the educators.

LETTER FROM DAVID C. GRAY
(Superintendent of schools, Atascadero, Calif.)

We were able to utilize Federal funds under the California Council on Criminal Justice for a three year project which ends September 30. The District, on its part, contributed matching funds of \$10,000 each year to the program. The program included the following:

1. The establishment of a Drop-In Center servicing all students in the District and nearby areas.

2. An In-Service Drug Education program for all staff members in the District. Approximately 10 hours were spent each year in this particular area highlighting the preventative, corrective, and rehabilitative approaches to drug problems.

3. An advisory committee of adults met periodically to review the program.

4. Coordination of servicing agencies for the mutual help of the individual. These agencies included the court, mental health, hospital, law enforcement, foster homes, probation and welfare.

There is available a full statistical evaluation of the program which was given an extremely high rating by the State of California and meritorious commendation by the County Grand Jury. Further, the Sheriff's Department has shown almost no arrests for drugs in the Atascadero area during the past two years. Students involved have shown better school attendance and better grades. Much less vandalism in the schools and community has been noted.

The problem that faces the School District is the fact that Federal funds have now expired and our program this year will be seriously curtailed. The District is continuing to seek outside funds so that we may continue the same level of progress that we have noted for the past three years.

What I am attempting to portray in the way of information is that many projects of assistance to various communities and agencies are considered as seed money and help said agencies establish programs. However, it is very important that these programs continue to be maintained by continued financial assistance.

LETTER FROM B. A. BARSOTTI
(Principal, Madera, Calif.)

My foremost suggestion is that a much stronger enforcement of the law is the one area that the vast majority of the Junior High students respond to quickly when they are involved. Also a stronger commitment on the part of parents toward their own situations. As a personal experience, these stu-

dents just don't believe that anything will happen upon breaking the law or from the uses of drugs. The recommendations offered by your committee, I feel, will have very little impact.

A NEED FOR REEXAMINATION

HON. JOHN BRECKINRIDGE
OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. BRECKINRIDGE. Mr. Speaker, Wednesday was a significant day for the House of Representatives, and the District of Columbia, as it passed a long-awaited bill conferring a decent measure of home rule upon the people of the District of Columbia. One of the more important aspects of the bill, about which I have been particularly concerned, is its judicial article and, more particularly, sections 431 to 434, inclusive.

H.R. 9682, as reported out by the full District Committee on June 30, went a long way toward insuring the competence of superior and District of Columbia appellate court judges as the bill in its then form provided for an appointment process whereby the then-contemplated appointing authority, an elected mayor, would nominate judges from lists—totaling no more than seven persons—provided him by the Nominating Commission. The members of the Nominating Commission would themselves be men qualified to become judges in the District, and would be appointed as follows: two by the Unified District of Columbia Bar and the Board of Governors; two by the Mayor from names submitted by the Council; one by the Speaker of the House; one by the President of the Senate; and three by the President of the United States. I was satisfied that this selection method, whereby the District's judges would in effect be nominated by their peers and appointed for 15-year terms, insured both the quality of the bench and the insulation of the District's trial and appellate courts from partisan political considerations.

However, insofar as the provisions governing the reappointment of judges under H.R. 9682 were concerned, I was persuaded that we had not afforded the administration of justice and the bench adequate protection; the bill, as reported out on June 30, vested too much discretion in the appointing authority, in my view, to reappoint or not to reappoint sitting judges. For that reason, working with the American Judicature Society and the American Bar Association, I urged the bill's amendment to provide for the appointment of an independent Tenure Commission, identical in composition to the membership of the Nominating Commission, and for the creation of a rating system to be applicable to those sitting judges desiring reappointment to additional 15-year terms on the bench.

As the committee substitute now reads, the Tenure Commission would rate any such sitting judge as being "exceptionally well qualified," "well qualified," "qualified," or "unqualified." If

rated "exceptionally well qualified" or "well qualified" the judge shall be automatically reappointed. If rated "qualified" the President might, within his sole discretion, submit his name for consent to the Senate. If rated "unqualified," a vacancy would automatically be deemed to exist upon expiration of his term and that particular judge would be ineligible for a District judgeship.

It would appear self-evident that such a system of reappointment would adequately protect the bench from undue political influence at the same time that it offered to potential and sitting judges a guarantee that their tenure on the bench would be based solely upon merit selection, thus encouraging those most qualified to serve. As amended, the House bill now has the endorsement of the American Judicature Society, as endorsed in the following telegram from the president, John S. Clark, received by me on the floor of the House during the debate on this measure.

TELEGRAM

CHICAGO, ILL.,
October 10, 1973.Hon. JOHN B. BRECKINRIDGE,
House Office Building,
Washington, D.C.:

I strongly endorse and urge support by all Members of Congress of the principles of merit selection of District of Columbia judges encompassed in sections 431 to 434, inclusive, of the October 9 committee print of the amended committee bill redesignated H.R. 9682 on the government of the District of Columbia.

This measure in my judgment has been greatly strengthened by the committee amendment which provides security of tenure for competent judges by assuring reappointment at ends of terms of those given a rating of "exceptionally well qualified" or "well qualified" by the Tenure Commission but making reappointment optional at the discretion of the appointing authority and requiring reconfirmation when the Tenure Commission finds a judge merely "qualified." A rating of "not qualified" of course would rightly eliminate any incumbent judge from reappointment. These security of tenure provisions are critically important to insure judicial independence while at the same time making it possible to periodically reexamine judges' qualifications based upon their judicial performance.

This bill, which provides for a Nominating Commission to minimize the element of political influence in the judicial selection processes, for executive appointment to hold accountable the public official who ultimately makes the appointments and for a method of appraising the performance of judges on the bench, contains all of the ingredients of the best method for selecting judges yet devised by the mind of man. Enactment of this proposal is essential if the District of Columbia is to be served by the most qualified men and women who are available for judicial appointments.

These merit selection and tenure provisions are not in conflict with the significant system by the 1970 District of Columbia Court Reorganization Act. They are designed to enhance the system and its operations by providing a means of getting the best personnel obtainable to operate it.

Merit selection systems are now in effect in over half of the States and are working well. This method of judicial selection has been endorsed by the American Judicature Society, the American Bar Association, and other responsible legal and nonlegal organizations.

JOHN S. CLARK,
President, American Judicature Society.

As appears from the following report, "The Extent of Adoption of the Non-partisan, Nominative, Appointive, Elective Plan for the Selection of Judges," June 1, 1973, of the American Judicature Society, 28 States and Puerto Rico have adopted the principles, or a portion thereof, enunciated herein, and espoused by the American Judicature Society since 1913 and by the American Bar Association since 1937. The action of the House places the District's judicial system in the vanguard of those jurisdictions professionalizing and depoliticizing the administration of justice.

The report follows:

THE EXTENT OF ADOPTION OF THE NONPARTISAN NOMINATIVE, APPOINTIVE, ELECTIVE PLAN FOR THE SELECTION OF JUDGES

Non-partisan judicial selection through a nominative, appointive-elective system is based on a pattern first advanced by the American Judicature Society in 1913. The plan embodies three basic elements:

(1) Nomination of slates of judicial candidates by non-partisan lay-professional nominating commissions;

(2) Appointment of judges by the governor or other appointing authority from the panel

EXTENSIONS OF REMARKS

submitted by the nominating commission; and

(3) Review of appointments by voters in succeeding elections in which judges who have been appointed run unopposed on the sole question of whether their records justify retention in office.

Twenty-eight states and Puerto Rico now use part or all of these basic elements in filling judicial vacancies in some or all of their courts. No two versions of the plan are alike and consequently several variations exist. Not all states, for example, use the third basic element, commonly called merit retention, and the variations in merit selection plans now in use can generally be placed in two categories, the methods by which the plans were adopted and the extent of their coverage.

The summary chart below reflects the methods of adoption by letters, and the coverage is indicated by the columns in which these letters appear. Students interested in finer distinctions in each of the plans are urged to refer to applicable laws and other appropriate sources of information which are available from the American Judicature Society.

Merit selection plans have been made effective by four means, constitutional provisions (C), statutory measures (S), municipal home rule charter provisions (HRC) and

governors' or mayors' pronouncements either in the form of written executive orders (V-1) or informal public commitments (V-2) to rely in filling mid-term vacancies on lists of candidates furnished by nominating committees consisting sometimes of special bar committees but more often of committees with lawyer and laymen members. The fact that some appointing executives who adopted or succeeded to the use of their predecessors' voluntary plans may opt on occasion to disregard the nominating committees' recommendations confirms the inherent weakness of such plans and the need to make them mandatory by constitutional amendment or other appropriate legal means.

In the second category, most jurisdictions utilize their plans, however they were effectuated, in filling all judicial vacancies in both the appellate courts and the courts of general trial jurisdiction. Some also add the courts of limited jurisdiction while a few limit their plans only to certain courts or levels of courts which are specifically designated. As the summary chart below will disclose, therefore, while all merit selection plans have nominating commissions or committees and involve the executive in making appointments to fill vacancies, either between-election or all vacancies depending on the plans, the courts affected vary from all of them to single courts.

The summary chart follows:

A SUMMARY CHART

States	Nom. comm.	Gov. or other appt.	Merit ret.	High ct.	Inter. app. ct.	Trial ct.	Cts. lim. jur.	States	Nom. comm.	Gov. or other appt.	Merit ret.	High ct.	Inter. app. ct.	Trial ct.	Cts. lim. jur.
Alabama, Jefferson County	C	C				C		Louisiana, New Orleans	C	C					C
Alaska	C	C	C	C		C		Maryland	V-1	C			V-1	V-1	V-1
Arkansas	V-2	C	C	V-2		V-2		Missouri	C	C	C	C	C	C	C*
California	C*	C	C	C	C			Montana*	C	C	C	C	C	C	C*
Colorado, Denver	C	C	C	C	C	C	C	Nebraska	C	C	C	C	C	C	S
Delaware	V-2	C	C					New Jersey	V-2*	C			V-2	V-2	V-2
Florida*	C	C		C	C	C	C	New Mexico	V-2	C			V-2	V-2	V-2
Georgia	V-1	C		V-1	V-1	V-1		New York, New York City	V-2	C			V-2	V-2	V-2
Idaho*	S	C		S		S		Ohio	V-1	C			V-1	V-1	V-1
Districts	S*		S	C	C	C	S	Oklahoma	C	C	C	C	C	C	V-2
Illinois			C	C	C	C		Pennsylvania	V-1	C			V-1	V-1	V-2
Indiana	C	C	C	C	C			Puerto Rico	V-2	C			V-2	V-2	V-2
3 counties	S*	S	S	C				Tennessee	S	C	S	S	S	S	
Iowa	C	C	C	C		C		Utah	S	S*	S	S	S	S	S*
All counties	S*		S	C				Vermont	S	S*	S	S	S	S	S
Kansas	C	C	C	C				Wyoming	C	C	C	C	C	C	

NOTES

States with asterisks (Florida, Idaho and Montana) have constitutional or statutory plans limited to filling judicial vacancies between elections. Asterisks beside letters denote particularly unique features of some state plans as explained below:

California: A commission comprised of elected officials must approve all appellate court appointments the governor makes.

