

Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT):

H.R. 10956. A bill: Emergency Medical Services Systems Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT):

H.R. 10957. A bill to consolidate and revise the laws relating to public health; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEEBELI:

H.R. 10958. A bill exempting State lotteries from certain Federal prohibitions, and for other purposes; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. STUCKEY, and Mr. FRASER):

H.R. 10959. A bill to establish an agency for the prevention of child abuse in the District of Columbia and for other purposes; to the Committee on District of Columbia.

By Mr. TIERNAN:

H.R. 10960. A bill to prohibit discriminatory employment practices with respect to physically handicapped persons; to the Committee on Education and Labor.

By Mr. WHITTEN:

H.R. 10961. A bill to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a legislative budget director and staff, and for other purposes; to the Committee on Rules.

By Mr. YOUNG of Illinois:

H.R. 10962. A bill to amend the Securities Exchange Act of 1934, to facilitate the development of a national securities market system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.J. Res. 774. Joint resolution proposing an amendment to the Constitution of the United

States with respect to grand juries; to the Committee on the Judiciary.

By Mr. HILLIS:

H.J. Res. 775. Joint resolution to designate February 10 to 16, 1974, as "National Vocational Education, and National Vocational Industrial Clubs of America (VICA) Week"; to the Committee on the Judiciary.

By Mr. FISH (for himself, Ms. HOLTZMAN, Mr. GUNTER, Mr. LONG of Maryland, and Mr. MURPHY of New York):

H. Con. Res. 351. Concurrent resolution calling for action by the United States with regard to the Schoenau processing center in Austria; to the Committee on Foreign Affairs.

By Mr. GILMAN (for himself, Mr. HASTINGS, Mr. WALSH, Mr. SMITH of New York, Ms. HOLT, Mr. HUDNUT, Mr. BAFALIS, and Mr. CRONIN):

H. Con. Res. 352. Concurrent resolution providing for peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. LEHMAN (for himself, Mr. BROWN of California, Mrs. BURKE of California, Mr. CONTE, Mr. MURPHY of New York, Mr. O'BRIEN, and Mr. BOB WILSON):

H. Con. Res. 353. Concurrent resolution expressing the sense of the Congress with respect to the immediate delivery of certain aircraft and other equipment from the United States to Israel; to the Committee on Foreign Affairs.

By Mr. MOAKLEY (for himself, Mr. BURTON, Mrs. CHISHOLM, and Mr. MITCHELL of Maryland):

H. Res. 598. Resolution that it is the sense of the House that there be no action on confirmation of the Vice-Presidential nominee until such time as the President has complied with the final decision of the court system as it regards the White House tapes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Res. 599. Resolution to investigate the involvement, if any, of the U.S. Government in the overthrow of the Allende government in Chile; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON:

H.R. 10963. A bill for the relief of Kwok Tung Leung; to the Committee on the Judiciary.

By Mr. MAZZOLI:

H.R. 10964. A bill for the relief of Clarence S. Lyons; to the Committee on the Judiciary.

## PETITIONS, ETC.

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

322. By the SPEAKER: Petition of the Knesset, Tel Aviv, Israel, relative to the decision of the Government of Austria to halt services provided to Soviet Jewish emigrants en route to Israel; to the Committee on Foreign Affairs.

323. Also, petition of Jo Hindman, Powell Butte, Oreg., and others, relative to the Advisory Commission on Intergovernmental Relations; to the Committee on Government Operations.

324. Also, petition of the Amarillo College Student Senate, Amarillo, Tex., relative to prompt confirmation of a new Vice President of the United States; to the Committee on the Judiciary.

325. Also, petition of the Board of Commissioners, Salt Lake City, Utah, relative to benefits to survivors of police officers killed in the line of duty; to the Committee on the Judiciary.

326. Also, petition of Herman Howlery, Menard, Ill., relative to redress of grievances; to the Committee on the Judiciary.

327. Also, petition of Sonni and Timbuk Pyles, Dannemora, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### PROGRESS IN CANCER RESEARCH AND TREATMENT PROVIDES HOPE FOR 50 MILLION AMERICANS DOOMED TO CONTRACT THE DISEASE

#### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 16, 1973

Mr. RANDOLPH. Mr. President, since passage of the National Cancer Act of 1971, there has been increased interest and awareness of this second greatest killer of human beings. Much of what is written or spoken about cancer is either too technical for the average understanding, or consists of superficial "scare stories" that give only partial enlightenment.

On September 29, at the annual meeting of the West Virginia Division, American Cancer Society, in Charleston, the president of ACS gave a balanced and informative summary of the progress in cancer control. Dr. Arthur G. James of Columbus, Ohio, states that through early detection and treatment, 50 percent of all cancer cases can be cured. Further, he predicts that more than 50 million Americans now living will develop this disease sometime throughout their lives

unless we do more to control it. He states in unequivocal terms that smoking causes one-fifth of all cancer deaths.

Mr. President, I was privileged to serve as West Virginia's chairman of the 1973 Cancer Crusade, and I am gratified to report that the thousands of West Virginia volunteers succeeded in collecting 5.7 percent above their challenge goal. Because of the necessity to broadly disseminate factual information about this killer disease, I ask unanimous consent that excerpts from the presentation by Dr. James be printed in the RECORD.

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

PRESENTATION BY ARTHUR G. JAMES, M.D.

Cancer is a disease that is older than recorded history. There has actually been evidence of cancer on earth in the bones of prehistoric animals. If cancer has been with us this length of time, aren't we out of line to think that we could ever control it. Actually, there has been a lot of progress made in the field of cancer. Most of this has been in the past 100 years. We are not exactly sure just why. Possibly, there wasn't so much cancer in years gone by. We read very little about it in the Bible for example. There are many mentions made to . . . the disease leprosy and it is possible that sometimes when they referred to leprosy, they really meant cancer. In the English textbooks, for example, we see reference to cancer of the tongue after

Columbus had been to the Americas and introduced the use of tobacco to the Continent. There has been quite a change in the public attitude towards cancer and this has been brought about primarily through the public education programs of the American Cancer Society. In 1900, cancer was considered a completely hopeless disease. People were loathe to talk about it. This was not considered a polite topic of conversation. This attitude has certainly changed, and people talk openly about it. Patients want to know about their cancer and especially what the prognosis is. This is a much healthier attitude. About 1930, we could save or cure about 20% of all cancers, which is 1 in 5. Now, we talk about curing 33% or 1 of 3, so you see that progress is steadily being made.

This is not an unusual disease. In fact, it occurs rather frequently. Statistically, 1 in 4 living Americans will develop this disease throughout their lifetime. It is second only to heart disease in the U.S. in the number of deaths that are produced. Over 50,000,000 Americans now living will develop this disease some time throughout their lives unless something is done to control it in the meantime. Practically, every family has had some connection with it personally. This would include approximately 500,000 West Virginians developing cancer during the course of their lives. Each year, there are roughly 2800 new cases of cancer diagnosed in Franklin County. When we talk about cancer, we don't talk about one disease. There are approximately 100 different types of cancers that have been described. This is the reason that when the cure comes, it will come for

one specific type and not for all cancers, at one time.

There are many things that we do not know about cancer, but there are also a lot of things that we do know. For example, we don't know what the exact cause of it is. We certainly know that it is not contagious. It is not possible to transmit cancer from one human to another. Some of you may remember, the work that was done among the Ohio Penitentiary inmates in the mid 1950s, in this regard. Live cancer cells were injected into the arms of volunteers. The cancers grew up to a certain size, and then they disappeared. No one developed permanent cancers as a result of these injections. Doctors and nurses take no special precautions in the handling of cancer patients and the incidence of cancer isn't any greater among doctors and nurses than it is among the general population. We know that irritation has something to do with the development of cancer. This has to be chronic and over a long period of time. A single blow certainly cannot produce it. Viruses are being more and more implicated as a possible cause. Heredity has been discussed and, in general, we say that cancer is not an inherited disease and yet, I believe that cancer of the breast is familial. In any event, we see many situations of cancer of the breast where there has been a positive history in the immediate family, and we do not see this in cancer in general. Various chemicals also are being implicated as being possibly carcinogenic or possessing the ability to initiate cancer. Asbestos is being incriminated more and more.

We know too that the incidence of this disease increased up until about 1930, and then leveled off. This varies with different groups of people and also with individual types of cancer. For example, there has been a steady decline in deaths among white women in the past 35 years. This has dropped to about 8%. At the same time, deaths among black females from cancer have increased. During this same period, male deaths increased about 40% and this has been about twice as great in the black male as compared to the white. In the U.S., lung cancer is the most serious one affecting males. Cancer of the breast in the females. Cancer of the lung has increased in the U.S. and is also increasing in females. One of the popular, long cigarettes in this country tries to appeal to women by saying, "You've come a long way, Baby or Sister or some other dignified term", and they have progressed in this area. Last year, there were 58,000 deaths in males and 14,000 deaths in women, and if women keep on smoking at the same rate, they are now, in the next 10 to 15 years, I don't think there is any question but that they will achieve equality with men in this regard, and they will have approximately the same number of deaths as the males. Stomach cancer is on the decrease, and this has been occurring since 1930, and we don't know exactly why. Cancer of the uterus is also on the decrease which we feel is due to the combined increased use of the Papanicolaou smear and the public education programs. Cancer of the pancreas on the other hand, is increasing steadily and indications are that this will become one of our most serious cancers within just a few years unless something is done to check it. The number of deaths from cancer of the breast has remained about the same during the last 30 to 40 years, and the number of people developing cancer of the prostate has been decreasing. We don't know why these changes occur with these various types of cancers. In Japan, cancer of the stomach is the most common cancer. In India, cancer of the liver is very common and someone has suggested that there may be some connection with the parasites that very frequently involve livers in India. In the U.S., this particular type of cancer is practically unknown. In Russia, cancer of the esophagus is very com-

mon, much more common than we experience here. In Africa, there are some tribes in which cancer of the stomach is unheard of and cancer of the colon practically never occurs. It is interesting that if a group of Japanese were to migrate to the U.S., in a couple of generations, the incidence of cancer of the stomach would be about the same as ours and if a group of Africans were to come here, their offspring, in time, would develop cancer of the stomach and cancer of the colon at about the same incidence that Americans do. This indicates that environment is extremely important in the causation of cancer. In fact, some have indicated that 80% of all of our cancers are due to environmental causes.

We know that many cancers can be cured. And when I say cured, I mean that they remain free of cancer and go on to die of something else. Approximately 1½ million Americans are now living as cured cancer patients. Medically speaking, we are not pleased with our batting average as far as the number of cancers that we can cure. I mentioned earlier, that at present, we cure 33% of all cancers. This figure, of course, varies with the type of cancer and with the stage at which the patient is treated for his cancer. Breast cancer, for instance, overall, we can cure roughly 50% of those who are subjected to surgery for it. If a group of breast cancer patients were seen early, it would be possible to cure over 80% of them. Skin cancers can be cured in about 95% of the time. Mouth cancers when seen early can be cured in about 70% of the time and, overall, we can cure only about ½ of this amount. Deeper cancers like those originating in the kidney, liver, stomach and pancreas, do not have as good an outlook. The outlook of cancer of the lung is horrible, and this is one reason why we hate to see people smoke. It wouldn't be so bad if when one developed cancer of the lung, we could offer him something worthwhile, but when an individual develops cancer of the lung, it is hardly worthwhile treating it because, overall, we can cure only 5% of these people, which means that 95% of them are palliated only. The outlook of cancer of the colon is much better. This is good because, considering both male and females, cancer of the intestinal tract is the most common one that we have, in the U.S. Overall, it is possible to cure approximately 33% of the people who develop cancer of the colon. If these are seen early, it would be possible to cure about twice that many, and those that are found on sigmoidoscopic examination when the patient has this done as part of a routine exam, are practically all cured. This emphasizes the importance of having a sigmoidoscopy regularly. If everyone in this country paid attention to the early signs of cancer and reported them to their doctor early, it would be possible to cure 50% of all cancers that occur. In Franklin County, where there are 1,500 deaths annually from cancer, it should be possible to save another 600 to 800 yearly if everyone cooperated. This is the main reason to have annual checkups and why the Columbus Cancer Clinic urges people to have frequent detection examinations for cancer.

Now, supposing everyone in this country knew the danger signals and did something about them. We could cure about 50% of all cancer.

Let's say that we are going to get really serious about controlling this cancer. We are going to do everything that is expected of us. Everyone is going to see his doctor early and in addition to that, everyone of us who smoke, is going to give up cigarette smoking. Unfortunately in this country, cigarette smoking accounts for 20% of all cancer deaths. Can you imagine that! A habit that is acquired innocently as a youngster, can cause one-fifth of all cancer deaths in this country. All right, now we are all going to give up smoking. That means then that we

are going to prevent 20% of all cancer deaths. In addition, we are curing 50%. Now, we are controlling 70% of all cancer, and we are relegating cancer to the group of innocuous diseases that occur in the U.S. Wouldn't that be wonderful if we could do this. Unfortunately, we have to be realistic. We know that people don't always come in with early cancers. We know that many people will continue to smoke, so that for a group of roughly 35 to 50% of all our cancer patients, the main thing that we have to offer them is what is being developed through cancer research.

Just what is cancer research? It isn't some mystical powder that we have to pour over a disease and make it disappear. It represents expensive laboratories, many, many well trained researchers at all levels, much laboratory equipment, and many research animals. Overall, this is a very costly item. More importantly, we need ideas. Men and women with ideas. Last year, the American Cancer Society supported these ideas of cancer research to roughly \$25,000,000.

I must say that I become provoked each time I see a certain tobacco company advertising small cigars on TV. These are about the same size and shape as cigarettes except that they are brown. They are even packaged 20 to each container. If one were color-blind, he could not tell the difference, and they make the commercial very sexy to attract the younger people. My thinking is not very charitable of a company that would do this knowing that this may cause young people to start to smoke realizing full well of the harmful effects that this can eventually have.

There is research going on in the field of virology. Viruses have actually been isolated as a causative agent for several animal tumors.

The Cancer Prevention Study of the ACS is an important piece of research in this area. In the mid-fifties, one million individuals were studied. Cancer volunteers all over the country each year obtained follow-up information about this million individuals. It was from this study that it was learned that heavy cigarette smoking caused cancer of the lung. This study has been resumed in the past few years and approximately 70,000 volunteers are taking part in it. It is hoped that many other bits of information may come from this study. For example, have the cigarette filters reduced or have they been effective at all in helping to prevent cancer of the lung? Does drinking excessive coffee or tea have anything to do with cancer of the esophagus or stomach? Do birth control pills have anything to do with cancer? These are examples of some of the questions that may be answered. Another area that is important in prevention is the field of immunology. We have indicated that one person in four will develop cancer in his lifetime, and this means that three in four will not. Now what do those three have in their body that the fourth does not have? This is where intensive research is going on to try to find out what factors may be introduced into people so that they will not develop cancer, and it is hoped that eventually a vaccine can be made that will protect people from cancer. Anytime a disease is caused by a virus, it should be possible to develop a vaccine against that particular virus. This has been done, as you know, against measles, whooping cough and poliomyelitis.

A National Chemotherapy Conference was sponsored by the ACS in November, 1972, and some of the results that were reported are very encouraging. The story of the leukemias is a very exciting one. Before the use of the chemicals, a child who developed an acute leukemia was dead within a period of three months. Now, at this Conference, some of the reports indicated that up to 50% of children with acute leukemias, were living at the end of five years. Whether some of these can be expected to be cured only time will tell. Hodgkin's disease is also exciting. This



disease used to be considered uniformly fatal and we talked about palliation only. Recent figures from that Conference indicated that 70% of the patients with disseminated Hodgkin's are living at the end of 5 years. This is by the use of radiation therapy, surgery and multiple chemotherapeutic agents. Forty percent of these patients are found to be without disease at the end of five years so how many of them may be considered cured again only time will tell.

In certain sarcomas of children, the same story is being reported. For example, rhabdomyosarcoma, which is a muscle tumor occurring in children, used to be highly fatal to children just a few years ago. Now with the use of multiple chemicals and combined with other treatment, the report from this Conference indicated that 70% are living at the end of five years. This is one of the most encouraging areas of cancer research. Of course, the ideal will be to find the drug that kills all cancer cells in an individual without producing too much harm to the normal remaining cells of the body. Cancer research is a very expensive item. The ACS hopes to raise one billion dollars in the 1970s and a sizable portion of this will be used for cancer research.

What part does the Federal government have in this program? We are happy to say that the Government is playing a much greater part in it than ever before. The National Cancer Act came into being in December, 1971. This is the first time in our history that the control of a disease was made a national priority. People throughout our country have finally become aroused enough that they convinced their Congressmen that more should be done to combat this disease. This law called for a total of \$1.6 billion to be used over the next three years. It also called for the setting up of 15 cancer research centers throughout this country. Seven or eight of these will be set up before the end of 1973, and it is hoped that the rest of them will come into being in 1974. Many parts of the country, of course, have applied for these. Columbus is one of the areas that has applied. We have been given a planning grant and the people here are hopeful that eventually a cancer research center will be located in Columbus.

The ACS has roughly 2½ million volunteers. These volunteers can carry out many projects at no cost for their services. If the Federal government had to pay the cost of these services, there wouldn't be enough to pay for these, let alone money for research. This law also provided for an Advisory Committee of three which reported directly to

the President, and the funding of this project will be primarily directly from the President to the program without having to go through much of the red tape that it had to do in the past. The Program is being directed primarily through the NCI. Task Forces are being set up in most of the major areas of cancer. These Task Forces will outline research programs and correlate them throughout the country. The cooperation between the ACS and NCI could not be better. The first fruits of this cooperation is in the development of twenty breast cancer demonstration centers throughout the country. These are centers that will examine women without lumps in their breast. Mammography and thermography will be used and it will be interesting to see how many early cancers of the breast will be detected in this manner. Many other conjoined projects are being discussed at this time and we'll hear more about them in the future.

We should each pay attention to early warning signals and do something about them. We should avoid carcinogens as much as possible which includes asbestos, too much sun, smoking, etc. I know it is difficult for one to stop smoking once he is addicted, but it can be done. I think we as doctors are not as positive in advising our patients as we should be and I'm afraid many times the patient thinks that the doctor is joking. I have seen many patients quit smoking and it can be done. There is no question in my mind that the most important investment that a heavy smoker could make would be to quit smoking. Regardless of how much money people have, 95% of the ones who develop cancer die from their disease and no amount of money can restore their health. I am not too sympathetic with the heavy smoker. He knows better—being exposed to all the evidence that is available. Patients often quit smoking after they develop cancer. If they want to do this badly enough, they can. It should be reassuring to the heavy smoker that regardless of how long he has smoked, if he stops completely before he develops lung cancer, he has a good chance of not developing the disease. I believe doctors should be more definite about advising against smoking. I'm afraid many times patients feel this advice just doesn't apply to them. We should each influence our Congressmen. We should be alert as to what is going on legislatively and stimulate our Congressmen to vote for heavier appropriations against cancer. We should also be willing to stimulate our legislators to vote against the use of tobacco promotion in any way that they see fit. Finally, we should all

support the ACS. We need much more money in the ACS than we are raising at present if we are going to see this job to a successful conclusion.