Idaho Districts: The statutory plan for designating district court magistrates creates commissions in each district comprised of elected officials and district judges who recruit, screen and appoint. Legislation adopted in 1973 makes all magistrates subject to merit retention elections instead of reappointment at the end of terms.

Indiana Three Counties: Allen, Vanderburgh and Lake Counties' trial courts are under merit selection and tenure plans enacted for each of those counties and in different legislative sessions. These plans do not apply to the circuit courts in those counties.

Iowa All Counties: Under court unification legislation enacted in 1972, county magistrate appointing commissions were established which have the power to recruit, screen and appoint magistrates. These procedures are repeated at ends of terms when the law provides for the reappointment or replacement of magistrates.

Missouri: The original constitutional plan, while mandatory statewide with respect to appellate courts, is limited to trial courts

in the two largest population centers of the state, St. Louis city and Jackson County. Local option provisions exist in the constitution, but until recently the legislature has refused to approve implementing legislation. In 1967 and again in 1972 bills were passed to give the voters of St. Louis County, in the first one, and the voters of Clay and Platte Counties, in the second, a right to vote on extending the plan to their counties. In all three the issue passed with substantial majorities.

New Jersey: The plan used in this state involves two types of bar committees, one to recruit prospects for the governor to nominate and another to screen and rate his choices before appointments are formalized.

Oklahoma: The constitutional plan in this state applies only to the appellate courts, but under a policy followed by two successive gubernatorial administrations, the plan is used for filling all trial court vacancies, too. The merit retention part of the plan, therefore, is inapplicable to trial court judges.

Utah: Two things need to be noted. Under this state's unique merit retention law, any lawyer can file against an incumbent judge. Under such circumstances the candidates oppose each other on non-partisan judicial ballots. If an incumbent draws no opposition, which is generally the case, he runs on a standard merit retention ballot which calls for a yes or no vote on his remaining in office. Another plan exists by statute for judges of juvenile courts. It calls for a special nominating commission consisting of elected

officials. There are no provisions for merit retention since incumbents must stand for reappointment or replacement at ends of terms.

Vermont: Consistent with an historic constitutional requirement for legislative appointment and reappointment of judges, both houses make initial appointments from lists furnished by a nominating commission and vote on merit retention ballots for retaining or rejecting incumbent judges when their terms end.

Mr. Speaker, in view of this endorsement and that of the American Bar Association printed in Wednesday's issue of the RECORD, I believe that the conference committee should give serious consideration, in the spirit of self-determination, and in recognition of the fact that ours is a government of laws rather than men, to restoring the bill to its prior condition by providing that the elected Mayor of the District of Columbia, rather than the President of the United States, serve as the appointing officer. It is my hope that this mistake in understanding of the true nature of the independence of the District's judiciary, as provided for in H.R. 9682 as revised, will be corrected in conference.

**EPA REVISES REGULATIONS FOR
WASTE TREATMENT PLANTS;
WILL ALLOCATE FUNDS TO ALL
STATES ACCORDING TO LAW**

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MATSUNAGA. Mr. Speaker, I am pleased to share with the House my sense of satisfaction upon learning yesterday that the Environmental Protection Agency—EPA—had agreed to revise its regulations allocating reimbursement grants under section 206 of the Federal Water Pollution Control Amendments of 1972.

Congress clearly mandated in that act that funds appropriated for that purpose would, if the amount were not sufficient to cover all of the States' eligible needs, be prorated among the qualifying States. Instead, however, these funds were allocated to only half the States, with a handful among that half receiving the bulk of the money. Twenty-four States found absolutely no funds were allocated for them; 14 more were informed they would be reimbursed only a fraction of the amount they were entitled to.

But through the persistent efforts of the Public Works Committees of both Houses, and because of the strong support of Members of the House who co-sponsored legislation I introduced to compel a revision, the funds will be restored. Not only will each State receive its entitled share of funds, but, perhaps more importantly, a measure of trust has been restored between the EPA and State environmental authorities.

I applaud the efforts of all those who participated in rectifying the unfortunate situation, including the EPA. I further urge my colleagues to join me in a continuing effort to fulfill the commitment to reimburse fully those States which answered the Federal call to clean up the Nation's waterways and shorelines. In this connection I will soon propose that we substantially increase the present \$1.9 billion appropriation, which has met less than 80 percent of the estimated qualifying needs of the States.

At this point in the RECORD, Mr. Speaker, I include a list of my distinguished colleagues who co-sponsored my resolution to counter EPA's original proposed regulations. They can rightly take credit for reversing the adverse action of the EPA.

The list follows:

Brock Adams, of Washington.
Glenn Anderson, of California.
Thomas Bevill, of Alabama.
David Bowen, of Mississippi.
George Brown, of California.
George Danielson, of California.
Ron Dellums, of California.
Frank Denholm, of South Dakota.
Don Edwards, of California.
Dante Fascell, of Florida.
Daniel Flood, of Pennsylvania.
Richard Ichord, of Missouri.
William Ketchum, of California.
Richard Mallary, of Vermont.
Dawson Mathis, of Georgia.
Paul McCloskey, of California.
Lloyd Meeds, of Washington.

EXTENSIONS OF REMARKS

John Melcher, of Montana.
G. V. Montgomery, of Mississippi.
Thomas Morgan, of Pennsylvania.
John E. Moss, of California.
William Nichols, of Alabama.
Wayne Owens, of Utah.
Claude Pepper, of Florida.
J. J. Pickle, of Texas.
Edward Roybal, of California.
John Saylor, of Pennsylvania.
John Seiberling, of Ohio.
Charles Teague, of California.
Charles Thone, of Nebraska.
Charles Vanik, of Ohio.
Joseph Vigorito, of Pennsylvania.
William Whitehurst, of Virginia.
Charles Wilson, of California.
Gus Yatron, of Pennsylvania.

ADDRESSING URBAN ECOLOGY

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MITCHELL of Maryland. Mr. Speaker, I would like to pass on to you today the insights of Mr. Larry Young, urban environment director of the Izaak Walton League of America, on the subject of urban environmental concerns. His article, entitled "Fresh Approaches to the Metropolitan Wilderness," reveals a perception of wide scope. Mr. Young urges us all to adopt his comprehensive outlook toward the critical ecological problems facing us at present. By demonstrating clearly that urban and nonurban problems are inextricably intertwined, he shows us that answers must be sought which address themselves to both communities.

**FRESH APPROACHES TO METROPOLITAN
WILDERNESS**

I have been requested to speak from the text—"Fresh approach to metropolitan wilderness." I intend to discuss the rapid progress of environmentalists and the new responsibilities which that progress creates. I want especially, however, to explore with you the way in which these environmental issues relate to the metropolitan wilderness of our cities—the problems of poverty, and cultural deprivation.

Let me for a few seconds draw you a vocal picture of the metropolitan wilderness. First, it is a fact that man is a part of, and the creature of, his environment. Wouldn't it be great if every man could be programmed by his genetic inheritance to need and then obtain clean air, clean water, and wholesome, pure food. The environment of life is more than land, air and water. It is also where we live, work and play. It is the products we consume or use. Today, for too many people living in the metropolitan wilderness it is noise and crowding. It is garbage piling-up in halls and alleyways. It is rats and insects and crumbling, insanitary housing. It is clogged highways—and unsafe cities.

One can take any city map and outline the wilderness areas—where bad housing, bad sanitation, air pollution, garbage accumulation, rats, stray dogs, noise and other environmental stresses are at their worst.

Despite such a picture—there are all too many earnest and well-intentioned people who reject the current concern for the environment as a false issue, a "middle-class" issue, or a distraction from more real and pressing social needs. Oddly enough, many say this anti-ecology backlash is being voiced by many who have "little more in common than the smoggy air they breathe." A black militant avows that he doesn't give a damn about ecology. Someone else wonders whether

October 13, 1973

mankind will suffer "a whole hell of a lot if the whooping crane doesn't quite make it," and the ladies of the DAR regard the environmental movement as "one of the subversive element's last steps."

Obviously, I don't agree with any of these sentiments. Those who do, it seems to me, do not understand what we really mean by "the environment." Most of all, they have failed to recognize the complex ways in which our social and environmental ills interact . . . that they have their origins in the same root causes that they contribute to and intensify each other . . . and that their solutions are inextricably bound together.

It seems to me that young people—those whose concern for civil rights and peace and equality has now been extended to include ecology—understand these relationships. Part of what young people are trying to say, these young people who were born into a world of space travel and television and nuclear fission, is that the problems of pollution and urban decay and wasted resources are intertwined with and form part of, the problems of hunger and poverty and the physical and psychological ills that are their constant companions, that together they constitute a kind of Medusa's mirror in which we see our hallowed institutions "warts and all" with all the flaws and all the contradictions in good intentions that have shaped a world which even the most favored find far from satisfactory.

And who bears the principal burden of all these environmental ills? The residents who live in the metropolitan wilderness. What kind of populace resides or migrates to such a wilderness? Probably the poor, itinerant farm worker, who, is, as we all are, carrying around some 12 parts per million of DDT in fatty tissue. But who's getting the biggest dose?

Or take another pollutant: mercury. Whose children suffered brain damage because mercury-treated seed grain was fed to hogs that were later slaughtered and eaten? And, if mercury pollution is concentrating through the food chain in fish—who is it that is most apt to live on a diet of fish taken from polluted streams and coastal waters. The poor. And where do the vast majority of this country's poor populace reside in the metropolitan wilderness.

Where do you find unvented gas heaters that can sicken and kill with carbon monoxide fumes? Where are you likely to get tainted or adulterated food? Not on Miami Beach.

Who goes down in the mines and gets "black lung"? Or gets skin cancer from coal tar? or byssinosis from cotton dust in the textile mills?

We're all breathing a certain amount of lead these days—and it's not good for any of us. But whose children are being poisoned by the lead paint chips off old tenement walls?

Who suffers most from living in the metropolitan wilderness with the polluted air, the crowding, the noise, the rodents, the garbage of our cities? The lack of open spaces and greenery? Not the rich or the middle class, who can afford to get away from these things.

Believe me, these are not inconsequential things—they may well be among the most important factors that hold people in an unbreakable cycle of poverty. Anyone who is concerned with the social and economic inequities of our society has simply got to be concerned with the environment (the metropolitan wilderness, too) in which people live.

Now we find that we have built cities (within the metropolitan wilderness) that are almost unlivable; we have allowed vast areas of rural America to be emptied of people and promise and have filled our crowded cities with the victims of rural blight; we've built "high-speed" highways on which "high-speed" cars move at horse and buggy rates; we have built an industrial system that gives us an affluence never before seen in the

world—and that pollutes the very air and water on which our lives depend.

Let me hasten to add—before I am cast with the ecology “subversives”—that these contradictions (i.e. about the metropolitan wilderness) are certainly not unique to our own Nation. They are being confronted by every developed and developing country, including those having totalitarian communist regimes. In other words, the same kind of “tunnel vision” seems to have afflicted all societies in their single-minded pursuit of technological and economic progress.