Finally, what about a cure of cancer? Is it just talk? Will a break-through take place? I don't know how long it will take but a cure will come. It could come most anytime. For example, a blood test could be developed that would be very helpful in the diagnosing of cancer in a much earlier stage. The ideal chemical could be developed that would be effective in killing cancer cells or a vaccine could be developed at any time that would actually prevent cancer. Not many of you here remember when yellow fever or smallpox were important diseases in the U.S. Some of you may remember typhoid fever or tuberculosis perhaps, and certainly, all of you, are fairly familiar with polio and what was done with that. Now, why should cancer be an exception? How soon depends on how badly you and I want it and how much effort we are willing to make and how much support we are willing to give!

#### FEDERAL CIVILIAN EMPLOYMENT AUGUST 1973

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. MAHON. Mr. Speaker, I include a release highlighting the August 1973 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures.

The release follows:

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in August was 2,810,942 as compared with 2,821,856 in the preceding month of July—a net decrease of 10,914. Total pay for July 1973, the latest month for which actual expenditures are available, was \$2,888,745,000. These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

#### EXECUTIVE BRANCH

Civilian employment in the Executive Branch in August, as compared with the preceding month of July and with August a year ago, follows:

	Full time in permanent positions	Change	Temporary, part time, etc.	Change	Total employment	Change
Current change:						
July 1973.....	2,395,000		383,299		2,778,299	
August 1973.....	2,396,610	+1,610	370,833	-12,466	2,767,443	-10,856
12-month change:						
August 1972.....	2,469,542		336,238		2,805,780	
August 1973.....	2,396,610	-72,932	370,833	+34,595	2,767,443	-38,337

Some highlights with respect to Executive Branch employment for the month of August are:

Full-time permanent employment in the month of August showed major increases in Postal Service with 3,663 and HEW with 1,503, offset by a decrease in Defense with 3,811. During the year major decreases were in Defense and Postal Service offset by increases in HEW and Veterans Administration.

Temporary, part-time employment in August showed major decreases in Defense with 4,165, Veterans Administration with 2,404, Treasury with 1,816 and Postal Service with 1,075. These decreases are largely due to a reduction of temporary summer aids employed in federal opportunity programs for the disadvantaged. During the year there was

in increase in temporary, part-time employment primarily in Postal Service, HEW and Veterans Administration, partially offset by decreases in Agriculture, Defense and Commerce.

#### TOTAL EMPLOYMENT

Total civilian employment in the Executive Branch in August, as compared with July, is shown for civilian and military agencies, as follows:

	August	July	Change
Civilian agencies.....	1,728,160	1,731,040	-2,880
Military agencies.....	1,039,283	1,047,259	-7,976
Total, civilian employment.....	2,767,443	2,778,299	-10,856

Significant changes among the civilian agencies were:

Major decreases in Veterans Administration with 2,385, Treasury with 993 and Transportation with 861.

Major increases in Postal Service with 2,588, Agriculture with 1,123 and HEW with 998.

#### LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in August totaled 34,761, an increase of 25 as compared with the preceding month of July. Employment in the Judicial Branch in August totaled 8,738, a decrease of 83 as compared with July.

#### UNIFORMED MILITARY PERSONNEL

Uniformed military personnel in the Department of Defense has decreased 446,836

during the past ten years since 1963, while civilian employment has increased 2,649 during the same period. Annual military costs in fiscal year 1973 were \$22 billion and civilian pay costs were \$12 billion.

# NATIONAL CHAMPIONSHIP MARCHING BAND SHOW

## HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. EILBERG. Mr. Speaker, the National Championship Marching Band Show will be held in Philadelphia on Saturday, October 20.

The Cardinal Dougherty High School Band from my district in northeast Philadelphia will be one of the participating bands in this National Championship event. Cardinal Dougherty has been awarded numerous trophies and prizes including the World Championship at the World Music Festival in the Netherlands, three national championships at the National Cherry Blossom Festival in Washington, D.C., and six prizes at the annual Macy's Thanksgiving Day Parade.

At this time I enter into the RECORD an announcement by the city of Philadelphia describing this event:

Some of the finest high school bands in the country will be marching in Philadelphia on the 20th of October. The parade of bands includes championship musical units from Nebraska, California, Florida and Illinois as well as the cream of the East.

The Cardinal Dougherty World Championship Band will be appearing as well as Archbishop Wood from Warminster and the Marching Colonials of Plymouth-Whitemarsh. The parade will promote the National Championship Marching Band Show being held at Veterans Stadium starting later in the afternoon, pitting the best bands of the Delaware Valley against the best of the nation.

Scheduled to start at 1 p.m., the mid-city parade will march down the Benjamin Franklin Parkway to 17th st., south on 17th to Chestnut, and east on Chestnut to Independence Hall.

Cardinal Dougherty has long been one of the premier bands in the country, and has won more prizes and trophies in their existence than any band short of Sousa's. Their laurels include victories at such prestigious events as the World Music Festival in the Netherlands, three-time national champion at the National Cherry Blossom Festival in Washington, D.C., and six-time winner of the Macy's Day Parade. They are currently rated as one of the top bands in the country.

The Dundee Scots, resplendent in full Scottish regalia of kilts of the royal Stewart plaid, will be arriving from Chicago to take part in this band spectacle. This fine band was undefeated in 1971 and won five out of six field shows in 1972. This past year was the year of the Scot as they captured first place in the National Field Show of the Festival of States in St. Petersburg, Florida and the Midwest Championship in Crown Point, Indiana.

Defending National Champion, Wilson Sr. High from West Lawn near Reading, will be appearing as well as 1972 National Champion, Governor Livingston from Berkeley Heights, New Jersey. Other top of the line Delaware Valley bands participating include Marple-Newton, Hammonton, Sun Valley, Oakcrest from Mays Landing, and Mainland from Linwood, New Jersey.

Band aficionados will not want to miss this

marching band extravaganza which will bring together more of the top musical units in the country than ever before gathered in one place.

# L. KEITH BULEN OF INDIANA HONORED FOR ACHIEVEMENTS

## HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BRAY. Mr. Speaker, my good friend, L. Keith Bulen, Indianapolis attorney and Republican National Committeeman from Indiana, recently served as a delegate to the 55th Economic and Social Council in Geneva.

His work was praised in letters to Hon. John Scali, our Ambassador to the U.N., and to Hon. Richard G. Lugar, mayor of Indianapolis. It is a pleasure to insert them into the RECORD at this time:

U.S. MISSION TO  
INTERNATIONAL ORGANIZATIONS,  
Geneva, Switzerland, August 16, 1973.

HON. JOHN A. SCALI,  
U.S. Representative to the U.N.,  
New York, N.Y.

DEAR JOHN: I am pleased to have this opportunity to call to your attention the exceptional performance of Mr. L. Keith Bulen of Indiana as a public member of the United States Delegation to the 55th ECOSOC in Geneva.

Mr. Bulen was a full working member of the delegation in all senses. He served as advisor, drafting officer, reporting officer and negotiator on many agenda items. In addition he was the officer-in-charge of handling the most important and sensitive item on "Public Information". His formal intervention on this item, a copy of which is enclosed, contributed heavily to the overall success of the delegation at the just concluded session.

I should also like to call to your attention his contribution to the work of the delegation on the explosive matter of the establishment of a West Asian Economic Commission as proposed by the Arab States. Mr. Bulen, a lawyer, worked through two consecutive days and nights with me researching the constitutional issues involved and co-drafting our final statement.

I cannot close without noting that Mr. Bulen, at his own expense, shared the onerous burden of representation at a time when our dollar was in a severe crisis.

Mr. Bulen's service was a model for citizen participation in foreign affairs. He certainly has the thanks and deep appreciation of myself and the U.S. Delegation to the 55th ECOSOC.

Yours very truly,  
CLARENCE CLYDE FERGUSON, Jr.,  
Ambassador.

Enclosure: As stated.

THE REPRESENTATIVE OF THE UNITED  
STATES OF AMERICA TO THE UNITED  
NATIONS,

August 28, 1973.

HON. RICHARD G. LUGAR,  
Mayor of Indianapolis,  
Indianapolis, Ind.

DEAR MAYOR LUGAR: I wish to commend and praise the magnificent performance of Keith Bulen as a volunteer American Republican of substantial merit during the recent Economic and Social Council Session in Geneva. As one who was in the precincts when Keith was laboring well, I wish many American citizens could have seen how magnificently Americans who care for their country can perform in difficult international environments.

Keith is a rare combination of qualities, and I salute him, his fine bride, and Indianapolis for serving as the springboard for Keith's activities in the international arena. Sincerely,

JOHN SCALI.

# INTERSTATE SYSTEM NEARS COMPLETION

## HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ZWACH. Mr. Speaker, I have consistently opposed the transfer of money from the highway trust fund to mass transit use because, especially in rural America, we have so much need for additional highway funds.

Gordon E. Duenow, editor of the St. Cloud Daily Times in our Minnesota Sixth Congressional District, in a recent editorial, pointed out that while our Interstate Highway System is now 81 percent complete, 88,000 obsolete and unsafe bridges and tens of thousands of miles of inadequate highways can absorb all the highway trust fund money that might be available.

Mr. Speaker, with your permission, I would like to share Mr. Duenow's thoughts with my colleagues by inserting his editorial in the CONGRESSIONAL RECORD.

# INTERSTATE SYSTEM NEARS COMPLETION

For 17 years we've been building our interstate highway system at a cost of \$33 billions of federal dollars, matched by \$4.6 billions of state dollars. Today this ambitious program, started during the Dwight D. Eisenhower administration, is more than 81 percent completed, although only two-thirds paid for. And many St. Cloud area residents undoubtedly believe that a big portion of the unfinished portion is right in this section of the country.

The program has been hailed as a tremendous success, particularly from a safety standpoint. Safety experts claim this interstate highway system already has saved more than 30,000 lives and this year another 6,000 lives are expected to be saved.

If such a federal system is to be continued where do we look in the future? Congress already has seen fit to allocate some of the money for mass transit and this probably will be expanded. That's the way it usually is when a leak is started.

But the Highway Users Federation in Washington, D.C., points out that these interstate routes involve only one per cent of our nationwide highway system. Most of us know from experience that the remaining 99 per cent, in many instances, are far below standards for modern transportation needs. These same officials also note that the highways not included in the interstate system carry about 80 per cent of the traffic.

Besides that, they report that engineers point to 88,000 obsolete and unsafe bridges with more than 70 per cent built before 1935.

So if there are any motorists anticipating an end to the federal gasoline, tire and auto supplies tax they can just as well forget it. We'll find many new uses for this kind of highway cash even though our interstate system may be completed in a few years.

It's up to us, however, to determine where this money will be spent. It won't do us much good if much of the money is spent for mass transit in such places as New York City or Los Angeles.



# DRUG ABUSE PROBLEMS IN THE SCHOOLS

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WALDIE. Mr. Speaker, work of the Select Committee on Crime has shown that there is a direct relationship between the overproduction of harmful drugs by drug manufacturers and drug abuse among young people. It was learned that legitimate companies manufacture 90 percent of the drugs in the illegal drug market. Naturally, control of the overproduction of harmful drugs was an important recommendation of the Committee.

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, a selection of their letters follows:

LETTER FROM JOHN SESSUMS, PRINCIPAL,  
WESTMINSTER, CALIF.

I heartily concur with the findings. However, unless there is quick follow-up action by your committee, the results will be the same as many others that have preceded you—little or nothing.

May I suggest you become knowledgeable of the Value-Oriented/Drug Abuse Prevention Program directed by Dr. Herb Brayer of the Orange County Department of Education. This school has, and is devoting many hours of work to implement the program for our students. In my experience it is the only approach I have found that can reach the root cause of drug abuse.

LETTER FROM WILLIAM W. MONAHAN, SUPER-  
INTENDENT OF SCHOOLS, SUNNYVALE, CALIF.

Specifically, I refer to alcohol. Kids are not stupid, and they can soon see the contradiction of an alcoholically oriented society piously disclaiming the deleterious effects of other drugs. I have recently watched two of my close relatives die of alcoholism, so I know of what I speak.

If Congress is really serious about doing something regarding drugs, it will have to take some pretty tough steps that will not be too popular politically. I am not asking congressmen to play the role of Carrie Nation, but it does seem to me that a country which allows all kinds of advertising for alcohol on the other, is hard to understand. We know that at least 50% of all automobile accidents have some relationship to drinking, but we still allow roadside taverns. We know that at a conservative estimate, there are over 20 million people in the United States who have alcoholic problems, yet we allow billboard and magazine advertising to seduce people into thinking that drinking is linked with manliness, sexuality, and success.

You asked me what you can do regarding the drug problem. I will say from a legislative standpoint, get tough on all drugs. From a personal standpoint, set an example which you would want all young people to follow themselves.

LETTER FROM GORDON R. PICKERING,  
PRINCIPAL, CARMICHAEL, CALIF.

Your letter further suggested that you would be interested in receiving additional

suggestions and/or proposals. I do not feel that drug education, while important, is not in and of itself a deterrent to abuse. I submit the education as to effects of alcohol seldom if ever cures the alcoholic. It is my feeling that if the United States Government wishes to have an impact on this problem, they need to really back and finance programs to deal with the human problems that necessitate the need for escape to the extent of abuse.

I believe that it is past time for the Federal Government to accept its financial and moral responsibility for education of the entire nation. We need to recognize that our population is a mobile one. Both privately and federally connected families are constantly being moved from state to state. Therefore, the education, for example, in Oklahoma is important to the people of California, since the students of one state may well be the adults of another. For our federal government to continue its program of intermittent intervention is to sustain ignoring our greatest natural resource, the human mind and body.

LETTER FROM ROBERT L. FORBES, PRINCIPAL,  
CASTRO VALLEY, CALIF.

May I make some further suggestions? All of us who have been working with young people for many years are concerned with drug abuse and our efforts do need additional funding and they do need additional counseling assistance. However, it seems to me that in the long run we are overlooking the problem of alcoholism and the appeal that is made by many of our mass media to young people to drink. I think, is underestimated in its effect. I am glad that the Congress plans to oversee the effectiveness of the voluntary guidelines adopted for the radio and TV industries on drug abuse.

A cursory look at the various TV programs reveals a cavalier attitude toward alcohol which is matched only by the extravagant advertising budgets used by the national distilleries in nationwide magazines and newspapers. In short, I feel that we are missing something here that needs some attention.

Further, I am certain that you have had eloquent testimony that drug and alcohol abuse is a symptom and not a cause. There is a limited gain to be made, in my mind, in treating symptoms only and not causes. Abuse of drugs and alcohol (not social use) is usually a symptom of an unhappy, dissatisfied, alienated, depressed, asocial kind of individual. There are many forces at work in the American society which minimize rather than maximize the positive side of the human potential. We really have not come to grips successfully or forcefully with the depersonalization of the post industrialized society or with the lack of serious dialogue concerning a frank discussion of the moral posture of our society.

Schools, in turn, very often contribute to the alienation by being places where regimentation and order take precedence over learning and growing. Our own profession has some soul searching to do which is long overdue.

At no time in your deliberations ever underestimate the contribution to alienation made when government officials at the highest level show a lack of perspective relative to their obligations to the body politic.

LETTER FROM MARILYNN LAIRD CARRUTHERS,  
R.N., COORDINATOR SCHOOL HEALTH AND  
HEALTH EDUCATION, PLACERVILLE, CALIF.

Nowhere in your statement did I find any reference to alcohol as a drug, yet it is well accepted that it is by far the most "abused" drug of all age groups. The separation of alcohol from other "drugs" creates expensive duplication of research and education since basically the causes of experimentation and abuse are similar, if not identical.

## TEACHER EDUCATION AND DRUG COUNSELING STAFFS

Seven years ago, while on the staff of the Roseville High School District, I helped develop such a program for teachers. Experience has shown us that this approach is completely ineffective. I believe you will discover that the majority of California schools have tried and abandoned this method at least two years ago. It was determined that there was no reduction in drug use; in fact, there were increases in some areas as a result of this approach.

For the past two years, many California schools, under the guidance of the State Department of Education's Drug Education Task Force, directed by Don McCune and aided by Jim Lindberg, have approached the problem from the "Values Clarification" point of view. Briefly, this involves personal examination of what one believes in, willingness to publicly affirm this belief, knowledge of the alternatives, and acceptance of the consequences of one's own behavior. This problem solving approach to education is not confined to alcohol, other drugs and tobacco. It can be applied to all the curriculum with very positive results. We are working toward this in the El Dorado High School District with in-service programs and college extension classes for teachers. Mr. Robert Newell, of the Oakland City Schools, is recognized as a leader in this field. As for drug counseling, personally I have found the "street clinics" like "Aquarian Effort" in Sacramento and "New Morning" here in Placerville far more effective than any educator's attempts. The fact is, "kids relate to kids". These groups should have funding to carry one, and should not have to spend half of their time scrounging for dollars. They also help with counseling regarding V.D., pregnancy, abortion, etc.

## FEDERAL GOVERNMENT FUNDING

Unfortunately this always has strings to meet specifications, or elaborate and worthless programs are written and funded, or the money is suddenly stopped after program is started. If we, here in California, had waited for federal direction and funding, we would be so far behind the problem we would never catch up. My thoughts here, for federal help, would be to assist those successful programs and leaders to "spread the word". Obviously, all states are not as progressive and do need assistance, but not just in terms of money. They should be helped to recognize and develop their own strengths.

## FEDERAL CONTROL OF PRODUCTION OF DRUGS

Obviously a needed step, however, this should also include strict control on distribution. Pharmaceutical warehouses, pharmacies, and doctor's offices are closely inventoried and controlled. Where is the breakdown, and how do the legal supplies get to illegal outlets?

## MEDIA CONTROL

As long as we are bombarded with "the good life" that all drugs are going to bring us: freedom from headache, tension, arthritic pain, constipation, etc. and the benefit of one beer over another, or one toothpaste or whatever, we had better be certain that the youth of today have been taught to know how to make a discriminating choice; to know the alternatives open to them, and to be able to accept responsibility for their actions. Very often these points get lost in the frantic attempts to get academic facts and concepts into the classroom. These are important only as they lead to the third step, the "value centered level". This is the step that asks, "How do you feel and what would you do about it?"

LETTER FROM EUGENE BALLOCK, PRINCIPAL,  
LAFAYETTE, CALIF.

I read with great interest your communication of September 10, 1973, regarding the

drug problem and the role of the Select Committee on Crime. Interestingly enough, in our particular area, I have seen a decrease in the use of drugs as a vehicle for abuse; however, alcohol is beginning to climb again, with its related problems to all age groups. We are not completely devoid of the problem, however, and it still troubles many schools in our area including, on occasion, mine.

I think that the strongest program can be created on a local basis, with funds going directly to the local school boards. Perhaps this can be accomplished by allocating monies to the states, which they, in turn, could dispense to programs that have been designed by local school districts to meet their particular problems in a way that seems to be effective.