In our country we have finally come to see that these things diminish the quality of life for all, and people are beginning to ask themselves where we went wrong. For the first time, it seems to me, Americans are beginning to reassess the values and viewpoints of the past that have been, until recently, enshrined in many minds as the sacred cow of the “free enterprise system” or the “American Way.” They’re beginning to take a more *holistic* ecological view of our economic, social and political philosophies. Being the optimist today, I can visualize Joseph Penfold’s sought after dream that I work hard, why?—“If we can’t provide a liveable environment for everybody, we can’t provide it for anybody.”

The Izaak Walton League of America is re-examining its role in the fight to protect and enhance the environment. The Office of Urban Environment was established in July, 1972 when it had become evident that the need to act on urban environmental problems requires special attention by the League. League President Roy Crockett established the first national Urban Environment Committee broadly representative of the League’s membership—Iowa, Ohio, Indiana, Nebraska, Maryland, California, and Minnesota.

Hopefully today there are few who are unaware of the ecological devastation of pollution but our awareness must go further to an understanding of the bearing this has on the human community. The League has championed purity of water, value of wildlife, clarity of air and stewardship of the land. We want to see these objectives achieved in meeting the needs of communities throughout the nation. Among the most pressing needs are those found in our metropolitan wilderness, in our urban communities and within those, in the neighborhoods which suffer greatest from the ill effects of pollution.

I have been under the skillful hand and mind of Joe Penfold who fathered the League’s interest in urban environment concerns and who asked me to direct such efforts. Since then, the Office of Urban Environment (OUE) has had a five-point plan:

Promoting active urban membership;

Developing conservation and environmental education programs directed to urban dwellers;

Stimulating urban environmental action programs;

Establishing conservation areas outside urban boundaries accessible to urban children; and

Promotion of urban citizens involvement in environmental planning and decision making.

We see this as a fresh approach to the metropolitan wilderness.

We believe that the problems of the environment have not been examined from the point of view of the urban dweller. Such examination will have a beneficial effect on the League and hopefully, the raising of questions will stimulate the OUE programs to discover actions that could be taken to result in solid achievements. For example, our steadfast fight to get 900 acres of land turned over to the citizens of Washington, D.C. and the use of the open space and waterfront area to be for the public at large at Anacostia-Bolling Field. A symposium we organized and a petition for an environmental impact statement attracted the attention of

EXTENSIONS OF REMARKS

some congressmen and with their aid what was a lost cause has been turned to favor the Anacostia community and the environment.

We believe that we must explore preventative measures for the future and even more importantly, explore ways to enhance the quality of life for the urban dweller and to involve him/us in that objective. Our 15 urban project cities are a big plus in that direction.

We must listen not only to the advice of technical experts but also to those who are most affected by the plight of the urban environment. I encourage your suggestions both as to what the problems are and what can be done. No one person or organization can single-handedly solve the vast urban problems but each can play a part in assuring that in the future our cities will be pleasant and healthy for all who choose to live in an urban environment.

AN INFORMED MEMBERSHIP IS AN ACTIVE MEMBERSHIP

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. GAYDOS. Mr. Speaker, on many occasions on the floor of the House we have heard facts and figures quoted regarding the various trade restrictions imposed on U.S. products by foreign governments and their effect on American workers and their jobs. Similar testimony has been given before various committees charged with the responsibility of correcting these inequities.

Invariably, the source of the quoted material or testimony is a well-informed, knowledgeable individual who serves as the representative of a group or organization concerned over the situation. Rarely, have we actually had the opportunity to hear from the worker himself. Because he cannot afford to take time off from his job to come to Washington, he must rely on a spokesman to get his message across to Congress.

However, I assure you the worker, too, is well informed about our Nation’s trade problems. As an example, I would like to insert into the RECORD an article which appeared in the September issue of the Labor Journal. The journal is a news letter, published by Local 1557, USWA, in the city of Clairton, Pa., whose masthead proclaims “An Informed Membership Is An Active Membership.”

Mr. Speaker, the article, written by a steelworker, cites several developments in international trade which have as their common denominator the loss of American jobs. The article follows:

U.S. CARS GO ABROAD MINUS MOTORS—AND JOBS

These days, even if an American auto company can export cars to a foreign country, those autos are often sent minus some essential parts—such as engines.

This is because of an anti-free trade device used by some nations known as “local content” law. These laws, which exist in different forms in most so-called “developing countries” and such nations as Canada, Mexico, Spain and the Soviet bloc, require that a certain percentage or certain parts of goods sold there must be made in that country. In other words, these nations decide in advance just how much of your product they will allow to come in.

So American Motors is in the position of sending 1974 Hornet models to South Africa without engines. The engines that will go into the cars will be South African-made General Motors products.

In this case, between 1,400 and 1,500 motorless American Motors cars will go to South Africa—and the jobs that would have produced the motors in the U.S. will be handed over to South Africa.

NEW AMERICAN CAR TO MAKE DEBUT

A new “American” car is about to make its debut. Volvo, the Swedish auto maker, has announced plans to “build” autos in the U.S. at a \$100 million plant in Chesapeake, Va. Production is planned to start late in 1976 at an annual rate of some 30,000 cars. This will be expanded to 100,000 by 1980. Workers in the plant will be represented by the United Auto Workers, and by 1980 will number some 3,000.

Nearly all of the parts for the Volvo will be imported from Sweden. The plant will merely, at first, be an assembly plant.

This pleases S. J. Strasburg, a New York City Volvo dealer. He says: “This will help us put to quiet all that garbage about Buy American.” Sure, with a foreign named car of all-Swedish-made parts put together in the former colony of Virginia, how American can you get?

RUSSIANS ARE COMING—WITH TRACTORS

American farmers may soon be plowing ground with Russian-built tractors for the growing of American wheat to sell to the Russians.

This likelihood of Soviet-manufactured products at home is to take place regardless of the current trade bill’s special benefits to the Russians.

The New York Times reports that a company in Canada which sells tractors imported from Russia is planning to move into the U.S. markets next year. The company, Belarus Sales, is American-owned. In partnership with Belarus Equipment of Canada, which is Soviet-owned, it already is selling Russian-built tractors in Canada.

Belarus Sales figures that its planned move to Milwaukee in 1974 will put it within reach of the bulk of the \$8.5 billion U.S. market for farm machinery.

Belarus is not the only company with the idea of selling tractors made by Communist bloc countries in the U.S. Auto-Tractor, which is a Rumanian product, is joining with the Canadian province of Saskatchewan to build a tractor assembly plant there from which it hopes to invade the U.S. tractor market.

REPORT ON TAIWAN SHOWS HOW U.S. JOBS VANISH

A classic example of how U.S. jobs have been exported in the electronics industry is provided by a recent report on how well Taiwan is doing selling television sets in the U.S.

The report, which appeared in The Washington Post, says that sales of Taiwan-made TV sets are booming. By the end of 1972, Taiwan’s sales to the U.S. were \$314.4 million, second only to Japan.

These sets which are sold to Americans come from American companies which closed down production in the U.S. and moved to Taiwan.

Last year, five of Taiwan’s 10 largest exporters were subsidiaries of U.S. electronics firms—RCA, Philco-Ford, Admiral, General Instrument and Zenith. And most of the profits in Taiwan electronics industry come from trade with U.S.

“Last year,” the report continued, “more than \$257 million of made-in-Taiwan radios and televisions were sold to the U.S. In the first quarter of this year, Taiwan was the U.S. largest supplier of foreign-made black-and-white television sets—selling nearly two times as many as Japan.

The article added: “The majority of these

consumer goods were produced in American-owned factories, making use of materials imported primarily from Japan and, of course, Taiwanese labor."

With the help of these "American" products—which are made in Taiwan at the expense of U.S. jobs and production—Taiwan's trade surplus with the U.S. in 1972 was \$686 million, which is larger than that between the U.S. and the whole European Economic Community.

Buy American—support Burke-Hartke.

FOREIGN AID AND HUMAN RIGHTS— THE PHILIPPINES

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Ms. ABZUG. Mr. Speaker, yesterday, I testified before the Subcommittee on International Organizations and Movements of the House Committee on Foreign Affairs. This subcommittee is focusing on the international protection of human rights. In this time of massive deprivation of civil liberties all over the world, only the most dramatic cases catch our attention. At the moment these are Chile, Vietnam, and the Soviet Union. In the heat of debate and rhetoric one loses sight of the basic historic reality. The deprivation of human rights is not an historic accident or the product of inherently evil people. It is the product of particular values and historic circumstances that do yield to analysis. When people are intolerant of others and seek to resolve conflicts by suppression rather than debate and compromise, it is human rights that suffer. I have chosen a typical case in the Philippines to drive home one further point. If the United States were not constantly supplying the military and economic resources, governments like that of Marcos in the Philippines would not have the means and opportunities, no matter what motives were present, to avoid facing conflict and beginning the process of meaningful resolution.

I hope we have learned enough from the tragedy of our involvement in Vietnam to recognize the symptoms and not repeat tragedies elsewhere. I urge your attention to the present circumstances in the Philippines examined in my testimony which now follows:

TESTIMONY OF CONGRESSWOMAN BELLA S. ABZUG

Mr. Chairman, members of the Committee, thank you for the opportunity to make a few observations on the enormous task implicit in the series of resolutions and bills on human rights which you are considering. I want to commend their spirit at the onset.

Mr. Chairman, people do not permit other people basic freedoms or civil liberties because of any given set of laws or institutions. Freedom requires at least the tolerance of diversity. Tolerance is a rare commodity in a world where most people are taught that the ultimate purpose of existence is the acquisition and maintenance of material, political and social power. Diversity threatens by upsetting the rules of competition and by conjuring up alternate values and models, alternate realities. It is thus not accidental that the junta in Chile and the rulers in Saigon and Manila, to mention but three, deny fundamental liberties to their peoples.

EXTENSIONS OF REMARKS

To hope to change this millennial human quandary by affording the United Nations greater powers is a noble vision. But human beings and governments act out of means, motives, and opportunities. To change motives is an enormous long term political process that will not get off the ground as long as the resources of the world are so maldistributed and so finite both within each society and between the developed and less developed countries. For the United Nations to make serious progress in this area it must be given more than the power to embarrass. It must be given substantive political power and a substantial economic base.

Thus while I commend the accretions of power envisioned in the United Nations and the International Court of Justice by these resolutions and favor their passage, I shall today urge your attention specifically to the passage of H.R. 10455. For this bill envisages more than the creation of a Bureau for Humanitarian Affairs within the Department of State, which is itself a promising idea. This bill also offers a concrete way to change people's opportunities and means and therefore to change behavior. If we cannot educate governments to tolerate their citizens and to grant basic human freedoms, we can diminish significantly the means and thus the opportunities for totalitarian behavior. It would indeed have an extremely sobering and humanizing effect on many nations if it were, as is provided in Section 4 of H.R. 10455:

"The policy of the U.S. government to terminate all military assistance and sales to any government committing serious violations of human rights, and to suspend any economic assistance directly supportive of the government committing such violations."

It would be relatively easy to document for you the extreme cases of contemporary Chile or South Vietnam where American aid has played a major role in creating conditions under which people are daily seized, tortured, incarcerated and even executed without any semblance of justice. If the Chilean military had not been granted some \$28 million of military aid in FY 72 and 73 (and \$11 million more this current fiscal year), they would scarcely have been so ready and capable of overthrowing a legally elected government. And if the United States and the multinationals had not adversely manipulated both national and international economic conditions, the Allende government might well have worked its way past whatever initial policy mistakes it made.

It takes little imagination as well to draw the much less subtle correlations between granting \$2 to \$2.5 billion a year of military and economic aid to the government of President Thieu and the particular policies he pursues. Indeed if the United States did not supply 85-90% of the total resources of the GVN, that government would not even exist. As it is we permit Thieu the luxury of a 1.1 million man army and a 122,000 man police force. Thieu has no need to tolerate diversity of opinion and he doesn't. As I have testified in detail elsewhere (see the *Congressional Record*, September 13, 1973, p. 29747, and October 3, 1973, p. E6260), the painful results are currently some 100-200,000 political prisoners, a computerized system of national identity cards ideal for the most modern totalitarian harassment, and an ongoing civil war which threatens ominously to reescalate in the near future. It is a profound tragedy that we so miseducated the present ruling class of South Vietnam through two decades of "aid" programs. But it is unconscionable that we perpetuate the destruction of civil liberties by supplying Thieu with the means and opportunity as well as the values.

Chile and South Vietnam are admittedly extreme cases of the abuse of human rights. I want to focus your attention today on the Philippines which has just completed its first year under the martial law of President Ferdinand Marcos. My interest in the Philip-

pines was heightened by my recent visit there as part of a Congressional fact-finding tour. Reports in the American press on internal Philippine conditions have often been positive over the last year. Daniel Southerland in *The Christian Science Monitor* on September 21 found the Philippines happy with martial law. If one looked beyond the headlines, however, Mr. Southerland was talking about the happiness of domestic and foreign businessmen. If one were to go beyond the media image projected by Marcos the realities for the ordinary Filipinos are not so happy.

Martial law has permitted Marcos to end the freedoms of speech, press, and assembly guaranteed to the Philippine people by their constitution. See for example *The New York Times* of April 3, 1973 for a study of Marcos' attempts to overrun the Philippine Supreme Court. Marcos has prohibited all constitutional methods of political opposition. Thousands of Philippine citizens languish in jail, others have been forced into the political underground, and still others have turned to guerrilla resistance. There is no way to get an exact account of political prisoners. Various foreign newspapers mention round numbers of 5 to 10,000. But, as private letters indicate, this is considered too low by some who know better the rural scene where there are many provincial and town jails filled with people arrested at the slightest provocation by the military authorities.

It is quite clear that political prisoners are abused. Episodes have occurred from the early days of martial law as newspaper stories (e.g. the *Honolulu Advertiser*, October 30, 1972) and private letters to foreigners have reported. Food and living conditions are extremely unhealthy. Torture is believed to be fairly common although only a few cases can be well documented. Random censoring of mails inhibits communication as Philippines exiles here report. Once arrested, prisoners can sit in jail indefinitely before being brought to trial. Even before martial law prisoners could sit for years without being tried, especially if the charges were "political crimes." Now there is not even the facade of habeas corpus as the Honolulu publication *Paahayag* reported on August 9, 1973. Trials are by military tribunal with predictable results. One celebrated case, that of Senator Aquino, was reported in the *Philippine Times* (August 31, 1973). The Government censored press did report recently that some political prisoners have been released. It is important, however, to know that ex-prisoners are subject to various harassments and have often been rearrested with no media attention.

Detention of political prisoners is a most obvious and tangible abrogation of human rights in a society. In the Philippines they are only one example in a society beset by a profoundly complex multi-faceted civil war. This is not the place to detail the American role in the creation of this war. The long history of American manipulation and control of the Philippine economy and government is familiar to the committee. What needs stressing is that the Philippines is a sadly typical example of a dictatorship propped up in large measure by American aid. Early this spring the *Wall Street Journal's* Manila correspondent reported a prominent Philippine politician, who preferred to remain anonymous, as saying that many Filipinos understood that if it were not for the support of the United States, Marcos would not last a month. This may be extreme but it points up the basic tie.

President Nixon has made a one-sided, executive commitment to this unconstitutional Philippine regime. Although it remains unspoken, its reality can be measured by the increased aid, up \$16 million to a \$100 million request from Congress for FY 74 military and economic support to the Marcos government. The Senate Foreign Relations Committee report on S. 2335 (p. 18) shows a declining but ongoing public safety program. Thus the Marcos police who are imprison-

ing his critics are at least in part trained and equipped by the United States government. An FY 74 request for \$30 million of military aid (up \$10 million from last year) leads inevitably to the conclusion that the Philippine troops maintaining "order" in the countryside are in part armed and supplied by the United States. Marcos is not even content with destroying the freedoms of the Philippine people at home to keep himself in power. He is also attempting to negotiate an extradition treaty with the Nixon Administration in order to be able to silence through intimidation those opponents of his regime who have found refuge in this country.

It is sometimes difficult for Americans to step outside their country and their culture and to imagine how military and economic aid becomes the means for the destruction of civil liberties. I have in my files perhaps two dozen reports on the Philippines that show particular incidents of the total intolerance of political dissent and organization on campuses (the *Honolulu Advertiser*, September 28, 1972, October 25, 1972, and October 31, 1972 are three), the harassment and dragooning of whole blocks and neighborhoods of poor urban residents (the *Bulletin Today*, one of the three official Philippine newspapers, September 19, 1973 e.g.) the abuse and mindless relocation of squatters (the *Bulletin Today*, April 12, 1973 e.g.), and the terrorism and excesses in rural areas where control of subordinate police and army officers is even more limited (See *Pahayag* #5, April, 1973). I would like to share with you one short report of an episode from Dumaguete City in Negros Oriental province. It was written in mid summer by a Filipino under the pseudonym of George Feliciano, and will appear in *Pahayag* this month:

"Military excesses are expected daily occurrences in areas where war actually rages like Mindanao or Bicol. But in peaceful towns, their stupidity and cruelty never ceases to surprise, in spite of the fact that they have become near-daily occurrences. Dumaguete City, the capital of Negros Oriental, has witnessed no rebel activity. Unlike Bacolod or Ilollo, one hears practically nothing there of the NPA [New Peoples Army, a leftist guerilla force]. Yet the fact of Martial Law has been made foolishly palpable to the residents of this otherwise peaceful city through violent acts committed by the military.

"Last June, a young man, known throughout the small town as a decent, devout, and apolitical youth, was murdered outright by two PC [Philippine Constabulary] enlisted men. The young man played the organ at a local hotel restaurant. Every night he started playing at 6:00 P.M. One early evening at about 5:30 the two PC came into the restaurant and ordered the young man to play. He politely told them that he was scheduled to begin at 6:00 and asked them to wait. They asked once more, and when the musician once more politely refused, one of them took out his gun and shot him on the spot. "It was the fourth unnecessary murder by the PC since the declaration of martial law and the citizens were angry. Military authorities forbade radio stations to announce the time and place of the funeral and made it difficult for people to attend. In spite of this, the turnout for the funeral was large, a fact which thoughtful town residents interpret as an act of protest on the part of the populace.

"The two soldiers are said to be in the stockade at Camp Crame awaiting trial, though no information is available about their case. The major military response to the action was to remove the Provincial Commander of Negros Oriental. But rather than charging him with any wrongdoing, they have simply transferred him someplace else where he can continue to exercise his irresponsible authority.

"The murder of the young musician fits

EXTENSIONS OF REMARKS

neatly into the pattern of mindless violence which characterizes life in the countryside. In the short run, military terrorism no doubt serves the government's purposes by frightening people into compliance. But in the long run such behavior works directly against the government's goals. The population of Dumaguete City knows that the young man who was killed was no activist, that he was a polite, decent person. These otherwise cooperative townspeople are angry at those who murdered him and the authorities who allow murders to go unpunished. Each time an event like this occurs, their anger will grow until one day their sympathies will no longer lie with the government but with the revolutionary forces. Each time the military commits a terrorist act like this, it sows the seeds of its own destruction."

It is too late to preserve the human rights of the organ player from Dumaguete but it is not too late to begin to understand why he died. Virtually every human society is filled with conflicts among elements with disparate political, economic, or social power. If the United States provides the means for conflicts to be solved by force, it encourages such methods. By so doing this country becomes responsible and perpetuates violence, as in the ongoing civil wars in South Vietnam and the Philippines.

There is quite evident sentiment in this Congress, which I share, to improve the rights of certain groups like the Soviet Jews by political pressure. Congress has not yet defined what constitutes outside interference and what does not. But we have no place in providing economic and military aid to governments which work actively to destroy human rights. I urge your support of H.R. 10455.

LOWER PHYSICAL STANDARDS FOR ENLISTING IN ARMED FORCES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1973

Mr. ASPIN. Mr. Speaker, a new study commissioned by the Office of Naval Research says that the Navy could ease its present recruiting problems by relaxing physical standards for enlistees. These recommendations could apply to the other services as well.

If the services were to adopt these recommendations it would be a big break for the all-volunteer concept. If the Pentagon is really serious about having an all-volunteer military, it will adopt the recommendations of this study without a moment's delay. The study suggests more leniency in admissions standards for persons with impairment of the hands, eye trouble, speech impediments, disfigurements, and for those who are overweight or have high blood pressure.

It suggests a 1-year trial of enlistment for evaluating persons admitted under the new standards. It also lists certain jobs in which these people should be restricted. It recommends no changes in present hearing standards.

The effect of lowering physical standards for enlistment would be to raise the overall intelligence level in the military by increasing the manpower pool from which the services can choose. Recently, as the services have attempted to fill their quotas for the all-volunteer force, they have been forced to accept more men with low intelligence scores.

At the same time, the new physical standards would not result in the reduc-

tion of the efficiency of military operations. Many jobs, in the military as well as in the civilian sector do not require men in perfect physical condition. Certainly, we do not need a combat-ready soldier to pound a typewriter or to operate a computer, and that is the kind of thing that many servicemen are doing these days.

I believe that lowering physical enlistment standards for the military is one of three things that will help insure the success of the all-volunteer force. The other two would be to recruit more women and to civilianize a greater number of military jobs.

AIR POLLUTION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. CARTER. Mr. Speaker, I include for the benefit of the Members the first of a series of studies conducted by Dr. Jan J. Stolwijk of the Department of Epidemiology and Public Health at Yale University on air pollution.

This is the first of a series of studies which will be conducted by this eminent scientists with the capable assistance of many prominent members of the Yale faculty.

The possibilities projected in this particular paper indicate that our air pollution standards may well be incorrect and, therefore, that our standards may involve substances of lesser toxicity than others emitted through exhausts or stacks.

The study follows:

AIR QUALITY CRITERIA, PUBLIC HEALTH AND QUALITY OF LIFE

The air pollution episode in Donora, Pennsylvania in October 1948 was unparalleled in the U.S. for its severity and for the effect it has had on subsequent studies and regulatory activities. Until then air pollution had been considered for its effect on the quality of life. After Donora, air pollution is primarily considered for its effect on health, with a tendency to include quality of life effects as health effects.