LETTER FROM ROBERT R. ROYLE, ACTING PRINCIPAL, SAN RAFAEL, CALIF.

I would suggest that members of your staff, and members of committees studying effective ways to prevent drug abuse consider the recommendations given in this book. They are thoughtful; they are based upon a wide study of the problem, and furnish a consistent set of guidelines for trying worthwhile methods of control. I particularly call to your attention the six caveats, beginning on p. 521, which are:

1. Stop emphasizing measures designed to keep drugs away from people.
2. Stop publicizing the horrors of the "drug menace."
3. Stop increasing the damage done by drugs.
4. Stop misclassifying drugs.
5. Stop viewing the drug problem as primarily a national problem, to be solved on a national scale.
6. Stop pursuing the goal of stamping out illicit drug use.

Finally, I would suggest serious consideration of the detailed recommendations beginning on p. 530 as a basis for legislative programs.

It's becoming more evident, on the high school level, that effective programs rely less upon legalistic methods and more upon a type of education revolving around clarification of individual values.

LETTER FROM SANDRA NEILSEN, COUNSELOR, BAKERSFIELD, CALIF.

In addition, a colleague and I planned and organized a drug program for South High. We had the help of interested members of several community agencies who devoted many hours of their free time in planning sessions during the school year of 1970-71.

The project which we called TRIAD required funding of some kind, and the Kern County High School District administration requested this funding in January 1971 and February 1972. Because the funding could not be secured we were not able to put the program into practice.

I feel that there are many aspects of project TRIAD that are worthwhile and that with the proper personnel, it could be very successful in at least partially solving the drug abuse problem on campus.

Enclosed you will find a copy of the original statement of purpose, objectives and activities of project TRIAD. I have also included excerpts of the document requesting funds under ESEA Title III in 1972, which will further explain the project. The project title of this document was "From Fear to Care."

LETTER FROM JOHN W. NICOLL, SUPERINTENDENT OF SCHOOLS, NEWPORT BEACH, CALIF.

Here in Orange County, and in particular our school district, the program that has evolved includes the community and the parents. We have developed a comprehensive in-service program with teachers. We also have had a team attend workshops con-

ducted by the California State Department of Education. The team included a parent, an instructional staff member, a student, and a district-level person.

Specifically, then, in answer to your question, my recommendation would be that the Committee's guidelines should include a provision for involving the community and the parents in any drug abuse preventive program. It would also be helpful if the responsibilities of other agencies, community and governmental, were described.

LETTER FROM KENNETH D. PERKINS, PRINCIPAL, FAIRFIELD, CALIF.

You cannot establish a very effective program in any school unless you can get community involvement. What will work in one community may or may not work in another. Effective resource people can be very helpful by supplying up to date data within the community, enforcement practices, medical statistics, etc. I have found outside speakers to be much more impressive to the students than the teaching staff. This is not to say that my teaching staff is not involved in drug education programs with the students.

I do not believe that the drug problem is as serious in our community as it has been in the past. I hope that this is a universal tendency and not just unique to our area.

## WAR POWERS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ZABLOCKI. Mr. Speaker, the President has before him House Joint Resolution 542, the war powers resolution, a nonpartisan landmark measure which has been passed by large majorities in both Houses of Congress.

The President now has the opportunity—by signing this legislation instead of vetoing it—to carry out his expressed desire for balanced government and a healthy cooperative relationship with Congress on nonpartisan matters.

I include in the RECORD a New York Times editorial of October 15, which so ably points this out:

### FOREIGN POLICY TEST

Ever since he was sworn in as Secretary of State last month, Henry Kissinger has stressed what he says is the Administration's desire to achieve closer cooperation with Congress in a "nonpartisan" foreign policy enjoying broad public support. "No foreign policy—no matter how ingenious—has any chance of success if it is born in the minds of a few and carried in the hearts of none," Mr. Kissinger has said.

President Nixon spoke in similar vein in announcing his choice of Representative Gerald R. Ford of Michigan to be Vice President. Mr. Nixon said the country could meet its challenges and seize its opportunities to advance world peace "only if we have bipartisan support in the Congress of the United States in matters in which no partisanship should ever enter." The nomination of Mr. Ford, a legislative wheelhorse who is well-liked in both houses, was clearly made with the aim of averting a fresh confrontation of the White House with Capitol Hill.

The War Powers bill adopted by large majorities in both houses of Congress last week poses a crucial test of this spirit and of the fresh approach to foreign policymaking which the Secretary of State has attempted to introduce: The bill represents a responsible ef-

fort by Congress to restore in the critical area of decisions on war and peace the essential partnership between the President and Congress which the Administration professes to seek and which the Constitution, in fact mandates.

By promptly signing this important measure, President Nixon could give solid meaning to his own words and signal his own support for his Secretary of State's new approach in laying the cornerstone for a new era of Executive-Congressional relations in the foreign policy field. If, however, the President carries out his threat to veto the bill he will set the stage for a new bitter confrontation with Congress, perilously prolonging the period of dissension that has already proved so damaging to his Administration, to the country and to America's foreign policy objectives.

## EXTEND DAYLIGHT SAVING TIME TO CONSERVE ENERGY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BINGHAM. Mr. Speaker, I am introducing today a bill to extend daylight saving time to the entire calendar year for a 2-year period as a symbol of American determination not to knuckle under to Arab threats of an oil boycott.

Such threats are being heard with increasing frequency since the Arab assault on Israel began on October 6 and oil-producing Arab countries have been pressured into demonstrating their support for the Arab cause.

It is intolerable that the United States should be vulnerable to threats of an Arab boycott of oil shipments. Any such attempt at blackmail must be rejected out of hand. I am encouraged to note that U.S. officials have recently indicated that contingency plans to cope with a cutoff of Arab oil do exist. In any case, the Nation could cope with such a cutoff and would not be forced to change our policies in the Middle East.

Even looking beyond the present crisis, it is imperative that the United States not be dependent on oil from the Arab States. We must embark on massive programs to develop alternative sources of energy and on serious programs of energy conservation. One such conservation measure would be year-round daylight saving time.

During World War I and World War II this step was taken as an energy conservation measure. With war raging in the Sinai desert and the Syrian plains it is just as appropriate as a conservation measure now.

While it is not possible to state exactly how much electricity would be conserved by year-round daylight saving time, it could be substantial. Providing an additional hour of daylight in the evening would also help in the war against crime and would reduce highway accidents.

Most importantly it would demonstrate that the United States is determined not to be dependent on unreliable foreign sources of oil. I commend this legislation to the attention of my colleagues and urge their support.



# REPRESENTATIVE ZABLOCKI AND THE WAR POWERS LEGISLATION

## HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. REUSS. Mr. Speaker, I wish to commend my colleague, the Honorable CLEMENT J. ZABLOCKI, for his outstanding efforts over the last 2 years to develop historic legislation reasserting the balance of power between the Executive and the Legislature in the area of war powers. The following editorials from the October 8, 1973 Washington Post; October 9, 1973 Milwaukee Journal; and October 15, 1973 New York Times describe his excellent work:

[From the Washington Post, Oct. 8, 1973]  
A CONGRESSIONAL CONSENSUS ON HOW WE GO TO WAR

Agreement by House and Senate conferees on war-powers legislation puts the Congress within reach of reclaiming its constitutionally and politically appropriate role in a critical area of national policy-making; the conference report goes to the floor of both houses this week. A succession of Presidents have taken to themselves authority to commit the country to war, most recently and painfully, of course, in Vietnam. Finally, after more than a decade of warmaking in Indochina, the Congress has managed to assemble a consensus on the position it should take in future conflicts. The delay, not to speak of Congress' general reluctance to grapple with assertive Presidents on this issue, does not exactly enhance confidence in the legislature's capacity to play the role it has now staked out for itself. Still, it is a considerable achievement that, on an issue at once so elusive and charged, the Congress has produced a bill. Rep. Clement Zablocki (D-Wis.) and Sen. Jacob Javits (R-N.Y.), the two principal sponsors, have done outstanding work.

The President has long threatened to veto this bill; it was drafted under that shadow. But here it is noteworthy that Mr. Nixon's objections do not seem to go principally to one or another of the specific features of this bill—these features add up to a requirement that the President truly inform Congress and seek its consent before committing the nation to hostilities, except under stipulated, limited emergency conditions. Rather, Mr. Nixon simply does not wish legislative restraints to be placed on Executive war-making. Whether his view is constitutional is arguable—these days, just about everything is. It is, at any rate, a claim entirely consistent with Mr. Nixon's general and well-known views on the amplitude of presidential power.

Estimates vary on whether the Congress can override the expected veto; the answer will shortly be available. We would suggest, however, that Mr. Nixon weigh the political benefits to himself and to his office of war-powers legislation. What he dismisses as a curb on presidential power is in fact a guarantee that, in a war, the occupant of the Oval Office would have the support of the legislative branch. A President who had complied with the provisions of this bill would not have to fear dissipating his and the country's energies in a duel with the Congress over the terms of entry into war or of its subsequent conduct. Anyone who, reviewing the last 10 years, cannot understand how much this would serve the national interest has missed one of the chief lessons of the Vietnam war. The administration now regularly advertises the advantages of foreign-policy cooperation between the executive and legislative branches. This bill poses the issue

nicely; does the administration mean it or does it not?

We are aware that no war-powers bill can be stronger than the determination of Congress to apply it in a particular set of circumstances. The President would still retain the possibility of going to the country in an emergency and sweeping the Congress along. The congressional record is not reassuring on this score. Nonetheless, by this bill, the Congress has jacked itself up to a standing position on an issue on which it had previously been supine. This is an achievement which not even an upheld veto can take away. In this sense, the significance of this bill lies not only on its specific provisions for information, consultation and review but in the expanded congressional awareness and self-respect which it denotes. This may yet offer the best hope that, whatever the fate of the bill, the Congress will accept its share of national war-making responsibility in any crisis that may come.

[From the Milwaukee Journal, Oct. 9, 1973]

### VITAL AIM TO CURB WAR POWER

The Senate and House are about to act on a conference committee bill aimed at defining the president's unilateral authority to commit this country to war. The compromise measure, drawing substantially from the preferable House bill sponsored by Wisconsin's Rep. Zablocki, is worthy of passage even though it faces a promised veto by President Nixon. It may be just as important now to set a precedent by passing the legislation as an expression by Congress—a clear sign to the executive to step more warily in the future—as it would be to have the measure actually on the statute books.

The 20th century, particularly the last 25 years, has seen the American presidency assume more and more power over the vital question of committing troops to combat. This has occurred partly from force of circumstances, as the threat of nuclear weapons makes declared, total war unthinkable, and partly as a result of congressional abdication to the executive. The Founding Fathers, in granting Congress the power to raise armies and declare war, meant the responsibility to be shared.

Under the conference committee bill, the president would have to end a combat operation after 60 days unless Congress ratified the action or formally declared war. The president could ask for an additional 30 days' grace if he deemed it essential. Congress could terminate the commitment of troops sooner by passing a concurrent resolution.

The bill has weaknesses. Establishing time limits essentially means the fighting would probably continue during that period even though Congress would have power to act in the interim. The bill tries to define broad categories of situations in which the president could commit troops. This would better be left unsaid. Let the president use his wisdom in each specific instance and then allow Congress to pass judgment on it.

If the measure passes, as expected, and is vetoed, the issue should not be dropped there. A better balance must eventually be established somehow between the executive and legislative branches on this elementary issue.

[From the New York Times, Oct. 15, 1973]

### FOREIGN POLICY TEST

Ever since he was sworn in as Secretary of State last month, Henry Kissinger has stressed what he says is the Administration's desire to achieve closer cooperation with Congress in a "nonpartisan" foreign policy enjoying broad public support. "No foreign policy—no matter how ingenious—has any chance of success if it is born in the minds of a few and carried in the hearts of none," Mr. Kissinger has said.

President Nixon spoke in a similar vein in announcing his choice of Representative

Gerald R. Ford of Michigan to be Vice President. Mr. Nixon said the country could meet its challenges and seize its opportunities to advance world peace "only if we have bipartisan support in the Congress of the United States in matters in which no partisanship should ever enter." The nomination of Mr. Ford, a legislative wheelhorse who is well-liked in both houses, was clearly made with the aim of averting a fresh confrontation of the White House with Capitol Hill.

The War Powers bill adopted by large majorities in both houses of Congress last week poses a crucial test of this spirit and of the fresh approach to foreign policymaking which the Secretary of State has attempted to introduce. The bill represents a responsible effort by Congress to restore in the critical area of decisions on war and peace the essential partnership between the President and Congress which the Administration professes to seek and which the Constitution, in fact mandates.

By promptly signing this important measure, President Nixon could give solid meaning to his own words and signal his own support for his Secretary of State's new approach in laying the cornerstone for a new era of Executive-Congressional relations in the foreign policy field. If, however, the President carries out his threat to veto the bill he will set the stage for a new bitter confrontation with Congress, perilously prolonging the period of dissension that has already proved so damaging to his Administration, to the country and to America's foreign policy objectives.

## THE REPUBLIC OF CHINA SHOULD BE ADMITTED TO THE U.N.

## HON. GUNN MCKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. MCKAY. Mr. Speaker, recently East Germany was admitted to the United Nations. The United Nations took this action, in recognition that East Germany was an independent sovereign nation which represents a portion of the population of the world which therefore should have a voice in world affairs. It is with this thought in mind that I have placed a resolution before the House of Representatives recommending that the President direct the U.S. delegation to the U.N. to follow prescribed U.N. procedures to support the admission of the Republic of China as a member of the U.N.

Admission of the Republic of China to the U.N. is merited because if the U.N. is to make any progress toward its objective, all nations should have a voice in its operation. The Republic of China represents 15 million people and is the second largest military power in Asia. Surely such an important power representing so many people should be included.

In proposing this recommendation, I do not intend to give the impression that the U.N. can solve all of our problems. I am aware of the foibles and weaknesses which are attached to the U.N. But so long as the U.N. remains an operating international organization, there is no justification for the continued exclusion of the Republic of China from the U.N.

## CONCERNS OF CITIZENS

## HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WOLFF. Mr. Speaker, I have received from a group of citizens in my district a letter which speaks about problems that most Americans face today. Mr. Allen and his friends are feeling the effect of increased agricultural exports. But, besides being concerned about higher food prices, they feel that there is a dangerously low level of respect of Government by most citizens of the country. Because I feel their letter is indicative of the concerns of most people around the country, I would like to insert the following excerpts from their letter for the information of my colleagues:

## CONCERNS OF CITIZENS

DEAR SIR: I write to you as a member of one of the groups of citizenry from whom you rarely hear; namely the Middle Class. Also, let me assure you now that I seek no personal favor. I have been asked to write to you as a "spokesman" of a small group of neighbors.

Surely "the times are out of joint," in the words of Shakespeare of the most highly industrialized Nation on earth, with the greatest area of arable land in the North Temperate Zone is unable—or unwilling—to formulate a price structure under which the citizens can purchase the means to sustain themselves without courting bankruptcy in the process. If we were in a state of war with a major power as we were thirty years ago, or if there had been "an act of God" (e.g., floods, earthquakes, massive crop failures or the like) we could understand this and bear our share of the sacrifice willingly. However, none of these conditions exist.

Instead, we have an administration which has sold untold millions of tons of grain to the Soviet Union on terms which were to the disadvantage of our own Nation and hence to the prices of food and to the great financial advantage of a few huge grain companies. We now have the Secretary of Agriculture stating that he would be "extremely reluctant" to cancel any Certificates of Export for any firm who still is exporting foods of any type abroad.

I don't know whether you men in office are aware of the dangerously low level of respect all functions of government are held by most of the hitherto docile Middle Class. To define terms, I mean that segment of the populace who earn \$15,000.00 per year and over, who either are in the professions, or various echelons of management in large firms, or who have small businesses of their own. This has nothing to do with Party.

As of this time, none of the Middle Class are "hurting". However, we know of the feelings of those in the lower income brackets—and I must tell you that desperation is growing among those people. When and if they begin to raid the supermarkets, we won't engage in that sort of thing—but I don't know of anyone who would run to call the Police.

Again, we'd like to know how you propose to help the people in this crisis.

Very truly yours,

CHARLES B. ALLEN,  
and Committee of Concerned Citizens.

## EXTENSIONS OF REMARKS

## THE IMPORTANCE AND NEED FOR NATO

## HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. CRANE. Mr. Speaker, when representatives of the United States and the Soviet Union speak of "détente" and of "arms agreements," many wonder whether our traditional alliances, such as the North Atlantic Treaty Organization, are as important to us and to the nations of Western Europe as they previously were.

To argue that NATO is no longer vital to Western defense is to ignore the reality of what has been happening in Europe during the past period. Despite Soviet rhetoric of "peaceful coexistence," the facts remain far different.

Speaking before the Military Committee of a recent NATO conference, Gen. Sir Walter Walker, former British commander in chief of Allied Forces, Northern Europe, issued a solemn warning on Soviet capabilities and NATO weaknesses. He said:

The brutal truth is that Soviet forces have gone from strength to strength, while NATO has tended to stagnate. At present, certainly on the northern flank, the Russians can neutralize all our efforts. The Soviet northern fleet alone has more submarines than any single NATO navy, including the United States, and about 60 of them are nuclear.

It is also important to consider a report issued by a Dutch commission of 15 civilian and military experts who proclaimed that the defense of Europe is unthinkable without U.S. participation. This report sketched three main tasks of the NATO alliance: To prevent war, to give an appropriate response to aggression without immediate resort to nuclear weapons, and finally, "in extremity" to maintain or restore the integrity of NATO territory.

These three tasks cannot be fulfilled without the United States, the commission said. The report stated that:

The nuclear power and the conventional presence of the United States on the European continent are the core and decisive fact in fulfilling these three tasks of the alliance.

In an article in the Chicago Tribune of September 30, 1973, Arthur Veysey reports the details of a lengthy interview with Gen. Andrew Goodpaster, NATO's present commander in chief.

Mr. Veysey reports the gist of what General Goodpaster said. The general noted, he writes, that:

The Soviet leaders preach détente but continue to improve their military forces. The Soviet military budget has gone up each year for five years. The research budget is up 60 per cent. The Soviet Union today spends as much on its forces or perhaps a little more than the U.S. even though its total income, its gross national product, is only half that of the United States.

Mr. Veysey points out:

NATO has served the West well. Europe has gone more than a quarter of a century without war. The Soviet Union has been unable to pick off more European nations one by one. NATO has encouraged the West to work

October 16, 1973

together and make the best use of men, money, and supplies.

At a time when many call for less defense spending, for an alteration in our traditional alliance, and for a retreat from world leadership, it is essential that we understand the real stakes in today's complex world.

I wish to share with my colleagues the article, "The Importance of and Need for NATO," by Arthur Veysey as it appeared in the Chicago Tribune of September 30, 1973, and insert it into the RECORD at this time:

## THE IMPORTANCE OF AND NEED FOR NATO

(By Arthur Veysey)

CASTEAU, BELGIUM.—Is the North Atlantic Alliance still important? Is there still any need for its military command set up by General Eisenhower 23 years ago when the Soviet Union was blockading Berlin?