Since 1948 a very considerable body of literature has developed which concerns itself with the health effects of air pollution. This literature, which has been reviewed on many occasions by different authors and by groups and committees, however, is subject to varying, often conflicting interpretations. Research results to date indeed reveal that a variety of air pollutants have deleterious effects on human health and on the quality of human life. For many of the pollutants, the effects on man have been separately demonstrated and the mechanisms involved have been elucidated. It does not appear likely that any additional health effects of air pollutants have been overlooked and not pointed out in the existing literature.

The fact remains that there is continuing disagreement between scientists with regard to the available evidence. The scientific community continues to be questioned by political decision makers and by different interest groups, and it is clear that the available evidence does not allow conclusive statements about the quantitative relationships between air pollutant concentrations and health effects.

The reason for the ambiguities in the research results are well understood:

(a) The scientific quality of the work on

which the reports are based is marred by often unavoidable methodological imprecision.

(b) In general evidence based on experimental exposure of healthy subjects or animals to individual pollutants indicates high threshold concentrations.

(c) Epidemiological evidence is often compromised by multiple correlations, by inadequacies in pollutant concentration measurements and by inadequate definition of the susceptible population.

(d) Many primary air pollutants can produce secondary products in the atmosphere or can combine with particulate matter with health effects which can be substantially different from those of primary pollutants as emitted.

There is unfortunately very little reason to suppose that further research will produce results with less ambiguities which will allow easier decision making. The question: "How much of a given air pollutant can we safely tolerate?" is a question which can be addressed to the scientific community but to which no simple answer is possible.

Such questions have been designated as trans-scientific questions by Alvin Weinberg in a very thoughtful paper. If the question does get posed to a group of experts and if they are forced to provide a single answer that answer will tend to err very much on the safe side especially when safety will be the only consideration, and the experts are not held accountable for direct costs and other side effects of adoption of such a single value.

We believe, therefore, that the best approach to determining "safe" concentration will likely be found if we first make it abundantly clear that a quantitative uncertainty exists and secondly if we bring legislative decision makers into the standards and criteria setting process.

The Yale study then will review the health effects literature with that purpose in mind. We plan to establish the types of effect and the pollutant concentration range involved for each of the pollutant species, and with special emphasis on mobile source emissions. In so doing we will make a clear distinction between effects which produce or aggravate disease, and effects which we consider to be affecting the quality of life in much the same way as factors such as noise, crowding, congestion or economic opportunity.

We believe the separation of effects into those producing or aggravating disease and those which affect the quality of life is an important one. We further believe that those effects which produce disease and which may be determined more objectively should be built into criteria which, protecting the population against such, should be enforced rigorously whenever and wherever such threats occur by all available means and essentially at any cost.

Quality-of-life effects of air pollutants, however, are more subjective in nature; although objective measurements are often possible, they are related to the source or stimulus and not to the actual effect on a population. It is our view that these quality-of-life effects of air pollutants and pollution abatement directed at improving quality of life are an area where conflicts of opinion and value judgments as well as cost-benefit considerations apply.

It would seem appropriate to conclude that criteria, standards and abatement strategies in these areas should be more flexible, should have considerable local input, and should be weighed in the context of other factors affecting other aspects of the quality of life.

Our review of the health effects and air quality criteria during the next year will thus concentrate on providing a division between effects producing or aggravating disease, and effects on the quality of life. For the various important pollutants we will

EXTENSIONS OF REMARKS

identify the ranges of concentrations in which various mechanisms act on different parts of the population. Although we will most likely need to revise the precise categories we will start with the following categories which we will attempt to assess for the several types of air pollutants:

1. Body burden effects: Irreversible accumulation of a body burden of disease producing material. When airborne material which is able to produce disease is inhaled and accumulated, there is no possibility of correcting the effect of a quality criterion which is not sufficiently strict: we would expect that there would be substantial numbers in the population who already have accumulated dangerous amounts of material. Certain types of particulate material may be in this category and it is obvious that very conservative criteria are in order. It is also clear that the important components of automotive emissions are not in this category.

2. Irreversible damage or impairment: If a pollutant causes irreversible damage or serious functional impairment in healthy individuals, the limits of acceptable concentration should be well below the range in which such effects occur. It is nevertheless important to indicate this range in order to provide a perspective of margins of safety and potential liability.

3. Reversible damage or impairment of function in healthy individuals is also to be avoided at great cost when such reversible effects are likely to impose a risk of cumulative damage.

4. There are in each population groups with pre-existing disease with a continuum of severity. Such groups tend to have lower tolerances to a number of environmental factors including but not limited to different air pollutants. The ranges of concentrations, and the number of individuals in the population should be taken into account in considering air quality levels for different air pollutants for this segment of the population. For this segment of the population high atmospheric temperature and water vapor pressure is a more serious threat for the urban population nationwide than are air pollutants at current levels. This segment of the population is already under medical management and the treating physicians can and do protect such susceptibles from the special environmental threats. It is not possible to protect highly susceptibles from all environmental threats nor do we do this in similar cases. As an example, substantial segments of the population suffer from pollen allergy and although parts of this population are severely threatened we do not have criteria for pollen concentration and we do very little, if anything, to reduce environmental pollen concentration.

In addition to effects which directly impair health or ability to function, there are a large number of effects which lower the quality of life in more subjective ways. This can be due to slight to serious discomfort such as in smog-induced eye irritation; due to interference with sensory perception such as in reduced visibility or with odors associated with air pollution; or due to aesthetic and economic damage due to soiling or increased corrosion rates. As far as air pollutant emissions are concerned they take their place in the spectrum of quality-of-life factors with such other consequences of the type of transportation system to which the U.S. is so strongly committed: transportation induced noise, congestion, land use effects, etc. Offsetting these negative factors are the consequences which are seen as desirable and which brought about this commitment in the first place; fast, convenient and relatively cheap personal transportation.

It will be very difficult to produce a comprehensive and generally acceptable listing of air pollution effects based on the divisions outlined above. We believe that even an in-

complete and somewhat controversial attempt will be very helpful in regaining the perspectives required for an optimal but not perfect decision making process if the current legislation is reviewed.

Some very interesting observations can be made from the very start regarding automotive air pollutants:

1. At the present time only the following emissions are likely to be involved in body burden effects: lead, asbestos and possibly some tire particulates.

2. Carbon monoxide in concentrations likely to occur in the near and intermediate future will have mostly reversible health effects in susceptible classes although there may be a very slight increase in mortality in very susceptible groups. Carbon monoxide will have no other quality-of-life implications.

3. Hydrocarbons in the gas phase will have no direct health effects but will operate mostly through secondary pollutants, and almost exclusively via quality-of-life effects.

4. Nitrogen oxides will have their effect again mostly on quality-of-life factors with minimal risks for health at current concentrations.

We will document that we will never be able to produce either absolute "safety" or absolute values of pollutant concentration which can be quantitatively related to thresholds or other risk levels.

The remainder of our health effects study will be devoted to classifying existing reports with regard to pollutant concentration ranges in which irreversible and reversible health effects of different types occur in what segment of the population. We will describe the continuum and indeed the overlap which exists in disease producing effects and quality-of-life effects. We hope that in this fashion we can clarify the ranges of pollutant concentration which properly are the subject of prescriptive protective regulation, and the ranges which are involved in quality-of-life considerations which we feel should be regulated more flexibly, perhaps on a regional basis and where direct and indirect cost of the regulatory effort should be related to the perceived improvement in total quality of life.

EMISSION CONTROL STRATEGIES OF THE 1970 CLEAN AIR ACT: COSTS, EFFECTIVENESS AND ALTERNATIVES

The 1970 Clean Air Act differed substantially from earlier Air Quality legislation in its implementation strategies. Especially with respect to motor vehicle emissions for which specific levels of reduction were included in the Act, it has brought about substantial reductions in emissions from new vehicles, and the vehicle population will continue to produce less and less of the three major types of pollutants.

Since the Act was passed, a number of factors have emerged which were not and could not have been considered during the legislative discussions.

Some of these factors were unknown at the time because the technological developments required could not be precisely foreseen, and their cost could not be estimated.

In the health effects data, the effects producing or aggravating disease or producing increased mortality were not completely separated from what we would classify as the quality-of-life effects. This resulted in quality-of-life threshold values which certainly should have been considered in a cost context, but were, in fact, considered as non-negotiable health criteria.

Several regional implementation plans, especially in the transportation control elements, are indicating serious difficulties in meeting air quality criteria even with the mandated emission reductions.

Estimates of overall costs of automotive emission controls are becoming progressively higher with the Committee on Motor Vehicle Emission of the National Academy of Science estimating an eventual increment

of \$25 billion annually over the comparable 1970 costs. This would appear to be considerably higher than the total estimated cost of air pollution in the U.S. which is estimated by the RECAT Committee report to be about \$16 billion; or the total health cost of air pollution which Lane and Leskin estimate at 4.5% of all health costs or \$6.1 billion annually.

Unfortunately one of the technological side effects of the adopted methods for automotive emission control at the mandated level is a fairly severe fuel consumption penalty which will increase total fuel demand in the face of diminishing resources, and increasing pressure on our balance of payments.

In the critical regions, the implementation plans indicate a requirement of substantial reductions in total vehicle miles driven especially during peak hours. Although the requirement is clear, it is also becoming clear that unless more acceptable alternatives are provided such reductions are going to be very difficult to accomplish.

We are exploring the feasibility and advantages and disadvantages of alternative strategies which might accomplish improvements in the quality-of-life in the urban regions including reductions in air pollutant emissions by automobiles.

TOO MANY PEANUTS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. GOODLING. Mr. Speaker, the surplus peanut situation is costing the American taxpayer money. This was pointed out in an October 1, 1973, issue of the *Wall Street Journal*.

The article points out, for instance, that the peanut surplus has cost the taxpayer in the vicinity of \$70 million last year. I submit this article to the *CONGRESSIONAL RECORD* for the attention of my colleagues, because, in a manner of speaking, that is not peanuts:

HERE'S THE SITUATION IN A NUTSHELL: U.S. HAS TOO MANY PEANUTS—THE SURPLUS IS VERY COSTLY, SO NEW USES ARE SOUGHT; DO PEANUTS HELP DRINKERS?

(By Mitchell C. Lynch)

WASHINGTON.—Peanuts make a flour that doesn't taste like peanuts; some think this is a good thing, but others aren't so sure. Peanuts may enable you to drink more at cocktail parties; then again, they may not. There are a lot of bad puns in peanuts. And there are uses for peanuts that George Washington Carver never dreamed of.

But the main thing about peanuts is that there are too many of them—and that's driving Earl Butz crazy.

"You can quote me on that," the Secretary of Agriculture declares. For at a time when world-wide demand for many U.S. farm products has outrun supply and sent prices skyrocketing, Mr. Butz has a problem of an entirely different kind with peanuts: a big surplus. The surplus cost taxpayers \$70 million last year, is expected to cost them about \$637 million over the next four years and is generating a lot of bad puns right now.

There are those, for example, who like to point out that the federal cost of buying up all those surplus peanuts is hardly, well, peanuts. There is the Agriculture Department official who says, "We've been taking a roasting for a long time."

You can sum up the peanut situation—in a nutshell, of course—like this: There is a

EXTENSIONS OF REMARKS

30-year-old law that limits the nation's peanut farmland to 1.6 million acres. These are allotted on "an historical basis," meaning that only land that was devoted to peanuts three decades ago can be used for peanuts today. The law was supposed to keep peanut supply in line with peanut demand. It hasn't worked out that way.

SOME FACTS AND LORE

The reason is that the peanut farms turned to new fertilizers, pest-killers and irrigation equipment and promptly grew more peanuts than ever. A decade ago, they were reaping about a half ton of peanuts per acre; now it's a ton, and it could be a ton and a half by 1980. Peanut consumption just hasn't kept pace. In the 1966-71 period, for example, national output bounded ahead by 116 million pounds, but national consumption increased by only 21 million pounds.

What to do? Well, one obvious answer is to get everybody to eat more peanuts. Another is to go George Washington Carver one better. (He, of course, was the black researcher who figured out how to make more than 300 products from peanuts, ranging from ink to soap and ersatz coffee.) Both have prompted no end of study in the Agriculture Department.

It can be documented, for example, that the average U.S. citizen eats about seven and a half pounds of peanuts a year. This comes out to about three and a half pounds of peanut butter, a pound and a half of salted peanuts, another pound and a half mixed with candy and a pound of what the department calls "ballpark peanuts," the kind sold with their shells still on.

Now the department's research center in New Orleans is working on ways to squeeze the peanut oil from peanuts and then refill them with water. This would take out calories and presumably open up new markets among weight-watchers. On the other hand, it might hurt the existing market among drinkers.

Some drinkers, it seems, believe that by munching peanuts between swigs they can coat their stomachs with peanut oil, thereby slowing the alcohol's inexorable entry into their bloodstreams. Other drinkers doubt this and swear by butter. But that's another story.

The agricultural researchers also report headway in their efforts to make charcoal and plasterboard from peanut hulls. And they're working hard on that high-protein peanut flour, to be added to regular flour to make cookies and cakes more nutritious. This flour, as previously mentioned, doesn't taste like peanuts, although some researchers think it would be better if it did.

AN ACADEMIC QUESTION

Whether Americans eat enough peanuts is rather academic to the peanut farmers, though. What they can't sell on the open market, the government buys through the Commodity Credit Corp. The CCC then sells most of the surplus overseas but—here's the clincher—at the prevailing world price, which is always lower than the price the CCC paid farmers. That's how the CCC lost \$70 million in the last fiscal year.

Now this is either a sorry state of affairs or a pretty good situation, depending on who you are.

"It's what one could call one hell of a rip-off," complains one critic within the Agriculture Department. Not so, says Sen. Herman Talmadge. Democrat Talmadge, happens to think the program is a good idea, perhaps because he is from Georgia and peanuts are Georgia's biggest cash crop. He also happens to be chairman of the Senate Agriculture Committee. This is why even the critics listen when he says: "A cut in the support program would be disastrous to all rural residents who depend upon the economic activity generated by peanuts."

MARCELLUS MURDOCK ENTERS EDITORS' HALL OF FAME

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 11, 1973

Mr. SHRIVER. Mr. Speaker, the William Allen White School of Journalism at the University of Kansas recently named Marcellus Murdock, the late president and chairman of the board of the Wichita Eagle & Beacon Publishing Co., to the Kansas Newspaper Editors Hall of Fame. It was an appropriate and deserving tribute to one of our State's distinguished newspaper editors. The Murdock name is synonymous with journalism and progress in Wichita and Kansas. Marcellus Murdock was a moving force in Wichita until his death in 1970. He truly earned a place in the Editors' Hall of Fame.

Under the leave to extend my remarks in the RECORD, I include the article from the Wichita Eagle & Beacon detailing the honor accorded to Mr. Murdock by the Kansas University Journalism School. The article follows:

EDITORS INDUCT MURDOCK INTO HALL OF FAME

LAWRENCE, KANS.—Marcellus Murdock, late president and chairman of the board of The Wichita Eagle and Beacon Publishing Co., was named to the Kansas Newspaper Editors Hall of Fame at the University of Kansas Saturday.

Murdock, who died in 1970, was selected by Kansas editors in the first year he was eligible to be named. Announcement was made during KU Editors' Day activities, sponsored by the William Allen White School of Journalism.

Also on the program were talks by Chancellor Archie Dykes and Richard Smyser, editor of the Oak Ridge, Tenn., Oak Ridger and vice president of the Associated Press Managing Editors Association.

In tribute to Murdock, Calder Pickett, KU journalism professor, recalled the beginning of Kansas journalism in the era of "bleeding Kansas," when pro-slavery and anti-slavery forces were battling, and the founding of the Wichita City Eagle by Murdock's father, Marshall, in 1872.

Murdock, born in 1883, became a printer on his father's paper. At 19, he became an Eagle reporter, covering the town stockyards. Later he was sent to Guthrie, then capital of Indian Territory, where he became chief correspondent in the area that soon would become the state of Oklahoma, Pickett said.

Returning to Wichita, Murdock stayed on the news staff and worked his way up to managing editor in 1903, the same year his brother, Victor, was elected to Congress.

Murdock became a crusader, Pickett said, and sought the resignation of a police chief after the Eagle learned there was a bawdy house in city hall. A federal grand jury ended the police chief's career by indicting him for post office robbery.

Murdock became publisher of The Eagle in 1907. Pickett said much of the history of The Eagle was marked by its competition with The Beacon, first published by Henry J. Allen and then sold to the Levand brothers in 1928.

After the Eagle purchased The Beacon in 1960, Murdock said competition with the Levands had "caused the brain of Marcellus Murdock to operate at its full capacity; whatever was there got its full test."

Pickett noted Murdock received many awards during his career. In 1961, he was

named winner of the eighth William Allen White Award for Journalistic Merit of the William Allen White Foundation. He received a doctorate of humane letters from Wichita University in 1963 and the Brotherhood Award of the National Conference of Christians and Jews in 1965.

More than 200 journalists from across the nation honored Murdock at a testimonial in 1966.

Murdock loved flying, Pickett recalled. In 1929, he was breveted a pilot by Orville Wright and became known as the flying editor of Kansas. He flew almost every kind of plane, including piloting one that broke the sound barrier—when he was 80.

Pickett described Murdock, who died at 87, as "a gentleman, as a warm winning personality," one who saw himself as "a shining example of what can happen to mediocrity." Though he would not have called himself a philosopher, Pickett said, Murdock was a man of common sense, in his utterances about the role of the press and in his beliefs about how all men should live.

IN MEMORIAM: LUDWIG VON MISES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. KEMP. Mr. Speaker, in the turmoil of the day—the Middle East crisis, the resignation of the Vice President, the nomination of a new one, the struggle in Congress over war powers—we cannot fail to note the passing of one of the great economists of our age, a man who towered in his profession, a man whose unfailing devotion to libertarian economic principles served as the principal inspiration for an entire school of economic thought—the Austrian School. I speak of Prof. Ludwig von Mises, who died on the 10th, at the age of 92.

In an "In Memoriam" feature within today's Wall Street Journal, Dr. William H. Peterson, a former New York University faculty colleague of Professor von Mises, summarized the force of Dr. von Mises' thinking upon several generations of economists, as follows:

Professor von Mises *** was an uncompromising rationalist and one of the world's great thinkers. He built his philosophical edifice on reason and individualism, on freedom and free enterprise. He started with the premise that man is a whole being with his thought and action tightly integrated into cause and effect—that hence the concept of "economic man," controlled by impersonal force, is in error.

He opposed the planned society, whatever its manifestations. He held that a free society and a free market are inseparable. He gloried in the potential of reason and man. In sum, he stood for principle in the finest tradition of Western civilization. And from that rock of principle during a long and fruitful life, this titan of our age never budged.

At this point in the proceedings, I wish to insert the entirety of my good friend, Dr. Peterson's eulogy:

LUDWIG VON MISES: IN MEMORIAM

(By William H. Peterson)

Ludwig von Mises—"Planning for Freedom" 1952. "Laissez faire does not mean:

let soulless mechanical forces operate. It means: let individuals choose how they want to cooperate in the social division of labor and let them determine what the entrepreneurs should produce. Planning means: let the government alone choose and enforce its rulings by the apparatus of coercion and compulsion."

A generation of students at New York University's graduate business school who took the economics courses of Ludwig von Mises remember a gentle, diminutive, soft-spoken white-haired European scholar—with a mind like steel.

Professor von Mises, who died Wednesday at the age of 92, was an uncompromising rationalist and one of the world's great thinkers. He built his philosophical edifice on reason and individualism, on freedom and free enterprise. He started with the premise that man is a whole being with his thought and action tightly integrated into cause and effect—that hence the concept of "economic man," controlled by impersonal force, is in error.

All this was subsumed under the title of his 900-page magnum opus, "Human Action," first published in 1949. Mr. von Mises, a total anti-totalitarian and Distinguished Fellow of the American Economic Association, was professor of political economy at New York University for a quarter-century, retiring in 1969. Before that he had a professorship at the Graduate Institute of International Studies in Geneva. And before Geneva he had long been a professor at the University of Vienna—a professorship which the oncoming Nazi "Anschluss" take-over of Austria, understandably, terminated.

Among his students in Vienna were Gottfried Haberler, Frederick Hayek, Fritz Machlup, Oskar Morgenstern and Karl Popper who were to become scholars of world renown in their own right.

Starting right after World War II, Mr. von Mises gave three courses at NYU: Socialism and the Profit System, Government Control and the Profit System, and Seminar in Economic Theory. In each course he carefully established the primacy of freedom in the marketplace. He stated that the unhampered pricing mechanism, ever pulling supply and demand toward equilibrium but never quite reaching it, is the key to resource optimization and, indirectly, to a free and creative society.

Mr. von Mises believed in choice. He believed that choosing among options determines all human decisions and hence the entire sphere of human action—a sphere he designated as "praxeology." He held that the types of national economies prevailing across the world and throughout history were simply the various means intellectually, if not always appropriately, chosen to achieve certain ends.

His litmus test was the extent of the market; accordingly, he distinguished broadly among three types of economies: capitalism, socialism, and the so-called middle way—interventionism, or government intervention in the marketplace.

A BELIEF IN CHOICE

Mr. von Mises believed in government but in limited, non-interventionistic government. He wrote: "In stark reality, peaceful social cooperation is impossible if no provision is made for violent prevention and suppression of antisocial action on the part of refractory individuals and groups of individuals." He believed that while the vast majority of men generally concurs on ends, men very frequently differ on governmental means—sometimes with cataclysmic results, as in the various applications of extreme socialism in fascism and communism or of extreme interventionism in the "mixed economies."

He reasoned that regardless of the type of economy the tough universal economic problem for the individual in both his personal

and political capacities is ever to reconcile ends and choose among means, rationally and effectively. Free—i.e., noncoerced—individual choice is the key to personal and societal development if not survival, he argued, and intellectual freedom and development are keys to effective choices. He declared: "Man has only one tool to fight error—reason."