Yes, declares the present commander in chief. He is Gen. Andrew Goodpaster, an American. NATO and its military arm, SHAPE, will be vital, he says, until Western Europe unites or until the Soviet Union and its allies cease to be a threat. Neither, he says, is in sight.

Why keep NATO? Why keep American forces in Europe?

For three hours, I sat in on a private briefing at which Goodpaster, his chief of staff, and his directors of intelligence, planning, and supplies, made their pitch. Here is the gist of what they said.

The Soviet leaders preach détente but continue to improve their military forces.

The Soviet military budget has gone up each year for five years. The research budget is up 60 per cent. The Soviet Union today spends as much on its forces or perhaps a little more than the United States even though its total income, its gross national product, is only half that of the United States.

The army keeps its 24-month draft. In Central Europe, the Soviet Union and its allies have more tanks, planes, and guns than NATO and enough short-range nuclear missiles to smash Western Europe.

The Soviet Union has developed multiple warheads for its big, long-range missiles, adding to the number of American cities it can wipe out in an instant. It is putting missiles into stronger underground silos. Its newest submarines carry missiles capable of reaching 4,000 miles, letting the subs attack every part of America without leaving the Arctic Ocean. Eight such subs were built last year. Yards now turn out one a month.

The Soviet air force has a new faster-than-sound bomber and a new fighter.

The Soviet navy has grown fastest of all. Its nuclear submarines can attack shipping in any ocean. Its newest destroyers and cruisers carry missiles to attack other ships, sonar to seek submarines, and a double defense against planes. The first Soviet aircraft carrier is afloat. Old cruisers have been converted to communication and command ships. Supply ships let a fleet operate indefinitely in any ocean. Research ships probe the seas.

Why does the Soviet Union devote so many men, so much money, supplies, and effort to its military forces?

The Soviet Union, unlike the United States or, more so, Western Europe, has within its borders almost everything it needs in wartime. Thus it has little need for a defensive navy.

But the Kremlin leaders apparently learned from the Cuban missile crisis the power of a navy in peacetime. Today the Soviet navy, backed by land, air, and space forces have turned the world military balance, or military strategy thruout the world.

The improved land, sea, air, and space



forces have turned the world military balance to favor the Soviet Union. An even bigger shift may come from the Soviet's policy of detente.

By preaching peace, the Soviet Union stimulates Western euphoria and wishful thinking that the Cold War is over.

Negotiations for mutual balanced force reductions in central Europe will be a false road to peace if they further disturb the military balance. How can withdrawal of American troops across the Atlantic be matched against the movement of any number of Soviet forces a few hundred miles to the east, where they could be placed against the NATO flank or, in emergency, quickly sent back into central Europe?

NATO and SHAPE have served the West well. Europe has gone more than a quarter of a century without war. The Soviet Union has been unable to pick off more European nations one by one. NATO has encouraged the West to work together and make the best use of men, money, and supplies.

All NATO governments are under strong public pressure to cut military spending. Heavy cuts will come, unless people who still believe in NATO speak up loud and clear.

#### THE NOMINATION OF CONGRESSMAN GERALD R. FORD AS VICE PRESIDENT OF THE UNITED STATES

#### HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. POWELL of Ohio. Mr. Speaker, I would like to add my voice to the great chorus of approval to the nomination of my distinguished colleague from Michigan, GERALD R. FORD, to the Office of Vice President of the United States.

Congressman FORD is uniquely qualified by experience, temperament, and training to fulfill the important responsibilities and duties of the Vice Presidency, and his conscientious performance of these duties will prove to be an inspiration to all the citizens of this great country, who have every right, to expect the highest possible standard of performance of our Nation's leadership.

Mr. Speaker, during my tenure of service here in Congress, I have come to recognize and respect the leadership qualities of GERALD R. FORD. He is a man of great vitality, integrity, and industry and he complements those attributes with compassion and an unswerving dedication to the principles of good government.

The public record of GERALD R. FORD is recognized. His character has been tested in the melting pot of debate and negotiation which characterize this legislative Chamber. His opinions and viewpoints are solicited and respected. In short, JERRY FORD has a proven "track record."

Mr. Speaker, given these considerations, I urge my distinguished colleagues on the Judiciary Committee to act expeditiously on the confirmation of JERRY FORD as Vice President of these United States.

The citizens of Michigan's Fifth Congressional District will, unfortunately, be losing a gifted and dedicated public

servant, but they, in addition to all the Nation's citizens, can be confident in their knowledge that a man of exceptional, indeed, unparalleled, qualifications stands ready to assume the Republic's second highest office.

#### MILITARY RETIREES LOSE AGAIN

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ANDERSON of California. Mr. Speaker, I rise at this time to protest the House-Senate conferees' decision to ignore the needs and, indeed, the rights of retired military personnel by dropping the Senate-adopted provision which would recompute retired pay.

Under the Senate provision, which was adopted by a vote of 71 to 14, military personnel who retired prior to January 1, 1972, would have their retired pay recomputed on January 1, 1972 pay scales at age 60 except that those who are retired with 30 percent or greater disability would be allowed to recompute immediately.

This is only fair and just, but the conferees—for the second year in a row—have allowed this broken promise to remain unattended.

The principle of recomputing retired military personnel pay based on active duty pay was incorporated in the American Military Retired Pay System from the time of the Civil War to 1958, with short exceptions. All military personnel who served before June 1, 1958, did so with the expectation that this principle would continue to be followed. It is quite likely that the recomputation feature of the retirement system was largely responsible for the decision of many to make the military a career.

Although there was no signed contract with the U.S. Government promising that this system would be continued after service was completed, there certainly was a moral obligation on the part of the Government not to reduce the entitlement after it was earned.

The hundreds of thousands of retired career personnel, both Regular and Reserve, who served in several wars believed that their Government would continue to honor that obligation by preserving their entitlement to those rights earned under laws existing during their active service. Repeated governmental statements concerning the matter strengthened this belief.

However, in 1958, Congress abandoned the recomputation principle and substituted an across-the-board 6-percent increase for retired personnel. In 1963, Congress offered a one-time recomputation to those who were retired prior to the 1958 changes, or a 5-percent cost-of-living increase, whichever was greater. The cost-of-living system of adjusting retired pay is in effect today.

Although changes have been made in the system in an effort to protect the retiree from the rapid rate of inflation, they have not done so. The average retiree's pay has increased by 58.6 percent

since 1958 while active duty pay has increased by 108.1 percent during the same period. A tremendous gap in retired pay has grown between the retirees of the same grade and years of service. This inequality will continue to widen unless Congress restores the traditional system of computing retired pay on the basis of current active duty rates.

Many of the lower grade retirees who served their country well for 20 or 30 years through two or three wars are in dire straits. They served at times when pay scales were very low and raises few and far between. Their retired pay is small, they pay taxes on it, and end up with less than many people get who never did anything for their country, who will not work, who pay no taxes, and who live off other people's money.

The many retired military men and women who have served our country and who have given of their minds, bodies, and years—none of which can be replaced—certainly deserve no less than equity in their retired pay.

#### CORDELL HULL LOCK AND DAM ON CUMBERLAND RIVER DEDICATED IN TENNESSEE

#### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. EVINS of Tennessee. Mr. Speaker, Saturday last, along with Gov. Winfield Dunn, of Tennessee, and Mrs. Tricia Cox, the lovely daughter of President and Mrs. Nixon, and other distinguished guests and citizens in my State of Tennessee, I was pleased to join in dedicating the new \$75 million Cordell Hull Lock and Dam on the Cumberland River in Smith County, near Carthage, Tenn.

The dam was built by the U.S. Corps of Engineers and was dedicated in appropriate ceremonies to the memory of the late Secretary of State Cordell Hull, my distinguished predecessor in the Congress.

The dedication was most appropriate, because of Secretary Hull's lifetime goal and objective of providing water resource development access to the Upper Cumberland Area of Tennessee.

Because of the interest of my colleagues and the American people in water resource development and progress, I place a copy of my dedicatory remarks in the RECORD, as follows:

REMARKS BY JOE L. EVINS, MEMBER OF CONGRESS, AT CORDELL HULL LOCK AND DAM DEDICATION CEREMONIES, OCTOBER 13, 1973

Thank you, Chairman Joe Carr, Governor Dunn, Mrs. Tricia Cox, the lovely daughter of President and Mrs. Nixon, General Kelley, General Nichols, and Colonel Brandes, of the Corps of Engineers, other distinguished platform guests, ladies and gentlemen and friends: Certainly I am pleased and delighted to be here today to join with you in these historic dedication ceremonies.

I join with others in welcoming all of you to Tennessee—and the great Fourth Congressional District of Tennessee.

Senator Baker—our State's Senior Senator—called me and indicated that he was

detained in Washington and expressed regrets that he could not be here today.

Senator Baker asked that I extend greetings to all in attendance.

This is an important occasion.

This is a significant occasion.

#### THE UPPER CUMBERLAND

Today marks a milestone in the history, growth and progress of the storied Upper Cumberland area.

The Upper Cumberland area is often called Cordell Hull Country because it was here that my distinguished predecessor was born and reared—and began his illustrious career in public life as a State Representative and Circuit Judge that ultimately carried him to Washington as Congressman, Senator, Secretary of State and world statesman.

Cordell Hull loved the Cumberland River—he worked with his father in the logging business and rode down the river on huge rafts of logs to Nashville.

Some historian has reported that as the big rafts moved down the river Cordell Hull could be seen perched on the raft, deeply absorbed in a book.

He was said to be the best young logger and best young debater in this area.

During Judge Hull's time, this area was known as the Mountain District—famous for its fabled history—strong men—beautiful women—scenic wonders—good environment—and, above all, the Cumberland River.

I am reminded of Victor Hugo's writing about great rivers which captures the romance of the Cumberland.

Hugo wrote:

"I love rivers, they do more than bear merchandise—dreams float along their surface. Rivers, like clowns, sing of the beauty of the earth, the fertility of the plains and the splendor of the mountains."

Carl Sandburg said: "Nothing happens unless it was first a dream."

Certainly the development of the Cumberland River and the construction of the Cordell Hull Dam and Lock has long been a dream of the people of the Upper Cumberland—they have worked hard to make this dream become a reality and I commend and congratulate them for their great work.

Many years ago, Cordell Hull said:

"Should the Government of the United States discontinue improvement of the fertile Cumberland Valley waterway and isolate its hundreds of thousands of people, an injury and loss would be worked that could not be estimated."

Well, we all know now that the Government has not failed to open up our waterways. But—to the contrary—we are developing the full potential of the Upper Cumberland to greatly expanded economic opportunities so that hundreds of thousands of people in this and future generations will benefit.

Indeed, the future for this area is bright.

#### APPROPRIATIONS

Knowing of the dreams and aspirations of the people of the Upper Cumberland area, and as a member of the Subcommittee on Public Works Appropriations, I have encouraged an effort to revive this project—and make the dream of our people come true.

First, our Committee provided funds for a re-study and re-evaluation of the project.

Following the study and up-dating of the project, the Corps again made a favorable recommendation. They reported that the project was sound, feasible and desirable.

Although the Dam was not initially budgeted—in 1963 an appropriation of \$1 million was provided by our Committee and the Congress to begin construction.

The project seemed, at last, underway. However, some further delays occurred as meetings were held in Cookeville, Gainesboro, and other Upper Cumberland towns concerning the project—not because the peo-

ple opposed the dam—but because they wanted a navigation lock added to the project as then planned and proposed.

They took the position—as did Cordell Hull, earlier—that nothing should restrict the access to the Upper Cumberland.

They did not want to be isolated—they wanted to open up the Upper Cumberland to greater commerce and navigation for our people. Many people, interested in the full development of the Cumberland, were concerned. I could mention many citizens—but will mention only one—the late J. Mack Draper of Gainesboro—as representative of many public-spirited citizens of this area who wanted a navigation lock added to the project.

Following a further study by the Corps concerning the desirability of the lock feature, it was determined that the lock was justified and an additional appropriation of \$10 million was provided to finance the construction of the navigation lock.

Today, we witness the completed project.

Today, we recognize this lock as a water gateway to the Upper Cumberland. A nine-foot channel for another 75 miles has been created—a year-round channel that assures access at all times to the Upper Cumberland, extending to the Kentucky line and beyond.

It was my privilege to be present at groundbreaking ceremonies several years ago in an open field, where the lock is now located. It was my pleasure to turn the first spade of dirt for this project.

A few weeks ago, I was pleased to stand in the power house of the dam and throw the switch, activating the first of three powerful generators that will provide another 100,000 kilowatts of electricity, urgently needed, because of the Nation's current energy crisis.

#### BENEFITS TO AREA

As we envision the benefits that will flow from this project—I predict that this dam—this reservoir—and this lock—will bring a new golden era of progress and prosperity to the Upper Cumberland.

New commercial horizons and vistas will be opened—new industries will locate here—jobs and employment will be provided—new commerce will flourish.

Power production—flood control—navigation—water supplies—recreation—all of these and other benefits will flow from this great water resource project.

The Corps, in its reports on this project, have repeatedly predicted that the project will provide a substantial boost to the economy of the area.

A "significant, positive impact" will result, the report suggests—resulting from the shipment of timber, coal, asphalt, cement, petroleum, gasoline, wood and steel products.

The next century will bring a significant change—for economic growth, progress, and development.

Indeed, the future of this area is bright and promising.

What we say here will not be long remembered—but what has been accomplished here—by the Corps of Engineers with the people—will be long remembered—as this project will long stand as an enduring monument to the memory of a great statesman who came from our midst, Cordell Hull.

My friends, I am sure many of you have heard of Uncle Billy Hull, the father of Cordell Hull.

Uncle Billy Hull once described his distinguished son—Cordell Hull—this way:

"Cord wasn't set enough to be a school teacher—wasn't rough enough to be a lumberman—wasn't sociable enough to be a doctor—and couldn't holler loud enough to be a preacher. But, Cord was a right thorough thinker."

In my view, this completed project represents some "right thorough thinking"—as well as some "right thorough planning"—and work on the part of the Corps of Engineers, our people, and all concerned.

We have, in our area today, a great partnership of progress among the cities, counties, and communities in the Upper Cumberland—and, this great project is a product of this fine spirit of cooperation and working together for growth and development.

This project represents "the wave of the future"—my congratulations to all.

Let me say, that whatever small part I may have had in the completion of this great project—I can assure you—has been a labor of love.

#### CONCLUSION—DEDICATION

And so, my friends, again, I want to congratulate the U.S. Corps of Engineers for their great work. And, I congratulate the people of this District in having this great facility.

And now—may I say that it is a pleasure to join with the distinguished Governor of our State—Governor Dunn—and all of you—in dedicating this great project to the benefit of all the people of America—and especially to the people of this District and Tennessee. . . . And to the eternal memory of my distinguished predecessor—a truly great American—Cordell Hull.

Thank you—thank you very much.

#### THE GREAT PROTEIN ROBBERY: NO. 9

#### HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. STUDDS. Mr. Speaker, the International Commission for the Northwest Atlantic Fisheries—ICNAF—is the international organization charged with protecting and conserving the marine resources in the Northwest Atlantic. To date, ICNAF has failed to conserve the fish stocks in New England coastal waters, thereby allowing the depletion of a valuable source of protein by massive foreign fishing fleets.

This week, a special meeting of ICNAF is being held in Ottawa, Canada, to discuss the U.S. proposal to impose a total reduction of fishing effort on all nations in the once fertile fishing grounds of the Northwest Atlantic. Should this meeting fail to reach agreement on a total reduction of fishing effort, and should the United States withdraw as threatened from the Commission because of the lack of agreement, it will become more necessary than ever before to establish conservation measures to protect the fish from overexploitation by foreign fleets. My bill, H.R. 8665, to extend U.S. fisheries jurisdiction out to 200 miles from our coast, would protect this valuable source of protein from depletion, and would allow us to guarantee a continued supply of fish for years to come.

I believe we must pass this bill to end the great protein robbery occurring off our shores.

I would like to insert in the RECORD at this point an excellent article by Ken Botwright in yesterday's Boston Globe that deals very well with this subject:



# BROWNELL SEES 200-MILE U.S. LIMIT IF GEORGES BANK OVERFISHING NOT HALTED

(By Ken Botwright)

OTTAWA.—The United States soon may have to extend its territorial offshore limit from 12 to 200 miles if the Soviet Union and other nations don't stop over-fishing Georges Bank, Arthur W. Brownell, Massachusetts natural resources commissioner, said yesterday.

Brownell predicted this decision could be prompted by the breakdown of a crucial five-day meeting of the International Commission for Northwest Atlantic Fisheries (ICNAF), which opens today here.

Brownell, a member of the US delegation, is pessimistic about the outcome of the talks, and so are some of the sizeable contingent of New England legislators, government officials and fishing industry representatives also attending.

Brownell, a member of the US delegation, is pessimistic about the outcome of the talks, and so are some of the sizeable contingent of New England legislators, government officials and fishing industry representatives also attending.

They pointed out that the annual ICNAF conference in Copenhagen during the summer ended in a deadlock. Russia and other European nations refused to accept US proposals to curtail over-fishing on Georges Bank—90 miles off the tip of Cape Cod—by allotting each of the 19 member nations a certain number of vessel-days, or by setting fish species quotas. This week's extraordinary session, called at the suggestion of Canada, will try to resolve the impasse.

"Something has to be done this time," Brownell said in an interview.

"The United States is pushing for total reduction of the fishing pressure on Georges Bank. And the United States has already made it clear to the Russians that if we don't get satisfaction, we'll drop out of ICNAF and take unilateral action to end overfishing. I believe that unilateral action would be extending the off-shore limit to 200 miles."

Brownell said Massachusetts fishermen are suffering because they can't compete with the Russian, East German, Polish and other European fleets, which take massive catches from the 10,000-square-mile Georges Bank—one of the world's richest fishing grounds. "Cod and haddock are facing extinction and if something isn't done the lobsters will go, too," he said.

The United Nations Law of the Sea Conference scheduled to be held in Chile next spring is due to hear claims of at least 15 nations seeking a 200-mile limit. Canada even wants to push her limit 400 miles into the Atlantic. Peru, Ecuador and other nations already have unilaterally set 200-mile limits. And Iceland's insistence on a 50-mile limit provoked the "Cod War" with Britain last spring.

Up to now, the United States officially has supported the 12-mile limit. But Brownell believes Washington would change its policy if the Ottawa talks failed. He said he is convinced Congress would promptly pass legislation for a 200-mile limit, recently introduced in both houses by Representative Gerry E. Studds (D-Mass) and Sen. Warren Magnuson (D-Wash.).

"We can't wait for the Law of the Sea Conference," Brownell said. "It would take them two or three years to approve the 200-mile limit."

And during that time, said Brownell and other New Englanders at the ICNAF meeting here, there could be an accelerated, unrestricted free-for-all among fishing nations as they plunder Georges Bank.

After the Copenhagen meeting, Howard W. Pollock, deputy administrator of the US National Oceanic and Atmospheric Administration (NOAA), sent a sharply worded note to

Alexis A. Bolkov, a top official in the Soviet fisheries ministry.