Mr. von Mises thus saw something of an either/or human destiny. While man could destroy himself and civilization, he could also ascend—in a free society, i.e., a free economy—to undreamed-of cultural, intellectual and technological heights. In any event, thought would be decisive. Mr. von Mises believed in the free market of not only goods and services but of ideas as well—in the potential of human intellect.

The failure of socialism, according to Mr. von Mises, lay in its inherent inability to attain sound "economic calculation," in its denial of sovereignty to the consumer. He argued in his 1922 work, "Socialism," published five years after the Bolshevik Revolution that shook the world, that Marxist economics lacked an effective means for "economic calculation"—i.e., an adequate substitute for the critical resource-allocation function of the market pricing mechanism. Thus is socialism inherently self-condemned to inefficiency if not disorder, unable to effectively register supply and demand forces and consumer preferences in the marketplace.

Socialism must fail at calculation because an effective economy involves the simultaneous decisions of many individual human actors—which creates far too large a task for any central planning board, argued Mr. von Mises.

The problem, as Mr. Hayek later pointed out, is of the use of knowledge in society. A central planning board cannot obtain the knowledge of the decentralized market. To do so ultimately would be to require the central planning board to know as much as each human actor. Thus this knowledge is far beyond the reach of any centralized agency, even with the aid of computers.

Some years afterwards, Oskar Lange, then of the University of California and later chief economic planner of Poland's Poltiburo, recognized the challenge of the von Mises critique on Socialist economic calculation. So he in turn challenged the Socialists to somehow devise a resource allocative system to duplicate the efficiency of market allocation. He even proposed a statue in honor of Mr. von Mises to acknowledge the invaluable service the leader of the Austrian School had presumably rendered to the cause of socialism in directing attention to this as yet unsolved question in Socialist theory. The statue has yet to be erected in Warsaw's main square.

But probably to Mr. von Mises the more immediate economic threat to the West was not so much external communism as internal interventionism—government ever undermining if not outrightly supplanting the marketplace. Interventionism from public power production to farm price supports, from pushing minimum wages up to forcing interest rates down, from vigorously expanding credit to contracting, however inadvertently, capital formation.

As in socialism, interventionism also incurs the problem of economic calculation, of denial of consumer sovereignty. In his "Bureaucracy," he held that government agencies have essentially no criterion of value to apply to their operations, while "economic calculation makes it possible for business to adjust production to the demands of the consumers."

On the other hand, he maintained, "if a public enterprise is to be operated without regard to profits, the behavior of the pupils no longer provides a criterion of its useful-

ness." He concluded, therefore, "the problem of bureaucratic management is precisely the absence of such a method of calculation." Indeed, interventionism, he maintained, usually achieves results precisely opposite to those intended: subsidies to industries make them sick, minimum wage laws boomerang on labor, welfare hurts the poor, industrial regulation reduces competition and efficiency, foreign aid undermines developing countries.

So, citing German interventionist experience of the 1920's climaxing in the Hitlerian regime and British interventionism of the post-World War II era culminating in devaluations and secular economic decline, he held so-called middle-of-the-road policies sooner or later lead to some form of collectivism, whether of the Socialist, Fascist or Communist mold.

INTERVENTION BREEDS INTERVENTION

He maintained economic interventionism necessarily produces friction whether at home or, as in the cases of foreign aid and international commodity agreements, abroad. What otherwise would be simply the voluntary action of private citizens in the marketplace becomes coercive and politicized intervention when transferred to the public sector. Such intervention breeds more intervention. Animosity and strain if not outright violence become inevitable. Property and contract are weakened. Militancy and revolution are strengthened.

In time, inevitable internal conflicts could be "externalized" into warfare. Mr. von Mises wrote: "In the long run, war and the preservation of the market economy are incompatible. Capitalism is essentially a scheme for peaceful nations. . . . To defeat the aggressors is not enough to make peace durable. The main thing is to discard the ideology that generates war."

Mr. von Mises had no stomach for the idea that a nation could simply deficit-spend its way to prosperity, as advocated by many of Keynes' followers. He held such economic thinking is fallaciously based on governmental "contracyclical policy." This policy calls for budget surpluses in good times and budget deficits in bad times so as to maintain "effective demand" and hence "full employment."

He maintained the formula ignored the political propensity to spend, good times or bad. And it ignored market-sensitive cost-price relationships and especially the proclivity of trade unions and minimum wage laws to price labor out of markets—i.e., into unemployment.

Thus, he held Keynesian theory in practice proceeds through fits of fiscal and monetary expansion and leads to inflation, controls and ultimately stagnation. Further, it results in the swelling of the public sector and shrinking of the private sector—a trend that spells trouble for human liberty.

To be sure, many economists and businessmen have long felt that Mr. von Mises was entirely too adamant, too impolitic, too "pure," too uncompromising with the real world on its terms and assumptions. If that is a fault, Mr. von Mises was certainly guilty.

But Ludwig von Mises, the antithesis of sycophancy and expediency, the intellectual descendant of the Renaissance, believed in anything but moving with what he regarded as the errors of our times. He sought the eternal verities. He believed in the dignity of the individual, the sanctity of contract, the sovereignty of the consumer, the limitation of the state, the efficacy and democracy of the market.

He opposed the planned society, whatever its manifestations. He held that a free society and a free market are inseparable. He gloried in the potential of reason and man. In sum, he stood for principle in the finest tradition of Western civilization. And from

EXTENSIONS OF REMARKS

that rock of principle, during a long and fruitful life, this titan of our age never budged.

In these times of wage and price controls, increased Government regulation of the economy and the means of production and distribution of goods and services, of international trade barriers, of unparalleled tamperings with monetary policy, of ramped inflation and devaluation, we need to pay closer attention than ever to the alternatives provided through the free market, the alternative expounded through a lifetime by Professor von Mises.

In a conversation betwixt Thomas More, then a member of the King's Council and to be both Lord Chancellor of England and a saint of the church, and young Richard Rich, graduate, but himself to become Lord Chancellor of that Realm, Rich asked More for his sponsorship to a position at court—to be about the King's business." More offered Rich a post but not at court, a respectable post as a teacher at the new college:

MORE. Why not be a teacher? You'd be a fine teacher; perhaps, a great one.

RICH. If I was, who would know?

MORE. You. Your pupils. Your friends. God. Not a bad audience.

Mr. Speaker, Professor von Mises was one of the great teachers of our age. I do hope the world and the United States will soon heed his advice and return quickly to the principles of the free market economy.

HOUSE PASSES WATER RESOURCES DEVELOPMENT ACT

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RAILSBACK. Mr. Speaker, I am pleased the House today overwhelmingly passed—by a vote of 337 to 14, H.R. 10203, the Water Resources Development Act. The legislation provides important authorization for various public works projects, and is of vital concern to the people in my congressional district.

I would like to commend the committee particularly for the provision included in H.R. 10203 which authorizes the widening and extending of the eastern approach to the Rock Island Centennial Bridge in Rock Island, Ill. This will greatly facilitate traffic movement onto and off the bridge. It will also provide a final direct link between the Rock Island Arsenal and the major routes in this area. And, most importantly, it will benefit thousands of people who must use the bridge daily.

I know I speak for the many people I represent when I say that today's House action is of great encouragement.

A NOT-QUITE PRECEDENT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Saturday, October 13, 1973

Mr. HARRY F. BYRD, JR. Mr. President, the September 25 edition of the Petersburg Progress-Index included an interesting editorial about the career of Judah P. Benjamin, who held three Cabinet positions in the Government of the Confederate States of America.

Attention was called to Benjamin when Dr. Henry Kissinger took the oath as Secretary of State. Dr. Kissinger is the first Jew and the first naturalized citizen to hold that office, but Benjamin, who, of course, served more than a century ago, also was of the Jewish faith.

I ask unanimous consent that the text of the editorial, "Here's A Not-Quite-Precedent," be printed in the Extensions of Remarks.

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

HERE'S A NOT-QUITE-PRECEDENT

"There is no country in the world where it is conceivable that a man of my origin could be standing here next to the President of the United States."

So said Dr. Henry A. Kissinger in the ceremony incidental to his taking of the oath as the 56th United States Secretary of State. The moving and emotional nature of the comment is clear. It is more in keeping with what used to be called the American dream than are some other happenings and statements of the time.

Dr. Kissinger, who came to this country 35 years ago with his family to escape Nazi persecution, is described as the first Jew and the first naturalized citizen to occupy the most prestigious seat in the cabinet. If those details are irrelevant to the duties, they are nevertheless pleasant and reassuring.

Although he is the first Jew to fill that office in the government of the United States he is not the first Jew to be Secretary of State in a government functioning in an area now included in the United States.

That "first" was recorded over a century ago by another government, the Confederate States of America. The individual was Judah P. Benjamin, sometimes known as "the brains of the Confederacy." Benjamin was born on the island of St. Croix in the West Indies. In the government of the Confederate States of America he held successively the offices of Attorney General, Secretary of War, and Secretary of State.

Along with the support of President Jefferson Davis, who could give firm backing to excellent men like Lee and Benjamin as well as to certain others who did not deserve it, Judah P. Benjamin had plenty of opposition. Anti-Semitism may have figured in it, but if so opposition owed a great deal more to other factors, notably distrust by the less gifted of a man who was so able and brilliant.

This not-quite-precedent for the purposes of United States history is interesting because the government which he served in a series of high offices is not usually remembered as a bastion of liberalism. Historians are more likely to describe it as a conservative revolution. But the C.S.A. may have exhibited more features qualifying for the liberal description than the party line of the professional historians chooses to concede.

EXTENSIONS OF REMARKS

October 13, 1973

The detail speaks for itself. Maybe the government which was more than a century ahead of the United States in the particular was not thinking in terms of liberalism versus conservatism, of ethnic considerations, of balance, and so on. Perhaps it just wanted to get the best man for the job. If so, there is something to be said for that, too.

PHONY TRUCK DRIVING SCHOOLS
IN WISCONSIN

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. ASPIN. Mr. Speaker, the Chairman of the Federal Trade Commission has publicly admitted that the delay in halting the operation of five phony truck driving schools in Wisconsin "cannot be justified."

Mr. Speaker, the FTC has been dragging its feet by not halting the operation of five phony truck driving schools which have been placing newspaper ads in Wisconsin.

FTC Chairman Lewis Engman has told me:

Although much of this delay cannot be justified, I am sure that you understand the Commission's obligation to the public and to the Congress for responsible law enforcement requires careful and deliberate investigation and consideration prior to the issuance of formal proceedings.

Mr. Engman goes on to say that the consumer protection operation "can be improved and expedited by several means."

Mr. Speaker, I am pleased with Mr. Engman's frank admission that the FTC cannot justify the delay in this case. But at the same time, I hope Mr. Engman will put a halt to phony truck driving schools, at once.

As some of my colleagues may know, the FTC is considering cease and desist orders against five firms which operate in Indiana and place advertisements in Wisconsin newspapers for the phony truck driving schools. When an individual responds to an ad offering training and employment he is requested to send \$195 for study materials. After he sends the \$195 the phony truck driving school asks for an additional \$700 to provide other training.