Pollock condemned over-fishing as "a crisis situation" and emphasized that the executive branch of the US government "is receiving very considerable pressure from Congress and our domestic fishing industry for an immediate solution through unilateral action."

"Let there be no mistake, my friend, if the special fall meeting fails, the US government will deposit its note of withdrawal from ICNAF . . ." Pollock said in his letter, which was recently published in a Fishing Industry magazine.

Brownell was accompanied to Ottawa by Frank Grice, director of the Massachusetts Marine Fisheries; state Rep. Steve Chmura (D-Ludlow), chairman of the Joint Legislative Committee on Natural Resources and Agriculture; and Rep. William Q. MacLean Jr. (D-Fairhaven), House majority whip.

## STATEMENT OF HON. O. C. FISHER BEFORE THE RULES COMMITTEE ON H.R. 10586

### HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. FISHER. Mr. Speaker, I include in the RECORD, the statement I made before the Rules Committee on the bill H.R. 10586, as well as a copy of that bill:

It is a pleasure for me to appear before you and the other members of this distinguished committee. I appear to request a rule on H.R. 10586 which is a bill to authorize the use of health maintenance organizations to those entitled to such care under Chapter 55 of Title 10, United States Code.

First, let me describe what the bill will not do. It will not change any of the benefits provided under the Civilian Health and Medical Program of the Uniformed Services, better known by its acronym of CHAMPUS. It will merely provide an alternative to this program for those who desire such an alternative. Despite the contention of those who signed the Minority Report, it will not result in any increased cost to the Government. Let me briefly explain the current laws relating to the CHAMPUS Program.

In 1956 legislation was enacted (Public Law 84-569) which authorized the establishment of a civilian health care program for the spouses and children of active duty members of the uniformed services. Public Law 84-569 was intended to equalize health benefits as between those dependents who had access to uniformed services medical facilities and the estimated 40 percent who did not have such access. The original program was essentially limited to inpatient hospital care. In 1966, however, new legislation was enacted (Public Law 89-614) which added outpatient benefits and extended the program to include retired members and their dependents and the survivors of deceased retired and active duty members. The new program also authorized the establishment of a special program (limited to the spouses and children of active duty members) covering training, rehabilitation, special education and institutional care for the moderately or severely mentally retarded and those with a serious physical handicap. Approximately six million persons are now covered by the program, which is more commonly known as CHAMPUS, current estimated costs of the program for fiscal year 1973 are \$522 million.

The CHAMPUS law is written in such a manner as to limit the operation of the pro-

gram to traditional health insurance concepts and methods, particularly from the standpoint of included and excluded benefits and cost-sharing arrangements. Under this legislation, the Secretary of Defense after consulting with the Secretary of Health, Education, and Welfare, could utilize so-called health maintenance organizations in providing benefits under the CHAMPUS.

The Department of Defense and the majority of the members of this committee are extremely concerned about the ever-rising cost of providing medical benefits to those military personnel and their dependents having an entitlement to them. We recognize that the ever-rising costs are primarily occasioned by the cost of inpatient hospital care.

Health maintenance organizations, or HMO's as they are now commonly called, are organized systems of health care providing comprehensive services for enrolled members for a fixed-prepaid annual fee. While they are organized in various ways, they all provide a mix of outpatient and hospital services through a single organization and a single payment mechanism. Because their revenues are fixed, their incentives are to keep patients well for they benefit from patient well-days, not sickness. Their cost structure is geared to prevent illness and, falling that, to promoting prompt recovery through the least costly services, consistent with maintaining quality. HMO's are not wholly new and more than seven million Americans now receive comprehensive health care from HMO-type organizations and about 20 percent of the U.S. population lives within their service areas. HMO's place great emphasis on preventive services, rehabilitation services, and diagnostic services on an ambulatory basis as opposed to the traditional system under which the emphasis is on restoring health once illness occurs rather than on maintaining it and thereby preventing costly illnesses.

The Federal employees health benefits program has already demonstrated the potential value of the new types of programs in reducing the expenses for hospitalization while furnishing a broad array of health benefits. For example, per capita hospitalization costs for medicare beneficiaries by the Group Health Cooperative of Puget Sound, compared with the national average under the medicare program, demonstrate advantages for the HMO approach, with nationwide medicare average costs per hospital admission of \$594 versus a Group Health Cooperative annual cost of \$387.

If we can significantly reduce the number of hospital admissions and if we can reduce the number of days a patient spends in the hospital, we believe that this can cause a significant reduction in the medical cost under the CHAMPUS Program. Unlike the bill the House passed a few weeks ago, this bill does not provide any subsidies to HMO's. It merely enables those who desire to choose an alternative to make that choice by utilizing a qualified health maintenance organization rather than the CHAMPUS Program.

I have talked to my colleague, David Treen, who led the opposition in our committee to this bill, and he has stated that he did not desire to appear before the Rules Committee because he saw no reason to oppose a rule. He said he wanted the matter debated on its merits on the Floor of the House.

I feel a one-hour open rule is sufficient for the merits of this matter to be discussed.

I would be happy to try and answer any questions you might have.

H.R. 10586

A bill to amend title 10, United States Code, to authorize the use of health maintenance organizations in providing health care

*America in Congress assembled*, That chapter 55 of title 10, United States Code, is amended as follows:

(1) By adding the following new section at the end thereof:

"§ 1089. USE OF HEALTH MAINTENANCE ORGANIZATIONS

"In carrying out the provisions of section 1079 and 1086 of this title, the Secretary of Defense, after consulting with the Secretary of Health, Education, and Welfare, may contract, under the authority of this section, with health maintenance organizations as identified by the Secretary of Health, Education, and Welfare. The provisions of such a contract may deviate from the cost-sharing arrangements prescribed and the types of health care authorized under sections 1079 and 1086 of this title when the Secretary of Defense determines that such a deviation would serve the purpose of sections 1071 through 1089 of this title. Such a contract, however, may not provide for annual payments per beneficiary, by the Government and a beneficiary, of any amount greater than the estimated average annual cost for comparable amounts of care of similar quality provided under the cost-sharing arrangements prescribed in sections 1079 and 1086 of this title."

(2) The analysis is amended by adding the following item:

"1089. Use of health maintenance organizations."

#### SOLVING THE FERTILIZER SHORTAGE

**HON. STEVEN D. SYMMS**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. SYMMS. Mr. Speaker, I enclose the following article to point out the blatant misunderstanding of economics demonstrated by the Cost of Living Council—not only should Congressman LITTON's amendment be accepted, we should move now to abolish the Cost of Living Council. Three cheers for Mr. Paarlberg and the USDA's sane, responsible, realistic position to solve the fertilizer shortage.

The article follows:

[From the Packer, Oct. 13, 1973]

#### SOLVING THE FERTILIZER SHORTAGE

While we continue to shake our heads in utter disbelief at the bungling of one governmental agency. The Cost of Living Council, we must not forget to applaud the outstanding efforts of another, The U.S. Department of Agriculture. A recent case in point is the on-coming fertilizer shortage situation.

The Cost of Living Council has frozen wholesale levels at \$75 a ton for phosphorus, \$40 for potash and \$71 for nitrogen. Overseas the going prices for phosphates and nitrogen mixes is \$20 to \$30 a ton greater.

The consequences, of course, is a siphoning of available supplies to meet export demand expected to increase 26 per cent for nitrogen and 19 per cent for phosphate.

USDA is carefully monitoring the situation and a recent statement before the Subcommittee on Departmental Operations, Committees on Agriculture, House of Representatives, Don Paarlberg, director of Agricultural Economics, urged Congress to remove the price ceiling on fertilizer and to assure adequate supplies of natural gas to nitrogen producers.

Dr. Paarlberg stated that in fiscal 1974

nitrogen and phosphate supplies in the U.S. could be short of total demand by 1 million tons of nitrogen and 700,000 tons of phosphate.

If domestic agriculture must absorb all of the projected supply-demand deficit, average fertilizer application rates and yields will decline. The substantial increases in crop production that would accompany an adequate supply of fertilizer, increased application rates, and enlarged crop acreages could simply not be achieved—increases that are so desperately needed at home and abroad, Dr. Paarlberg said.

The USDA's Director of Agricultural Economics noted that removing ceilings on fertilizer prices would increase domestic fertilizer supply in four different ways:

1. As domestic prices rise, the price differential between domestic and world prices, which is currently over \$30 a ton for several products, will lessen. The economic incentive to export fertilizer will be greatly reduced, re-directing fertilizer to U.S. farmers.

2. Higher prices will encourage fertilizer producers to operate their plants at the highest possible rates. While plants are likely to operate at high rates of utilization in any event in 1974, higher prices for domestic sales would help to take up whatever slack there may be in the system from this past year.

3. Removal of ceilings and higher domestic prices would keep in operation those plants now producing fertilizer, some of which might otherwise close at the ceiling prices now applied to domestic sales. In addition, some idle plants may be drawn back into production. Since the industry overexpanded in the 1960's, numerous plants that became obsolete were, and are still being retired. Higher prices would keep these plants operating and may draw a few back into production.

4. Higher prices may draw some nitrogen and phosphate currently used for nonfertilizer purposes into fertilizer uses. In 1973, approximately 25 per cent of the nitrogen produced in the U.S. was used to manufacture fibers and plastics, explosives, feed and many other products. Retaining even a small portion of this amount for producing fertilizer could be important in the next year.

If domestic prices become competitive with world price, wholesale prices might increase \$25 to \$30 per ton. But this would increase farmers' total expenditures for agriculture inputs by only 2 per cent. With current and projected 1974 crop prices and the yield response to fertilizer applications, farmers can economically justify paying higher prices for fertilizer, Dr. Paarlberg believes.

Most importantly, USDA believes the market system, if given the opportunity to function freely, will provide adequate supplies in 1974 while encouraging in-plant capacity to meet long-run needs.

To this end every encouragement should be given to the passing of the bill introduced last week by Congressman Jerry Litton, from Missouri's Sixth Congressional District. The bill, to "Amend the Economic Stabilization Act of 1970, to exempt stabilization of price of fertilizer from its provisions," will allow the grower to bid for fertilizer on the world market.

#### DANGER: WORLD WAR III

**HON. ANGELO D. RONCALLO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. RONCALLO of New York. Mr. Speaker, lest we think we can buy our way out of the energy crisis by allowing Israel to be sacrificed upon the altar of

Arab appeasement, I commend to my colleagues the excellent editorial which appeared in last week's *Massapequa*, N.Y., Post. We should have learned our lesson at Munich: both in 1939, when we found out that appeasement only escalates the demands of the blackmailers, and in 1972, when the inhuman character of the Arab commands was revealed at the Olympics for all the world to see.

A diplomatic solution is imperative. The United States and the Soviet Union must act to diffuse the Mideast and prevent it from turning into a proving ground for world war III. In the meantime, we cannot abandon our ally and allow the only voice of democracy in that part of the world to be stifled.

The editorial follows:

#### DANGER: WORLD WAR III

Make no mistake—the danger of World War III is very real at this moment and every effort must be made by this nation, the Soviet Union, and the entire world to stop the Middle East shooting as soon as possible.

Complicating the extremely tight situation is Arab control of oil and the willingness of the fabulously wealthy oil emirs to use it as a weapon against the industrialized west.

Wars have been fought over raw materials in the past and don't think the world has become so civilized that it couldn't happen again. If the pressure gets strong enough, the United States and the Soviet Union could be drawn into a shooting war against one another over oil against their will.

In case anyone is thinking that this easily could be avoided by abandoning Israel to its Arab enemies, forget it. No aggressor with a taste for world domination, willing to use terror as an ordinary tactic and who lacks elementary human compassion, will be satisfied with the annihilation of a mere two million Israelis or with the takeover of the strip of mostly inhospitable land that comprises the sovereign State of Israel.

The destruction of the Israelis would do nothing for the Arabs and they have no real use for Israeli territory. They could have settled the so-called Palestinian refugees in Arab lands years ago had they wanted to.

No—sacrificing Israel on the altar of appeasement won't do any good. Sooner or later we would have to face up to the oil blackmailers and sooner or later we would be compelled to use force to keep our economy alive.

The only acceptable answer from both a pragmatic and a moral point of view is to make a superhuman effort, using every diplomatic means at our disposal, to get the Israelis and the Arabs off the battlefield and around the conference table. A quick Israeli victory would be one way to make this at least possible. Israel would be anxious for a permanent settlement because it is in no position to sustain many more repetitions of the Yom Kippur sneak attack and loss of its limited materiel and manpower. Another defeat might make the Arabs willing to talk; they certainly are not known for generosity in victory.

The latest word is that the Russians are resupplying the Arabs with arms. Unless we are willing to become an eventual Russian satellite, we must resupply the Israelis, particularly with planes already on order. Admittedly there are dangers in such maneuvers, and this often is how such things escalate.

Time is running out on the oil-hungry western world. We cannot repeat the mistakes of the 1930's when Hitler was allowed to devour Europe bit by bit in the hope that he would become satiated on somebody else's blood. We must come to grips with the Middle East problem now, if we are to avoid the hell of a third world war.



LINDA CLAYTON, OF INDIANAPOLIS:  
A VOICE OF CONFIDENCE, AMBITION, AND FAITH

### HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BRAY. Mr. Speaker, Miss Linda Clayton, of Indianapolis, was a participant in 1973 Hoosier Girls' State. I had written each one from my district a brief note, as I believe these programs, run by the American Legion, do much to encourage political participation and interest on the part of our youth.

Linda Clayton wrote back to me; I was touched, impressed, and encouraged by her first letter. I insert it into the CONGRESSIONAL RECORD; she agreed, and I think her second letter belongs there, too. The letters follow; this girl represents the very best of American youth and insures us that the country will be in good hands:

JULY 25, 1973.

WILLIAM G. BRAY,  
Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. BRAY: Thank you so very much for your letter concerning my attendance at the 1973 Hoosier Girls' State. I thoroughly enjoyed myself, but more important perhaps, I learned more about our government.

The experience of true competition taught me the most. I made friends who I shall remember for the rest of my life. The knowledge gained of the "behind the scenes" side of politics made the losing worthwhile. Yet I do not honestly feel that anyone of us lost a thing.

My own personal interests in politics has been quite stimulated by Girls' State. I feel that this new hunger for involvement can only be satisfied by involvement. Girls' State has provided for me the first step.

Once again I would like to thank you and all of the members of our Congress and House for giving me the chance to be proud of being involved with our government. Someday you just might see me sitting in a Senator's seat!

Sincerely,

LINDA CLAYTON.

AUGUST 4, 1973.

WILLIAM BRAY,  
Congress of the United States,  
Washington, D.C.

DEAR SIR: I was very much surprised, to say the least, to receive your letter. I was even more astonished at your request. I would feel honored, Mr. Bray, to have my previous letter put into the Congressional Record.

I feel very proud that you should want to use my ideas and thoughts. I want very much to share my feelings about our country with others who perhaps cannot see how truly fortunate we are. After attending Hoosier Girls' State, I feel proud to feel the tears in my eyes as I salute the American flag. Girls' State was an experience I truly do wish that every American citizen could participate in. It is true that lasting friendships were made, yet the newly developed friendship with our government will last forever.

Thank you so very much, Mr. Bray, for taking your time to listen to my thoughts. And thank you ever so much for forwarding my previous letter to your wife. She was a lot of help at Girls' State, and I am grate-

ful that I had the opportunity of working with her.

Once again, thank you for everything. Mr. Bray, you and Indianapolis Mayor Richard Lugar have made me feel like a proud, important American citizen. Thank you so kindly.

Please send me a copy of the Congressional Record, along with any information you have available.

Sincerely,

LINDA CLAYTON.

### FREEDOM FLIES ON THE WINGS OF PHANTOMS

### HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BRASCO. Mr. Speaker, those who cherish the ideals of liberty and freedom have watched in surprise and apprehension as the Arab assault upon Israel gained momentum. For the fourth time in 28 years, military forces, armed, trained, and exhorted by the Soviet Union, seeks the annihilation of a significant portion of the Jewish people. The Pearl Harbor-style attack came because Israel refrained from a preemptive first strike. As a result, she has sustained losses in life and material. What she has gained in terms of moral and political credit, she has sacrificed in blood and treasure.

A bitter struggle continues against Syria and Egypt even as we meet here today. The most merciless kind of war is being waged against Israel by the Arabs. The Jews are fighting for their existence against a foe overwhelmingly superior in numbers and equipment. The United Nations offers no solution, merging as a conglomeration of political name calling. All Israel can expect from that international cave of winds by the East River is condemnation of her insistence of self-defense and hopes for the goals of her enemies.

Some Western European powers, once staunch friends of the Jews, now eagerly do the bidding of the Arab states. Eager for the profits of Arab arms sales and desirous of protecting their oil investments in Arab lands, they grovel at the feet of Arab despots and Soviet arms suppliers. The Jews can only obtain assistance from one source: The United States of America.

There have been other times when a hard-pressed band of brave people has struggled valiantly against a circle of foes sworn to their annihilation. Who can forget brave little Czechoslovakia before World War II, and how the world watched while France and England sold her people and her hopes to Adolf Hitler? Who can forget Republican Spain during the Spanish Civil War, overwhelmed by Franco's Fascists armed by the Nazis.

There have been many incidents in recent history when men could either ignore the plight of an honest man beset by assassins or come to his assistance. That decision is now before this country.

Israel does not ask for American

troops. Israel asks only for the means with which to finish the job of defending herself. In the battle thus far, she has sustained significant losses in aircraft, that crucial "flying artillery" which makes the difference between victory and defeat. The Arabs have massive inventories of Russian planes, Israel has few reserves. It is utterly essential that the United States make available to Israel additional planes with which to defend herself. Furthermore, such aircraft must be made available immediately.

Therefore, I have joined with a number of Members of the House in sponsoring a concurrent resolution with the Senate, which calls for those planes already contracted for to be delivered to Israel forthwith. We have the planes in our inventories. No requirements exist demanding our use of them on behalf of U.S. interests. It is within the power of the President and Congress to act.

I realize there are geopolitical considerations militating against such an initiative. Major U.S. oil companies, eyes fixed firmly on their profits, bemoan such an act by our country on behalf of Israel. Those few people who act as apologists for Arab surprise attacks while people are at prayer will also beat their breast and bemoan loudly if we act correctly. Some who have always misunderstood Israel will call upon us to do nothing to "fan the flames of conflict." All of this will have one effect: destruction of the Jewish State and success for Arab aggression.

The Jews are an ancient people, perhaps the oldest on the face of the Earth. Their commitment to the ancient ideals of God, liberty, and human dignity has never wavered throughout their long history of oppression. Many tyrants have tried to extinguish the flame of freedom that they have tended so devotedly through the centuries. Sometimes they have guarded it with their minds; other times with their emotions; still other times by their sacrifice. Now, they defend such concepts with their lives and very nationhood. Now, once again, we are faced with a choice. If Israel fails to crush the Arab thrust, then all those who cherish the high ideal of men will be the losers. Such a stake is worth a few Phantoms. Rarely will the high ideals of men fly so high or soar so nobly than on the wings of the Israeli Air Force at such a time.

### MIDDLE EAST CRISIS

### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. EILBERG. Mr. Speaker, the latest Middle East crisis is a tragic situation not only for Israel, but for every peace-seeking nation throughout the world.

In this country support for the Israelis comes from every sector of the community and at various levels of Government.

The mayor of Philadelphia has committed the city to purchase \$1 million of Israeli bonds through its pension plan,

and the city council has gone on record as supporting our efforts to supply Israel with the arms it needs to defend itself.

At this time I enter into the RECORD a resolution adopted by the Council of the City of Philadelphia on October 11 asking that the United States continue to supply the State of Israel with arms:

#### RESOLUTION

Memorializing the President and the Congress of the United States to continue and maintain a policy in support of the State of Israel and to effectively provide the means for the people of the State of Israel to defend themselves in this hour of peril

Whereas, the overt and vicious attack of aggression by Egypt and Syria upon the State of Israel on the most solemn Jewish holy day Yom Kippur, was an outrage against all men of conscience; and

Whereas, Israel's right to exist within secure boundaries is now manifestly the cornerstone of peace in the Middle East, and since a negotiated peace is the only practical way for Israel to gain the peaceful recognition long sought from its neighbors; and

Whereas, A most earnest appeal must be directed to the governments of Syria and Egypt to forsake the paths of war and violence and to enter into face-to-face negotiations with Israel for peaceful settlement of Middle East problems; and

Whereas, We laud and support the sentiments of the Senate of the United States expressed in Senate Resolution 179 "deploring the outbreak of hostilities in the Middle East and supporting the good offices of the United States by the President and the Secretary of State to urge the participants to bring about a cease-fire and a return of the parties involved to lines and positions occupied prior to the outbreak of current hostilities," leading, hopefully for a more stable condition leading to peace in that region; therefore

*Resolved, By the Council of the City of Philadelphia,* That we hereby memorialize the President and the Congress of the United States to continue and maintain a policy in support of the State of Israel and to effectively provide the means for the people of the State of Israel to defend themselves in this hour of peril until there is an Israeli-Arab negotiated settlement based on recognition of Israel's right to exist as a sovereign nation with secure borders.

*Resolved,* That certified copies of this Resolution be forwarded to the President of the United States, the Secretary of State, the U.N. Secretary General and the U.S. Ambassador to the United Nations.

#### STATEMENT BY THE CHAIRMAN OF THE CDU-CSU PARTY

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 1973*

Mr. DERWINSKI. Mr. Speaker, there has been a natural preoccupation in the American press and among our citizens with the political debate involving leading public figures in the United States, the Middle East war and the energy crisis. Therefore, it is only natural that little attention has been paid to some of the less dramatic but nevertheless important developments in the news.

I refer specifically to the recent ruling by the West German Supreme Court on the constitutionality of the basic treaty between East and West Germany. The verdict of the Court is, of course, of great

interest to Americans because the interpretation placed on the treaty by the Court directly affects our involvement in Berlin. In short, the German Court rejected Moscow's view that East Germany is a separate State and based the constitutionality of the Treaty on such an interpretation. Despite what is a decision of monumental importance to the United States, West Germany, and the entire free world vis-a-vis its relations with the Soviet Union, there was very little coverage of this Court decision in the American press; therefore, Mr. Speaker, I am introducing in the RECORD a statement regarding this decision which has been made available to me reflecting the view of the CDU/CSU Parties on the Court decision. The statement is made by the new Caucus Leader of the Parties, Dr. Karl Carstens. I believe that this statement is an accurate reflection of the implications of the decision of the Court. Therefore, I insert it as a part of the RECORD at this point:

[Translation from German—Comments from West and East on the Verdict of the Federal Constitutional Court of July 7, 1973 on the Constitutionality of the Basic Treaty]

STATEMENT BY THE CHAIRMAN OF THE CDU/CSU PARLIAMENTARY PARTY, KARL CARSTENS

The CDU/CSU Party welcomes the authentic interpretation of the treaty contained in the verdict of Karlsruhe as it strictly abides by the provisions of the basic law and of the past jurisdiction of the Federal Constitutional Court. These provisions are expressly declared binding in the verdict.

Thus the supreme court of the Federal Republic of Germany has obviated the justly feared danger that the basic treaty with the GDR could undermine the basic law of the FRG and the constitutional obligation contained therein "to achieve unity and freedom for Germany in a free climate of self-determination".

The verdict imposes binding limitations on every federal government in the application of the basic treaty and in the negotiation of successor agreements. That applies in particular to the problem of nationality. Inclusion of the Land of Berlin in every successor treaty is now mandatory.

The Federal Constitutional Court states expressly: The GDR is a part of Germany. It is not a foreign state in regard to the Federal Republic of Germany. The border between both parts of Germany is not an international border.

The verdict holds the present federal government to its own pronouncements. The court based its verdict on the interpretation employed by the federal government and has thus declared the basic treaty constitutional only within the boundaries of this strict and restricting interpretation.

The federal government is therefore now obliged to represent this authentic interpretation within and without. Above all, it will no longer be able to accept the interpretation by East Berlin and Moscow—which is opposite to its own interpretation—without contradiction. The CDU/CSU is especially satisfied to note that the constitutional court agrees with its repeatedly and publicly stated opinion by declaring: "The present realities at the border between the Federal Republic and the GDR, such as wall, barbed wire, death-strip and shooting order, are incompatible with the treaty."

The claim submitted by the Bavarian government to examine the constitutionality of the basic treaty has achieved an important goal. As a result of this verdict the "Deutschland-politik" (policy with regard

to Germany) is freed of the constitutional ambiguities caused and accepted by the federal government.

All democratic forces in Germany should be grateful to the Bavarian government for its clarifying initiative.

#### SOLAR ENERGY: ANSWERS FOR TODAY AND POTENTIALS FOR TOMORROW—PART III

**HON. CHARLES A. VANIK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 1973*

Mr. VANIK. Mr. Speaker, despite the seriousness of our present energy shortages, we are not the only ones facing an energy dilemma. Until recently, our Nation was self-sufficient in fuel resources. This luxury has not been enjoyed by most other nations of the world, including most notably, the countries of Western Europe and Japan. In short, the "energy crisis" is a worldwide phenomenon. For this reason, many countries are looking harder at the potential of solar energy for meeting their economies future energy demands. Developing countries, to a growing extent, are seeing solar power as a way to distribute energy resources to the countryside.

Last July more than 600 scientists from around the world met in Paris to discuss the potential for solar applications. The following article by Kenneth Kenward is excerpted from the magazine, "New Scientist" of July 12, 1973. Mr. Kenward outlines the wide range of topics discussed at the conference. In viewing solar energy from this broader perspective, the need for the United States to demonstrate active leadership in this vital field becomes even more compelling.

The article follows:

HERE COMES THE SUN

(By Michael Kenward)

With the energy crisis throwing even the United States into a tizzy, solar power is now an R&D "growth stock". The Sun has long been recognized as a possible answer to man's energy needs, but many previous bouts of enthusiasm have come to nothing as the promises of scientists have proved groundless, and as even more revolutionary energy sources (such as oil at the beginning of the century) have come along. The only alternative to fossil and fissile fuels—thermonuclear fusion—is still far from guaranteed, so scientists and engineers are busily showing that even if fusion power proves disappointing we will not be plunged into darkness as the oil wells run dry, the coal mines are exhausted, and uranium supplies run out.

There are many technological possibilities for solar energy. Most of them are well enough understood to convince all but the most skeptical that the Sun can contribute significantly to man's energy supplies. The question is, can we develop these technologies so that the energy is available at a price we can afford? The fuel for a solar power plant is free, but the capital cost can be very high. It does not matter how efficiently we can turn the Sun's radiation into electricity, hot water, distilled water, cold air, or what have you, but the cost of these "products" is very important. This was a continuously recurring theme at the international congress on The Sun in the Service of Mankind, held in Paris last week.



Unlike thermonuclear fusion, the feasibility of harnessing solar radiation is not in doubt; but before we can plug into the Sun many technical questions still have to be answered. Indeed, George Lof, professor of civil engineering at Colorado State University, believes that there are many questions that the solar energy community has not even considered.

#### TWO VIEWS OF THE SUN

One question that is basic to the direction of solar energy R&D in different countries is the use to which solar power is to be put. In the United States, scientists such as Aden Meinels talk of "photo-thermal solar power farms, covering many square kilometres of land (New Scientist, vol. 58, p 337). At first, these would be simply added on to existing power stations—a concept dreamed up by electricity utilities.

In the developing countries ambitions are more modest. Delegates from different parts of the world last week described similar progress with units such as Sun powered desalination units, cookers, engines, and heaters. In these countries the idea is not to use solar radiation as a substitute for other fuels, but to help many millions of people achieve a standard of living they cannot hope to achieve with conventional energy systems.

H. P. Garg and A. Krishnan from the Central Arid Zone Research Institute, Jodhpur, India, told the congress that "In a developing country like India the utilisation of solar radiation . . . is extremely important in view of the chronic shortage of conventional sources of power. Though much emphasis has been made in many national and international conferences on the utilisation of solar energy for various domestic applications like water heaters, room heaters, agricultural drying, desalination, and so on, not much progress has been made in the actual use of solar energy."

Unesco, which was a co-sponsor, with the French government, of last week's congress, realises that something has to be done if all countries are to benefit from the development of solar energy. During the week before the 600 congress delegates got down to the hard work of ploughing through hundreds of papers, a select band of experts was brought together "to advise Unesco on a possible future programme in solar energy". This 13-man working group feels that the state of solar energy is such that a small effort could dramatically increase international understanding of solar power technology, and of the problems facing its introduction.

The Working Party came up with a series of conclusions and recommendations. One conclusion was that "an international solar energy programme would bring economic and social benefits to many countries, developed as well as developing. Such a programme might help to prevent the gap between these countries from becoming wider." The Working Party also concluded that for a change, "there is a remarkable absence of negative factors which would tend to inhibit international cooperation". And Unesco is ready to take on the job of coordinator. The level of Unesco's effort will depend upon how much pressure member countries bring to bear. The most ambitious of the programmes discussed by the working party (for an international solar energy decade) would call for significant international agreement. The Working Party of solar energy experts suggested that such a "massive internationally funded and directed research and development programme for the attainment of specific objectives, should receive wide discussion among scientists in member states".

#### HIGH TECHNOLOGY

While electricity generation by solar power may be the most interesting technical problem, the United States also sees other possibilities. William Cherry and Frederick Morse,

in a paper describing the conclusions of the US solar energy panel (New Scientist, vol 58, p 36), told the congress that "three broad applications areas have been identified by the panel as most promising from technical, economic, and energy standpoints. These are: heating and cooling of buildings; production of clear renewable fuels; and the generation of electrical power." Something like a half of the \$12 million that the National Science Foundation is spending on solar energy this year will go to the first of these three areas.

Just as the delegates to the congress were traveling to their Paris meeting place, President Nixon was adding to his previous energy message (New Scientist, vol 59, p 2). The solar energy community cannot expect to gain any of the extra \$100 million that Nixon wants to spend on energy R&D next year. According to Dr Paul Donovan, chairman of the NSF energy task force, and a co-chairman of the NSF/NASA solar energy panel, the solar energy community is already stretched to the limit of its R&D capabilities. And to a certain extent, any further spending will have to await the results of the studies that are now under way.

The sudden increase in solar energy R&D funds has not all gone into hardware, as it might have done in earlier days. The NSF is spending money in an attempt to find out how it should channel its future solar energy programmes. So to begin with it is spending money on assessment studies—of both the technology and its social and environmental impacts.

#### A QUESTION OF SIZE

The need for this spending is immediately apparent when you talk to some of the advocates of solar energy. There is considerable argument within the community as to which is the right direction for solar energy research to take. What is the right size for a solar powered electric generator, for example? As Professor George Lof says, power plant size "is a very important variable which perhaps hasn't been given the attention it deserves, and which we feel is not at all clear as to the direction in which we should be working. Assumptions have been made that a solar power plant has to be large to be useful. Fossil fuel and nuclear plants are made large and they seem to be getting bigger all the time; but solar energy is a different type of energy. It isn't a concentrated form, so we need to spread a power plant over a large area. Based upon the knowledge we now have, this means replication of many small units. And economies of scale do not operate nearly as effectively when you are just replicating small units as when you make units progressively larger."

Lof says that he is not "making a plea for tiny solar power plants, but let's not assume that they are going to be really big unless we find that this is an economic power plant size."

Aden Meinels also warns against sticking to preconceived notions. "We are not after maximum efficiency, we are after the maximum number of kilowatt hours per dollar. You may have the option of operating at 200° C at about 12 per cent conversion efficiency. If you go to a higher temperature you may have 25 per cent efficiency.

"But you can only spend twice as many dollars if you are to have equal payoff. If the higher temperature and efficiency mean going to concentrating systems that only work half of the time, you cannot afford to spend any more money than you would spend operating at 12 per cent efficiency. It took us a long while to learn that." Meinels said that his team is now "tending to concentrate on inexpensive collector systems operating at low temperatures".

#### COLLECTING PROBLEMS

Other major technical problems facing solar energy advocates concern the collectors: should they be flat plates with no concentra-

tion, or should they be optically focussing systems? Or will it be possible to employ both types of collectors in the same plant; And should electricity generation be photoelectric or thermal, as Meinels and Lof believe?

A more significant question is the weather. Aden Meinels's team soon discovered that the Sun does not shine as much as we think, and the weather records do not give a true guide to the amount of time the weather is suitable for solar energy generation. If the need for energy is linked to its availability, all is well—and here solar energy advocates look to air conditioning as a natural home for their wares—but if you want a solar power plant to provide base load, then all is not well. What happens at night or when clouds are around?

Peter Glaser, of Arthur D. Little, has been a long time advocate of satellite systems. These would collect solar energy with huge arrays of photoelectric devices, and convert this into microwave radiation that would be beamed to Earth-bound collectors. Satellites would not suffer from "night starvation" and ground stations could be built anywhere. The reception accorded to this idea was surprisingly hostile. One satellite engineer with considerable microwave experience thought that the whole idea was totally unnecessary. Environmentalists complained that such a system was adding more heat to the world's ecosystem, by reducing atmospheric losses.

Less controversial ideas were suggested for coping with the storage problem. These ranged from sophisticated systems with molten salts, to the suggestion that perhaps a solar energy plant should be linked to a hydrogen generating plant. The hydrogen could then be burned as a replacement for solar heat during the night and when the weather was bad; or the hydrogen could be a contribution to the fuel cycle.

Solar energy scientists are working at a time when there are far more problems to be considered than there were when, for example, nuclear energy was getting under way. The development of solar power is not just a case of producing a new furnace and offering it in the market place. Solar energy has to slot into a complex energy situation—it has become fashionable only because of this growing complexity—and it has to satisfy strict environmental constraints. The questions that have to be answered before solar energy begins to make its presence felt go beyond science and technology.

#### THE STATE OF THE UNION AS VIEWED BY A CONSTITUENT

#### HON. CARLIS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Ms. COLLINS of Illinois. Mr. Speaker, a couple of months ago I sent a questionnaire to all of the residents of the Seventh Congressional District of Illinois to ascertain their feelings about several of the issues now before the Congress. One of my constituents, Ms. Burnesse Roberson, returned the questionnaire and enclosed a poem that I would like to share with my colleagues. I think that all who read it will find it descriptive of the feelings of many:

THE NIXON PSALM, BY BURNESSE ROBBERSON  
Nixon is my shepard, Shall I not want?  
He maketh me lie down on park benches.  
He leadeth me beside still factories.  
He restoreth my faith in my union.  
He leadeth me in the paths of unemployment for his party's sake.

Yea, though I walk through the Valley of the Soup Kitchen, I am hungry.  
I do not fear evil for thou art against me.  
Thou anointest my income with taxes, and my expenses over-run my salary.  
Surely poverty and hard living shall follow me through all the days of the current Administration.  
And I shall live in a rented shack forever.

#### THE MIDEAST CONFLICT

### HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. KEATING. Mr. Speaker, the outbreak of war in the Middle East is a tragic and dangerous event in the history of our times.

It is now apparent that Egypt and Syria attacked Israel in what promises to be a bloody and costly war for all sides. Jordanian troops have also been reported to be committed to battle against the Israelis. Other Arab nations are said to be ready to join in the fight.

The reaction of the United States to the situation should be the result of a clear-cut policy for a permanent peace involving Israel and all the Arab nations.

First, the United States should exercise restraint by speaking and acting in a firm manner without the rhetoric of bombast and recrimination that only feed the appetites of those forces seeking to intensify or expand the war.

With this in mind, our reaction to news that the U.S.S.R. is supplying war missiles and materials to Syria and Egypt should be swift and precise.

The United States strongly disapproves of any Soviet resupply or material reinforcement that fuels the fighting in the war. The Soviet leadership should see and hear our collective voice condemning their war supply shipments for Arab nations. We shall not wink at this serious Soviet transgression because of our natural desire to preserve a status of détente.

Second, we should announce a firm U.S. policy of maintaining a balance of power in the Mideast. If Israel needs military equipment and supplies to maintain a position of parity with the Arab nation, it is incumbent upon us to insure that flow of supply.

By this policy we will signal directly to the Soviet Union that massive build-up of Arab military capacity with Soviet arms will be proportionately matched by U.S. supply of Israeli potential. The Soviet Union must be convinced of our firm determination in this area so that their efforts to gain superiority appear to be what they in fact are—fruitless.

Third, U.S. policy toward the existence of Israel as a sovereign nation should be reiterated at a time when Israel's existence is under attack.

Twenty-five years ago Israel became a sovereign State. The United States was the first country in the world to recognize its independence. Our commitment to Israel's right to exist is not revocable. It is certainly true that the Arab con-

cerns regarding the loss of territory and the displacement of Arab nationals are legitimate.

I submit that these real grievances are not alleviated by a state of warfare but instead they are exacerbated. More territories won and lost, more villages burned or destroyed, more refugees, more death, more smoldering hatred.

Israeli leaders do not pretend that this war will settle the issue involved. After the fires die down, after the sound of battle is gone, after the dead are buried, the parties will be faced with the complicated task of trying to resolve their seemingly irreconcilable differences.

The United States should state clearly that we will do all we can do to assist the parties to reach an agreement through negotiation. This is a simple position even if the issues themselves are quite complicated. Nevertheless, we need to emphasize that the U.S. stands ready to work with all parties in trying to find an accord in a forum other than the battlefield.

Finally, I believe there are many who want a definitive pro-Israeli or pro-Arab or noninvolvement position staked out by our Government and by those of us who are the people's elected Representatives.

Let me say that the Middle East war is not a subject where a simple pro-Arab or pro-Israeli statement suffices.

This is a war where neither side will win unless both sides can reach a permanent agreement long after the fighting stops.

#### FOREIGN INVESTMENTS POSE FUTURE PROBLEMS

### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. GAYDOS. Mr. Speaker, the Pittsburgh Press recently carried an article written by Robert Dietsch, the Scripps-Howard staff writer, concerning the increase of foreign investments in our country.