No training is offered and there are no jobs available from these phony schools.

My understanding is that these are open and shut cases and that these phony truck driving schools can be closed down very soon. While I appreciate Mr. Engman's open admission that the FTC is too slow, he can demonstrate his good intentions by eliminating these schools at once.

The letter from Mr. Engman follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., September 25, 1973.
The Honorable LES ASPIN,
House of Representatives, U.S. Congress,
Washington, D.C.

DEAR CONGRESSMAN ASPIN: This is in response to your letter of September 6, 1973, concerning proposed action against firms advertising and selling "truck driver" training courses. I understand that the proposals in question will be forwarded to the full

Commission for its consideration in several weeks.

I share your great concern over those who sell vocational education by means of allegedly false claims of job opportunity and earning potential. The Commission has, in addition to the litigation of cases against individual sellers of vocational education, initiated its most comprehensive educational effort to date in order to reach prospective vocational students and provide information to help those individuals evaluate courses on their merits. I have attached for your information a copy of a vocational education pamphlet recently published by the Commission.

I am also committed to eliminating sources of administrative delay within the Commission. Although much of this delay cannot be justified, I am sure that you understand that the Commission's obligation to the public and to the Congress for responsible law enforcement requires careful and deliberate investigation and consideration prior to the issuance of formal proceedings.

It is my belief that Commission consumer protection operations can be improved and expedited by several means, including closer coordination between headquarters and regional enforcement activities and by an improved and updated case management and information system. Although definite accomplishments have been brought about over the past few months, much more needs to be done. The recent reorganization of the Bureau of Consumer Protection is one example of Commission efforts to improve its operations, and I have enclosed a copy of a press release announcing this action.

I appreciate your comments and thank you for writing.

Sincerely,

LEWIS A. ENGMAN.

THE BIRTH OF A NATION: GUINEA-BISSAU PROCLAIMS ITS INDEPENDENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. RANGEL. Mr. Speaker, a new nation has been declared on the African Continent. Culminating 10 years of struggle against colonial oppression, the people of Guinea Bissau in West Africa have gained control over three-quarters of their land and proclaimed their country a new nation, sovereign, and independent of Portugal.

The new state lies between Senegal and the Republic of Guinea. It is the size of Rhode Island, Massachusetts, and Connecticut combined, with a population of almost 1 million.

A 120-member National Assembly has been chosen and it has approved a constitution for the new nation. The National Assembly has selected Luis Cabral as President of Guinea Bissau. President Cabral is the brother of the late Amilcar Cabral, who organized the movement which led to the declaration of independence from Portugal, and who was assassinated by Portuguese agents on January 20 of this year.

Guinea Bissau's proclamation of independence was followed immediately by recognition of the nation of Algeria, the Republic of Guinea, Tanzania, Chad, Libya, Somalia, Upper Volta, Mauritania, Madagascar, Ghana, Congo, Nigeria, Senegal, Syria, and Yugoslavia.

I congratulate the Republic of Guinea Bissau on its newly declared independence and call upon President Nixon to recognize the independence of this nation and to condemn and oppose the continuing Portuguese military actions which are attempting to keep the people of Guinea Bissau in their former subjugated colonial status.

To further inform my colleagues of the birth of this new nation and the situation in West Africa, I submit for the CONGRESSIONAL RECORD an article written by George M. Houser, executive director of the American Committee on Africa, on the independence of Guinea-Bissau.

The article follows:

INDEPENDENCE OF GUINEA-BISSAU

(By George M. Houser)

A new state in Africa has just proclaimed its establishment as an independent Republic and is now seeking recognition from the nations of the world. This in itself is not unusual. It has happened with frequency in Africa in the last decade and a half. What is unusual is that Portugal, the European power which has for decades claimed control over this African country, still refuses to acknowledge its right to self determination, and the liberation struggle continues. The country which has now proclaimed its independent status is Guinea-Bissau. It is about the size of Rhode Island, Massachusetts and Connecticut, with a population of close to one million people, and lies between Senegal and the Republic of Guinea in West Africa.

This summer I was fortunate enough to be able to go inside Guinea-Bissau with the PAIGC (the African Party for the Independence of Guinea and Cape Verde), the movement which has led the struggle for freedom. I was struck by the strength and efficiency of the movement which for some time has been operating effectively as a government for the majority of the people in that country.

The new government is not in exile. The PAIGC has had external headquarters in both its southern and northern neighbors. But the real movement is in the country. It was the first meeting of the popularly elected National People's Assembly which, on Monday the 24th of September at a place called Madina Boe, in the eastern region of Guinea-Bissau, proclaimed the new Republic of Guinea-Bissau. The PAIGC has established a network of administrative institutions inside the borders of their country—schools, hospitals, teaching centers, a court system, etc. which are serving the needs of the people.

1973 has been a tragic and testing year for the PAIGC. On January 20, Amilcar Cabral, who was founder and the inspired leader of the PAIGC was cruelly assassinated in a Portuguese plot to split the party and destroy the liberation struggle. My visit confirmed my conviction that the Portuguese plan had misfired badly and had in fact led to an intensification of the people's struggle. The movement, its leaders and its people were inspired by the necessity to re-double their efforts in order to make up for their tremendous loss. I even visited what had been an important Portuguese military base in the southern region, a place called Gulege which the PAIGC captured in late May.

A short while before he was killed, Cabral had announced that during 1973 the PAIGC would proclaim the existence of the state. This was not seen as a "Declaration of Independence" because they were already operating as an independent entity—but as a formal proclamation calling on the countries of the world to recognize the reality of this independence. Twelve days before his assassination, Cabral wrote a pamphlet putting the proclamation of the existence of their state in perspective. He said, "The

situation prevailing in Guinea-Bissau since 1968 as a result of the national liberation struggle . . . is comparable to that of an independent state part of whose national territory is occupied by foreign military forces . . ."

Now, despite the loss of Cabral the PAIGC has carried out the planned proclamation. The struggle to establish this state has been long and hard. Formed in 1956 the PAIGC worked in the few towns of Guinea-Bissau until it was driven underground after the brutal Portuguese killing of fifty striking workers on the docks at Pidjiguiti in the capital of Bissau in 1959. The movement then embarked on a careful campaign to win the adherence of the mass of Guinea people who are peasants. A training center was established and about 1,000 people, under the tutelage of Cabral, were prepared for an active struggle for freedom over a two year period. In 1962, mass sabotage of Portuguese installations began. In 1963 the armed struggle was initiated. By 1968 virtually $\frac{2}{3}$ of the country was under the control of the PAIGC. Now only the few larger towns and heavily militarized bases in scattered parts of the country are still controlled by the Portuguese. In 1972 the PAIGC organized the first election in which the people of Guinea-Bissau had ever had a chance to participate and a National Assembly of 120 members was chosen. This is the legislative body which just met to proclaim independence.

I was deeply impressed by what I saw of the nation-building activities of the PAIGC in the midst of conflict. I visited two of the five boarding schools of the PAIGC. Altogether there are about 15,000 students in PAIGC schools. Only a fraction of this number were in school under the Portuguese. The discipline and organization were almost entirely in the hands of the students themselves. There was a staff of well-trained teachers to supervise. There are no discipline problems because the children are bound together by the common effort and they know how fortunate they are to be able to attend school.

I saw some of the "People's Shops", which are scattered in the forest throughout the liberated areas. Here the people are able to trade what they themselves have such as rice and the skins of animals for shoes, clothing, soap, sugar and other items.

There is a sophisticated system for estimating exchange values. One square meter of crocodile skin, for example, is worth two kilos of rice. The consumers items for exchange come from friendly countries such as Holland, Scandinavian, and Eastern European nations. Everywhere I went I saw impressive evidence of Cabral's contention, "Indisputably, Portugal no longer exercises any effective administrative control over most areas of Guinea-Bissau . . . It is evident that the people of these liberated areas unreservedly support the policies and activities of the PAIGC which after nine years of armed struggle exercises free and de facto administrative control and effectively protects the interests of the inhabitants despite Portuguese activities." The PAIGC have a song which says, "We control the land . . . the Portuguese have only the sky." The main risk to the people in Guinea is from bombs dropped from the air.

The Portuguese are fighting colonial wars in two other territories of Africa—Mozambique and Angola. With their effective loss of control of Guinea-Bissau, the most apparent explanation of their attempt to still hold on there is the fear that to leave would have an effect on their ability to maintain morale for their ongoing struggle in the other two territories.

Now that the PAIGC has proclaimed the existence of their state some seventy to eighty African, Asian, Latin American and some European countries will almost certainly recognize it with little delay. There is no question in my mind that the new independent Republic of Guinea-Bissau ought to be granted international recognition. It has de facto control over most of the country and the strong support of the majority of the population. Is it too much to expect that the U.S. will be prepared to anger its

NATO ally, Portugal by granting recognition to the new State? The U.S. will not be able to side-step this issue very long. The new Republic will undoubtedly apply for membership to the United Nations before too long. The response to this application will be a closely watched public test for those who claim to oppose continued colonial domination in any area of the world.

A TRIBUTE TO FORMER CONGRESSMAN J. VAUGHAN GARY OF RICHMOND

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. VANIK. Mr. Speaker, it is with great sadness that I have learned of the death of my dear friend and former colleague, J. Vaughan Gary of Richmond.

For some years I had the privilege of spending valued time with Vaughan on legislative matters and socially. His counsel, his wisdom, his calm, and his legislative skills as well as his kindness made him one of the outstanding Members of this body. He was a Congressman's Congressman.

Since his office was very near mine in the Cannon Building, we had many cherished hours of informal discussion and debate as we walked to vote or as we visited each other. Vaughan was sorely missed when he left his beloved House of Representatives.

We too, will miss him. He served nobly. He was a noble man.

HOUSE OF REPRESENTATIVES—Monday, October 15, 1973

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.—Proverbs 3:3.

"At Thy feet, our God and Father,
Who hast blessed us all our days,
We with grateful hearts would gather
To begin this day with praise."

Help us to make good use of the coming hours by living cleanly, laboring industriously, and loving wisely. May we have the confidence to carry our responsibilities with honor, the courage to overcome our difficulties with steadfastness, and the creative faith to live with truth and love in our hearts.

Sustain us in every effort to make our Nation a better nation and to make our world a better world.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 748. Joint resolution making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8825) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate numbered 45, to the foregoing bill.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2178. An act to name the U.S. courthouse and Federal office building under con-

struction in New Orleans, La., as the "Hale Boggs Federal Building," and for other purposes;

S. 2503. An act to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building"; and

S.J. Res. 164. Joint resolution to permit the Secretary of the Senate to use his franked mail privilege for a limited period to send certain matters on behalf of former Vice President Spiro T. Agnew.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

CHANGING NAME OF PATENT OFFICE

The Clerk called the bill (H.R. 7599) to amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the Patent and Trademark Office.

There being no objection, the Clerk read the bill, as follows:

H.R. 7599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Trademark Act of 1946, 60 Stat. 427, as amended (15 U.S.C. sec. 1051 et seq. (1970)), and title 35 of the United States Code, entitled "Patents", are amended by