Mr. Dietsch cited specific instances where foreign corporations have deviated from their past policy of setting up sales companies in the United States to concentrate on establishing full production facilities here. Furthermore, he notes our Government has encouraged the increase in foreign investments as a means of improving our balance-of-payments deficit and to appease foreign critics of U.S. investments overseas. Mr. Dietsch points out \$14.4 billion was invested here last year by foreign interests. That was a record but, as he also notes, that total is expected to be eclipsed this year.

I can understand the Government wanting to improve our balance of payments. It has had a pretty dismal record in that area lately. But I question the wisdom of making our key strategic industries and our natural resources vulnerable to foreign ownership or control.

I am extremely uneasy over the possibility of becoming dependent on a foreign-owned/controlled industry which is vital to our national security and defense. Could we count on that industry to supply our needs in times of emergency? What if we were forced into a confrontation with the parent nation of that industry's owners? On which side would they stand?

I do not want to see our Government backed into such a corner. That is why I have cosponsored H.R. 8951. It permits investors to come here and turn a profit, which may help our balance of payments, but it also leaves the control of our business and industries in American hands.

Mr. Speaker, I am inserting Mr. Dietsch's article into the RECORD for the consideration of my colleagues:

U.S. RIPE FOR FOREIGN INVESTMENT—"CHEAPER" DOLLARS LURE JAPANESE, EUROPEAN INDUSTRIES

(By Robert Dietsch)

WASHINGTON.—The Japanese are coming, the Japanese are coming!

And so are the Swedes, the French and the Germans—all with money in hand and eager to invest in the United States.

Lured by a "cheaper" dollar and by the greatest consumer market in the world, these foreigners today are hunting for sites on which to build factories.

#### INVESTMENT BOOM

In 1972, direct foreign investments in this country rose \$708 million, about twice as much as in 1971. At the end of 1972, direct foreign investment here was a record \$14.4 billion. Most observers think the rate of increase will be much greater in 1973.

Direct investment by foreign corporations has doubled in the last decade.

There have been these recent developments:

Volvo, the Swedish automaker, said it would build a \$100-million production plant near Norfolk, Va.

The Michelin Tire Co. of France will build a \$200-million plant in the Greenville, S.C. area.

Auburn Steel Industries of Japan is building a steel plant near Auburn, N.Y.

#### A JAPANESE FIRST

It will employ 200 persons and be the first Japanese-owned steel mill in the country.

Kikkoman Shoyu of Japan is producing soy and teriyaki sauce in a new \$6-million plant near Walworth, Wis.

Sony Corp. of America, owned by the Sony firm in Japan, is planning to produce TV picture tubes in San Diego.

Eleven Japanese companies and several German firms have built production plants at a new industrial park in Newport Beach, Calif.

#### SHIFT IN INTEREST

The Commerce Department says foreign corporations in years past were primarily interested in setting up trading or sales companies in the United States.

But today, the department's experts say, the foreigners are increasingly interested in establishing full production facilities.

Direct foreign investment in manufacturing grew from \$2.8 billion in 1962 to almost \$8 billion today.

These reasons figure in the trend: The dollar has been devalued twice, thus increasing the buying power of foreign currencies in this country. On a relative basis, it's becoming cheaper to produce here than export goods from abroad.

The U.S. stock market has been depressed, and foreigners have taken advantage of bargains.



## GIMBEL DEAL

For example, the British-American Tobacco Co. bid for the stock of Gimbel Brothers, Inc., the department store. The deal was worth \$195 million.

Foreign corporations have gone through a wave of mergers in recent years. The resultant companies have enough assets to afford the considerable price of U.S. investments and take the risk those investments will succeed.

Japanese firms are under pressure from their government to invest and export their huge dollar surpluses built up in recent years.

Wages abroad have been rising rapidly; the gap between them and American wages has been narrowing.

The government has been encouraging foreign investments, because they help the nation's chronic balance-of-payments deficits.

Moreover, by allowing free foreign investment here, the government offsets foreign criticism of heavy American investment overseas.

DON KENNEDY: GOVERNMENT  
NEEDS YOUNG PEOPLE

## HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. REUSS. Mr. Speaker, despite the Nation's revulsion from politics because of Watergate, it is imperative that young people continue working in all levels of government. Twenty-three-year-old Donald H. Kennedy, the youngest person ever to serve on the Milwaukee County Board of Supervisors, wrote the following opinion column in the October 9, 1973, Milwaukee Journal:

OUR YOUNG PEOPLE MUST GET INVOLVED IF  
SELF-GOVERNMENT IS TO SURVIVE

In the summer of 1966 a young United States senator made these remarks to an assemblage of South African youths: "The future does not belong to those who are content with today, apathetic toward common problems and their fellow man alike, timid and fearful in the face of new ideas and bold projects; rather it will belong to those who can blend vision, reason and courage in a personal commitment to the ideals and great enterprises of American society."

And then in the summer of 1973, these words from a young White House staff person to a nationwide television and radio audience: "My advice to young people is to stay away from politics and government."

Which advice should the young people of our nation follow?

The vision, reason and courage that young people need to bring into government tend to get lost amid the scandal, lies, wiretapping and corruption surrounding the Watergate affair. And unfortunately it does not end there.

The clichés abound: "All politicians are crooks"; "why bother voting, I'm just one individual"; "once they're elected they forget who put them in office"; "the politicians just do as they please anyway so why bother trying to influence their decisions"—phrases that are used almost constantly by citizens young and old. Is it any wonder, then, that so many young people come to believe that there is no place in government for individuals with high ideals and a strong feeling of conscience?

Yet it is precisely these qualities that are essential in any person who wishes to dedi-

cate his or her life to public service through our political and governmental system.

For government can be summed up in this single phrase: "Making decisions about people's futures." That is precisely why government must have young people who are interested and involved. Because the decisions made in government today will profoundly affect the young people of this generation and succeeding generations for many years to come. And it is because of this far reaching effect that qualities such as idealism, vision, courage and reason are needed in those individuals who will be making the decisions.

Our government frequently fails because of its overly pragmatic nature, shortsightedness and timidity.

What our government desperately needs is young people who can combine a realistic outlook while not betraying high ideals; individuals who can look beyond the horizon and recognize those pitfalls that might confront us in the future; the type of person who has the moral courage to abide by high principles. For if we are to make the right decisions regarding the future, it is those qualities that must lead us.

Many of the problems we face confront us on a massive scale. But we need not turn away from the challenge if we can convince young people with the vision to see what type of reforms need to be implemented, the reason to come up with the proper solutions, and the courage to accomplish needed change to come forward now in this time of crisis.

Young people can decide upon the quality of their lives in the future by campaigning, working in government service and by seeking elected office. This is a formidable challenge; the need for good government has never been greater. But it is an extremely worthwhile challenge because the outcome can produce a better life for all mankind. So worthwhile, in fact, that it easily deserves the investment of talent and energy that our young people possess.

Hence, my advice to young people: Reject the call to "stay away from government and politics" and get involved. For in the balance hangs more than the mere preservation of a particular system of government. At stake is the very question of whether or not man can enjoy the freedoms and responsibilities of self-government. And it is a question the young people of this nation can and must answer.

## WORLD FOOD SHORTAGE

## HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. PRITCHARD. Mr. Speaker, the United Nations Food and Agriculture Organization has called for international cooperation in creating a stockpile of grains to help relieve world food shortages. I endorse this concept, and feel it would be a significant approach to the potential threat of a world famine. The overall problem, however, is threefold. One, there will be a shortage of food supplies which an international stockpile would greatly reduce. Two, the nations which will need the food are the poorest, and are rapidly being priced out of the market. Adequate provisions must be made so that the countries which need grain can purchase it. Third, population control is essential, especially in those countries which simply cannot feed their

inhabitants. There have been two excellent recent statements on this subject, and I ask unanimous consent that the article by Lester R. Brown from the October 10 edition of the Wall Street Journal and the article by Dr. Roy L. Prosterman in the September 14 edition of the same newspaper be printed in the RECORD:

## THE NEED FOR A WORLD FOOD RESERVE

(By Lester R. Brown)

Throughout most of the period since World War II the world has had two major food reserves to draw upon in the event of major crop failures due to drought, flood or crop disease. One was in the form of grain reserves in the principal exporting countries and the other in the form of reserve cropland, virtually all of which was land idled under farm programs in the United States.

World grain reserves are currently at the lowest level in 20 years. But this situation is far more precarious than it sounds, for world population and consumption have increased by nearly half during this period.

Within the United States, roughly 50 million acres out of 350 million acres were idled under farm programs from 1961 through 1972. In recent years, the need to tap the reserve of idled land has occurred with increasing frequency. This first happened during the food crisis years of 1966 and 1967 when world grain reserves were reduced to a dangerously low level by the Indian food crisis. Again in 1971, a small portion of the idled acreage was returned to production as a result of the corn blight threat in the United States. In 1973, in response to growing food scarcities, the U.S. Department of Agriculture permitted most of the idled cropland to come back into production. All acreage restrictions will be removed in 1974.

Projections for the coming year indicate that, even with record crops of wheat and feedgrains in the United States, a good to very good grain harvest in the Soviet Union and the prospects of average or better crops in India and China that world grain reserves will be further depleted between now and the next harvest in late 1974. With reserves depleted and idled cropland fast disappearing, this leaves the world in an extremely vulnerable position.

The extent of global vulnerability is dramatically underlined by examining the degree of global dependence on North America for exportable food supplies. Over the past generation the United States has achieved a unique position as a supplier of food to the rest of the world. Before World War II both Latin America, importantly Argentina, and North America (United States and Canada) were major exporters of grain. During the late '30s, net grain exports from Latin America were substantially above those of North America. Since then, however, the failure of most Latin American governments to make family planning services available and to reform and modernize agriculture have eliminated the net export surplus. With few exceptions Latin American countries are now food importers.

## THE STATISTICS

As the accompanying table illustrates, over the past three decades North America, particularly the United States, which accounts for three-fourths of the continent's grain exports, has emerged as the world's breadbasket. Exports of Australia, the only other net exporter of importance, are only a fraction of North America's. The United States not only is the world's major exporter of wheat and feedgrains, it is also now the world's leading exporter of rice. North America today controls a larger share of the world's exportable supplies of grains than the Middle East does of oil.

Exportable supplies of the crucial soybean are even more concentrated than those of grains. Although as late as the 1930s China supplied nearly all the soybeans entering world markets, continuing population growth pressing against a fixed land base during the ensuing decades has gradually absorbed the exportable surplus. As of 1973 China is importing small quantities from the United States. The United States is now the principal supplier, providing over 90% of world soybean exports in the '60s and early '70s. With world demand for high-quality protein surging upward, Brazil—virtually the only other nation capable of producing soybeans for export on a significant scale in the foreseeable future—has rapidly boosted its soybean production and exports. However, the United States is likely to continue supplying three-fourths or more of the world's soybean exports for many years to come.

At a time when dependence of the rest of the world on North American food exports is increasing so dramatically, there is also a growing awareness that this extreme dependence leaves the world with nowhere to turn in the event of adverse crop years in North America. Both the U.S. and Canada are affected by the same climatic cycles.

Considerable evidence has now been accumulated indicating that North America has been subject to recurrent clusters of drought years roughly every 20 years. The cyclical drought phenomenon has now been established as far back as the Civil War when data were first collected on rainfall. The most recent drought, occurring in the early '50s, was rather modest. The preceding one occurring in the early '30s was particularly severe, giving rise to the dust bowl era.

#### THE CHANGING PATTERN OF WORLD GRAIN TRADE

(Millions of metric tons)

Region	1934-38	1948-52	1960	1966	1972
North America.....	+5	+23	+39	+59	+84
Latin America.....	+9	+1	0	+5	-4
Western Europe.....	-24	-22	-25	-27	-21
East Europe and U.S.S.R.....	+5	-----	0	-4	-27
Africa.....	+1	0	-2	-7	-5
Asia.....	+2	-6	-17	-34	-35
Australia.....	+3	+3	+6	+8	+8

1 Preliminary.

Note: Plus equals annual net exports; minus equals annual net imports.

Most meteorologists who have studied the problem will say, without hesitation, that another stretch of drought years in the near future is virtually inevitable. It could very well begin next year. The impact on production will not likely be as severe as during the '30s due to improved soil management and water conservation practices. But even a modest decline in production, given the rapid growth in global demand and extreme world dependence on North America's exportable margin of food, would create a very dangerous situation. It would send shock waves throughout the world triggering intense competition for available food supplies.

The probable nature and results of global competition for tight food supplies have been foreshadowed this year. Bangladesh, threatened with famine, pressed with limited success for a diversion of Soviet-purchased grain to help feed its population. India, confronted with an unanticipated need to import several million tons of grain, is finding that the extremely high prices resulting from international bidding for available supplies has put serious constraints on the amount it can buy—even assuming it can find any grain for sale. Like Bangladesh it too is now hoping for a diversion of Soviet grain to help make it to the December rice harvest. In the coming year, it appears likely

that massive rice purchases by the increasingly affluent oil-rich nations of the Middle East and North Africa will help drive international rice prices beyond the reach of many poorer African and Asian nations who badly need rice imports.

As prices are driven up, seriously limiting the ability of the poor to buy needed food, sources of concessionary food aid are drying up as well. Since the American food aid program under Public Law 480 is predicated upon the existence of commercial surpluses, aid programs are now being cut severely in this time of commercial scarcity.

When one spends about 80% of one's income on food, as does much of mankind, a doubling in the price of wheat or rice cannot be offset by increased expenditures. It can only drive a subsistence diet below the subsistence level. Today's wheat prices of \$5 per bushel will, of necessity, be reflected in rising death rates in many poor nations in the months ahead.

One reason it is possible for the world's affluent to ignore such tragedies is the changes which have occurred in the way that famine manifests itself. In earlier historical periods, famine was largely a geographic phenomenon. Whole nations or regions, whether Ireland or West Bengal, experienced dramatically high rates of starvation and death. Today, the advancements in national and global distribution and transportation systems have insured that famine is more evenly spread among the world's poor rather than concentrated in specific locales. The modern version of famine does not permit the dramatic photographs, such as the ritual of collecting bodies each morning in Calcutta during the Bengal famine of 1943, but it is no less real in the human toll it exacts.

The global food outlook dramatizes the need for an internationally managed world food reserve. Just as the U.S. dollar can no longer serve as the foundation of the international monetary system, so U.S. agriculture may no longer have sufficient excess capacity to ensure reasonable stability in the world food economy.

An adequate world food reserve would be built up in times of relative abundance and drawn down in times of acute scarcity, thereby helping to stabilize prices for both producers and consumers. In effect, the cushion that surplus American agricultural capacity has provided for a generation would be provided at least partially by a world food reserve system. Such a reserve would provide a measure of stability in the world food economy that would be in the self-interest of all nations. The world community of course also has a basic humanitarian interest in ensuring that death rates do not rise among the world's poorest groups, an assurance the affluent nations may be less able to provide in the future if the current system of autonomous, nationally oriented food planning is allowed to continue without modification.

An important first step would be international adoption of the concept of "minimum world food security" proposed in early 1973 by Dr. A. H. Boerma of the UN Food and Agriculture Organization. Under the FAO plan, all governments—exporters and importers—would be asked to hold certain minimum levels of food stocks to meet international emergencies. The governments of participating countries would consult regularly to review the food situation, judge the adequacy of existing stocks, and recommend necessary actions. International agencies such as the World Bank, the International Monetary Fund, and the FAO would help poor countries to establish and maintain the reserve stocks necessary for self-protection against crop failures. World Bank President Robert McNamara has recently pledged the bank's support for the FAO plan. Strong political support from the United States is now necessary

if the proposals are to be adopted and implemented.

#### THE U.S. POSITION

In the face of this year's food crisis and the prospects of added vulnerability in the years to come, the American government has assumed a curious posture of complacency. Secretary of State Kissinger's recent recognition of the world's dangerous food situation in the United Nations was a welcome exception to more frequent Department of Agriculture and State Department views, but remains unlinked with actual governmental policies and actions.

The unprecedented early release of crop forecasts for 1974 by the Department of Agriculture was an apparent effort to assure the world community that no crisis exists, that no extraordinary new measures are necessary. The poor, who can tighten their belts no further, and the wealthier importing nations, who have already witnessed American readiness to cut off exports when supplies get tight, are not consoled by this argument.

Rather than continuing to provide paper assurances to a justly insecure world, the U.S. government might begin thinking of immediate steps to build a more genuine confidence in the future. The U.S. government could give its full political and economic support to the FAO reserve proposals at the crucial FAO conference next month. Given the precariousness of the world food balance at present it might be wise to reduce consumption of meat a few pounds per capita within affluent, overnourished societies such as the United States in order to accumulate some food reserves now to lessen the chaos which will result a year hence if the drought cycle should return to North America next year.

#### A RISKY BUSINESS

Continued American callousness in the food area will inevitably have repercussions in our relations with the rest of the world in other domains. With large-scale investments abroad and a growing need for outside raw materials, the United States would be wise to build an atmosphere of international cooperation rather than conflict and competition in an area like food, where we hold the key to a more stable and equitable world system. Playing politics with food is risky indeed.

There is also a moral imperative to take action to reduce the impact of the present food scarcity and reduce the likelihood of future disaster. The point was forcefully articulated by Chancellor Willy Brandt of West Germany in his first address before the UN General Assembly: "Morally it makes no difference whether a man is killed in war or is condemned to starve to death by the indifference of others."

#### THE GROWING THREAT OF WORLD FAMINE

(By Roy L. Prosterman)

A disaster that could cost as many lives as World War II currently threatens the world. The disaster stems directly and indirectly from the severe food shortage in the less-developed countries. Over the next 12 months, there may be from 10 million to 30 million incremental deaths in these countries as a result of starvation and of diseases rendered fatal by malnutrition. Only a large effort by the fortunate minority of developed, well-fed nations can prevent this disaster.

The enormous scope of the pending disaster has been obscured until very recent weeks by several factors—the difficulty of collecting and analyzing farm production data, the reluctance of governments in the affected poor countries to set off a panic or hoarding reaction, and the hard-dying hope in each government that it, at least, would somehow be able to buy the needed grain. But even for the most determined optimist, the signs are now clear that the situation is desperate.

World surplus grain stocks are at a 20-year



low. A series of floods, droughts and crop disasters in the past year have hit the Philippines, India, Bangladesh, and particularly Pakistan and six West African countries. The UN Food and Agriculture Organization has just called an urgent meeting of the great grain-exporting nations in Rome next Thursday to develop coordinated measures to deal with an anticipated nine million ton wheat shortage in the less developed nations.

Meanwhile, reflecting the drastic shortage of exportable wheat, the Kansas City price for a basic grade, for September delivery, has shot up from \$2.06 a bushel in April to an unheard of \$5.05. There is also a multi-million ton shortage of rice in Asia.

In considering the massive grain deficit, it should be kept in mind that one million tons of grain represents a year's minimum food supply for between four million and five million people in a less-developed country, and the total grain shortage will probably add up to between 10 million and 15 million tons. Minimum estimates of the shortage in the worst hit countries are:

	Tons
India	4,500,000
Pakistan	1,500,000
Bangladesh	1,000,000
African drought belt	+1,000,000
Philippines	500,000

Substantial shortages also are likely in Indonesia and Sri Lanka (Ceylon) and perhaps in several other countries as well.

Moreover, the shortage will not be "spread out" over the whole population, which would be bad enough. For tens of millions of Asians whose crops have been destroyed or who live in cities whose supply sources have dried up, and for millions of African herdsmen who have lost the cattle which are their sole means of support, the dependence on imported foodstuffs over the next year will be almost total.

#### PESTILENCE AND FLOODS

Already, widespread food riots have occurred in India. And malaria, largely dormant since the 1950s, is showing signs of an unwelcome resurgence among the undernourished population. In Pakistan, the floods have hit hardest at the nation's two most populous provinces, Punjab and Sind, destroying a million tons of stored food grains and inundating 5 million acres under cultivation. In the Philippines, the government has had to call on the army to supervise rice distribution.

If nothing is done to head off the impending disaster, the starvation of millions could be accompanied by a widespread breakdown of social and political order that would bring chaos to Asia and invite a series of great power clashes. The destruction of central government control and the "balkanization" of India, for example, could well be the signal for a cataclysmic Sino-Soviet conflict as the two powers struggled for areas of domination or influence. Neither from a humanitarian, nor a religious, nor a pragmatic viewpoint can Americans stand aside as starvation engulfs large parts of the Asian and African continents.

Distressingly, however, press reports in the past few days have indicated that America's humanitarian food shipments under the Food for Peace program—instead of being increased, which is the clear need—may actually be decreased 40% from last year's rice quantities, and 66% from last year's wheat quantities. Even this may be optimistic under the current approaches at the Department of Agriculture. The volume of food available for distribution through the voluntary agencies (such as CARE) that have administered a good part of America's longstanding antifamine programs is now expected to be the equivalent of only 25% of last year's \$197 million volume. The current year's \$80 million available appropriation will buy

only about what \$50 million would buy last year.

If the public and its leaders understand the historic gravity of the issues, this disaster need not occur. Despite the low level of world surplus stocks, most of the famine can still be avoided. World consumption estimates are artificially inflated not only to allow for overeating and waste in the affluent societies but for their hard currency grain acquisitions from one another. The expected nine million ton shortfall of wheat in certain less developed countries compares with anticipated total world production this year of 300 million tons, up 20 million tons from last year. None of the industrialized countries is in the slightest danger of going hungry, and there is in fact ample grain.

But the problem is to find mechanisms insuring that enough of it will be shared with the dozen or so less developed countries where it is urgently needed, and this is a problem of profound difficulty. To solve it will require a maximum effort by the wealthy countries to help, an effort which will almost certainly have to be led and galvanized by the moral authority of the United States in order to be successful, and which would have to mobilize public cooperation and international technical resources on a scale virtually unmatched since the food-saving and food-transporting efforts of World War II.

To deal with the grim prospects of the next 12 months, a series of specific steps will be needed:

(1) The U.S. should send a delegation of highest stature and prestige to the Rome conference called by the FAO for next week. Given the fact that one of the great calamities of the century is almost upon us, it would not be out of line if Secretary of State-designate Henry Kissinger were to attend personally. Paradoxically, however, at mid-week some officials at the Department of Agriculture were working actively to boycott the conference. Apparently bureaucratic feathers were ruffled when the FAO failed to consult with them in advance before the call for the conference went out two weeks ago.

(2) If the five-nation conference (U.S., Canada, Australia, France and Argentina) confirms the full gravity of the situation, as it is expected to do, a series of deliberate emergency measures should then be taken:

First, to bring home the urgency of the problems, it might be appropriate to have a two-part television presentation, in which a statement by the President was followed by a statement by leaders of Congress. This would be a dramatic means of sounding the alarm and of emphasizing that this was a matter transcending all personal differences.

One major emphasis of all public announcements and appeals should be a World War II-type message: Don't waste food. It is hardly an exaggeration to say that America's garbage cans over the next year will contain a large enough amount of thrown-away food to prevent a significant proportion of the famine deaths that will otherwise occur in Asia and Africa. But in all probability, without a conscious, grassroots effort to prevent waste of food, the surpluses needed to feed the hungry of Asia and Africa simply will not exist. Restaurants offering "two-thirds" or "four-fifths" portions on all their dishes; dieters starting their diets now rather than later; diners having only one appetite-stimulating drink before dinner instead of two, thus achieving a double saving of grain—all will help.

(A saving of about 100 calories a day, or around 3% in the food that Americans buy would be equivalent to what is needed to provide a supplemental and probably life-saving 1,000 calories a day to 21 million people in the less-developed countries.)

#### VOLUNTARY COOPERATION

In all these efforts, the emphasis should be on voluntary public cooperation. At no

time should the attempt be made to "take away" food that the buying public wants, even if they want it only to overeat or to throw away into their garbage cans. There is no way that the individual or collective buying power of Indians, Africans or Filipinos making \$20 to \$30 a month can bid it away—even to fend off starvation—from Americans or Canadians making \$20 to \$50 a day. Only the voluntary withholding of the bid, conscious of the moral choices to be made, can free that food so that the Indian or African or Filipino will not die.

As soon as it became clear that even 1% or 2% was being saved in food consumption through the elimination of waste, action by the Department of Agriculture would be needed to declare corresponding amounts available for famine relief. It is almost certain that certain clarifying changes—changes already in the legislative hopper—by Congress in Public Law 480 or other existing law would be needed to expedite this process. Additional appropriations to acquire the surplus grain would be necessary in the several hundred million dollar range.

Two other measures might add to available surpluses for export to the less-developed nations. One would be the identification of present grain delivery contracts for affluent importing nations, including Russia and Western Europe. The latest Agriculture Department figures show at least nine million tons of wheat firmly committed for shipment to these countries over the balance of the fiscal year. Where such grain has only marginal or future benefits for the importing nation—to raise consumption from 2,800 to 3,000 calories per day, for example, or for use many months from now—there should be strong representations from the U.S. government asking these relatively rich nations to accept *deferred delivery*, so that the grain intended for them can be diverted for immediate delivery to the desperately hungry nations. A second measure would be to work out exchange arrangements, under which nations geographically close to the most needy nations would be urged to send immediate supplies out of their existing stockpiles, with the U.S. and other grain exporting nations making good the loss in later months as transportation becomes available.

Transportation, of course, is a related urgent need. To transport the surplus food that is found would require a large-scale coordinated effort to mobilize world merchant fleets for the shipment of food to the needy countries on a highest priority basis.

(3) Over the longer run, the present crisis underlines the need for vastly improved and increased assistance to agriculture in the less-developed world. Deep-rooted problems such as land tenancy and smallholder credit must be solved if we are not simply to move from crisis to crisis. (The Asian nations that have already made progress in these matters are precisely the nations that are not caught up in the present disaster.)

#### THE MORAL REQUIREMENT

If astronomers told us that a comet would crash into the earth one year from today, probably killing 30 million or more people and possibly spinning the whole planet out of its orbit, the whole world would mobilize its technical resources to try to deflect the comet from its path and avoid the disaster. It remains to be seen whether this less tangible but equally certain threat, of massive starvation and political upheaval, can be dealt with in time. The technical resources to avoid the disaster certainly exist on this planet. The crucial question is whether the moral resources exist to practice the degree of self-discipline and pulling together which will be needed to mobilize those technical resources in time.

# PROTECTION FOR HUMAN RESEARCH SUBJECTS

**HON. JOE MOAKLEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. MOAKLEY. Mr. Speaker, I would like to share with my colleagues and the public the speech of Mary McKinnon, executive director, Fort Hill Mental Health Association, Roxbury, Mass. regarding the protection of the rights of research subjects from the researcher's over zealous pursuit of scientific knowledge. While the furtherance of scientific research is an aim which certainly must be supported, we must take special care to insure that the rights of human research subjects are protected.

The speech follows:

REMARKS OF MARY MCKINNON TO THE NATIONAL ADVISORY COUNCIL, NATIONAL INSTITUTE OF MENTAL HEALTH, WASHINGTON, D.C.

Mr. Chairman and Distinguished Members of the Council:

I am here representing the Fort Hill Mental Health Association which is one of the grass roots affiliates of the National Association for Mental Health. The Fort Hill Mental Health Association is located in the Inner City of Boston and acts as the advocate for mental health services to the largely Black and Latino populations that reside in the area.

In 1972, the people of our catchment area became aware of some research projects, funded by NIMH, that were being conducted in the Inner City area and which utilized human subjects from the Core City population. One full year was spent in trying to obtain accurate information about the nature of these projects, seeking discussion with the principal investigators for the purpose of clarifying what we felt might be misconceptions about the projects, and then in actively opposing these projects which appeared to be detrimental to the persons being used as human subjects and detrimental to the general welfare of the Inner City community. This activity of community residents and agencies (of which we were but one) taught us several things:

1. Accurate information about research projects was hard, if not impossible to get. Protocols and proposals were treated as top secret documents.

2. Researchers felt that they were not obliged to respond to requests for open discussion about their specific projects. In fact, we often emerged with the feeling that the researchers considered themselves so elite that they were insulted by requests to give time to responsible community organizations who wished to understand what the projects were about and to discuss concerns which reflected a desire to protect the well being of the general population. In some instances, the representative community group composed of respected community leaders was openly insulted and degraded.

3. Sheer frustration and resentment toward the researcher's arrogance and secrecy created an atmosphere which could only lead to confrontation and opposition. It is to the credit of the community organizations involved that copies of the protocol were obtained, a lengthy process of self education around the contents of the protocol was completed, and the determination made, as much as the circumstances permitted, that the projects were detrimental not only to the human subjects involved, but to the total Inner City community.

It was under these circumstances that a letter was written to Dr. Bertram Brown of NIMH which spelled out the concerns and objections this community had toward the

Boston City Hospital Drug Antagonist Research Project. This letter led to a meeting with Dr. Brown and members of his staff in June of this year which, in turn brought me here before you today as a representative of the Fort Hill Mental Health Association and other community organizations. I do regret that Mr. Hubert Jones, who accompanied me to visit Dr. Brown in June, is not able to be here today but his concerns are reflected and expressed in this presentation to you.

Poor and minority populations are well aware that they have been the human subjects for research purposes for a very long time. The struggle for equality and self determination of the 1960's created a mass sensitivity toward human exploitation that is intense in its depth and scope. The revelation of the Tuskegee syphilis experiment has left a lasting resolve that such exploitation will never happen again.

The relationship between rapidly advancing scientific technology and human ethics is receiving an ever increasing amount of attention. It is reassuring that some professional groups (geneticists, psychiatrists, biochemists) are beginning to address this issue. It is hoped that this presentation before you today is an indication that a period of cooperative problem solving between responsible community organizations and the scientific community is now upon us.

We all know that man now possesses the ability to alter his own species. He has developed the technology by which individuals can be created with predetermined characteristics. Not only can man alter the species through genetic means, but he has developed and is continuing to develop more and more efficient means of behavioral control. Small groups of men can now substantially alter the behavior and manipulate larger groups of human beings. It is frightening to realize that we may be very close, if we aren't already there, to the era when one man may control and manipulate the behavior of a large group of people. I am referring to the implications of the work of Jose Delgado in the physical control of the mind in what he calls a psycho-civilized society. Are we really ready for this when we have not yet satisfactorily defined from the mental health point of view concepts such as "normal", "abnormal", "health", "illness" and "improvement"? More and more socially "undesirable" or "disruptive" behavior is being interpreted and treated as illness. Shouldn't we spend time in first determining what we mean by "socially undesirable"? Who will make that determination? Who will decide what alterations are necessary to result in "socially desirable" behavior? and, What are the broad societal implications of specific therapeutic treatment techniques? With these factors in mind it becomes mandatory that a recommendation be made that we do some intensive homework at the most elementary level. Mental health practitioners, researchers and policy making bodies must join the concerned community organizations in the public market place of ideas and engage in active and public dialogue and debate to delineate ethical guidelines which reflect the interests and life styles of our pluralistic society and then clearly define what we mean by "normality", "abnormality", "health" and "illness" within a social-ethical framework. Only then can a valid determination be made of the use to which current mental health technology will be put and what further study or research is needed to better the human condition.

Dr. Sanford Cohen addressed the issue of technology advancing faster than man's ability to utilize that technology beneficially. I would like to quote from his remarks made to the Chicago Medical School Alumni Association in 1972:

"The explosive nature of the knowledge being gathered makes us insist that the scientist and clinician unravelling the \* \* \* which is the symbol of man's evolution,

called the brain, stop and define his responsibility as a citizen. The development of controls for thinking, behavior and feeling may be possible through the use of electrodes, radio signals, chemical, controlled environmental input, but who or what will direct the controllers? If we could be assured that those who conduct research and who determine the utilization of research in health care were motivated by their commitment to improving the human existence, then we could approach the future with confidence. However, it is sometimes incomprehensible how much effort we devote to destructive wars, international intrigue, inter-racial and religious bigotry, interpersonal violence and intrapersonal degradation. It is equally hard to believe how little effort we devote to international and mutually beneficial cooperative efforts to solve problems of education, poverty, food, space, disease or to efforts, laborious as they may be to develop understanding of the forces which split open our communities. Likewise, it is astounding how little time we spend in positive self-appraisal and in an effort to strengthen our potentials rather than defend against our weaknesses."

Our experience has shown us that even the most sensitive of mental health researchers cannot accept the premise that he must be as concerned with the social-ethical context in which he works as much as he is concerned with inquiry, methodology, funding and results. The reaction to our suggestion that the consideration of societal implications of research findings be added to the list of responsibilities is not appropriate for public discussion!

Ethical considerations are the foundation of meaningful research which could be a cooperative venture between scientists and non-scientists. They are also the considerations which form the values that get translated into public policy. Public policy, or politics, affects the total group of citizens and not all in a positive manner. We need to add a few more questions to our public forum agenda:

What is informed consent?

When is an act voluntary?

What is coercion?

What is freedom?

Should scientific possibilities be actualized? Who will make that determination?

Pratt and Tooley (1967) best express our basic concern in the following quotation:

"Sanctioned by master-symbols and public mandate, professional vested interests interlock with society's need for segregation and incarceration of troublesome people—all popularized and sanctified via propaganda of the mislabeled "mental health movement; eventuating in the next to the biggest hoax of the 20th century."

As consumer and advocates for other consumers we have a vested interest in the mental health movement too. We are fearful that without the firm commitment on the part of concerned policy makers of the movement to produce open and honest answers to the questions thus far presented that it may well turn into the "biggest hoax of the 20th century" to the consumer. We are concerned that it may become a most effective means of attaining control over large masses of people who may be troublesome to a few select individuals.

The opposition of people in our catchment area to a current research program which investigates the effects of three drugs and a placebo on young children in the Boston Public Schools illustrates our concern that "troublesome" children, as defined by a public institution will be incarcerated within drug-induced behavioral restrictions that are not determined by the child, his family nor his social community. Our people do not agree that the modality of a specific research project such as this will stop when the project is concluded. The



project gives implicit permission to a public institution to incorporate the specific methods of behavioral control that this project demonstrates within that institution's policies and practices. The implicit permission is all the stronger because not only has the state of Massachusetts indicated approval by conducting the research, but NIMH has approved and provided the funding.

The emotionally charged opposition to psychosurgery at Boston City Hospital is a result of the concern that an individual subjected to psychosurgery will be permanently incarcerated within a restricted emotional world which has been determined by someone other than himself or by chance. We believe, as do many distinguished medical and psychiatric professionals, that the incidence on uncontrollable violence suffered by some epileptics is so small that the practice and research in psychosurgery should be minimal and unnoticeable. We are not convinced that even a person in extreme distress can give informed consent when immediate discomfort is the major psychological and physical dynamic working at the time of decision. We have not yet heard a convincing definition of "violence". The appearance of an action may meet the description of being violent, but the underlying causes of this act are what we believe should be observed and interpreted just as carefully as the more obvious act itself. We have been instrumental in preventing a psychosurgical procedure from being done on an alert, intelligent, vocal young man who happened to be incarcerated in a penal institution for a non-violent crime. This young man suffered from a stiff little finger on the right hand. He was subjected to pressure to undergo psychosurgery for the relief of non-existent pain. Luckily, the young man was a minor and his mother's permission for the operation was sought. She quickly sensed that the pressures brought upon her son were unusual and subsequently refused permission for the procedure. The young man was denied his impending parole. We call this social control!

Not only must mental health professionals emerge from their isolation to address ethical and social implications of their work, but they must also be concerned with legal and constitutional issues. The human experimental subject is a complex being with a physical and psychic life—either of which may be the primary interest of the mental health researcher. The human subject is also a representation of a value system which is the result of his social, cultural and personal experimental background. This person, as a member of American society, is imbued with "certain inalienable rights". The Fourth Amendment safeguards the freedom from search and seizure. Computerized research information available in an ad hoc way from data banks places this protection in serious jeopardy. The Ninth amendment guarantees the right to privacy. The question of psychic and emotional privacy has yet to be addressed. The Fifth and Fourteenth Amendments guarantee that no person shall be deprived of life, liberty or property without due process of law. Does behavioral control, in whatever mental health treatment modality chosen, violate the emotional life, the physical and emotional liberty and the property of one's person and mind? Courts have historically utilized the approach of requiring the government to show a more compelling governmental need when curtailment of individual freedom is involved. Wouldn't this argument prove embarrassing if the occasion arises where research must be defended on these grounds?

As mentioned earlier in my presentation, there have been times when secrecy and lack of availability of information was the response to queries centering around specific

projects. We do not believe that the premise of "what you don't know may hurt you" may be the most responsible way of dealing with an issue—but we have forced into situations where this reaction was the only mechanism left. It is our firm conviction that if projects are funded from public funds, then the public is entitled to know what it is supporting. We recommend that strong, enforceable policies be established at all levels of mental health research whereby open easy public access to information is guaranteed.

Issues raised here are large and not about to be resolved in a short time. The following points are some general suggestions for concrete action which could be implemented within a shorter span of time and which would insure substantial community organization and non-scientific involvement and support. This involvement can lay the corner stone for successfully addressing the larger issues.

1. Issue enforceable guidelines that will insure public access to information on research projects at the national, state and local levels.

2. Require that all (national, state and local) Research Review Committees make their membership a matter of public knowledge and record.

3. Require that non-scientific members serve on all mental health review, advisory and policy making bodies in numbers sufficient to insure effective input. Adaptation of the current mental health regional and catchment area boards could be a possible mechanism by which lay community participation can be built in at local levels.

4. Require that each research protocol under funding consideration contains provision for lay community consultation and approval, lay community monitoring of projects involving human subjects, and lay community receipt of findings and results of studies under their attention.

In times of social change, such as we are in now, it is all too easy for those who could be misused or injured to oppose all technological advances in the belief that this is the way for self and group preservation. Knowledge and technology, which are the results of research, in themselves need not be detrimental but the uses to which they are put can be. With the future of the human condition at stake those who can benefit as well as those who can be injured must enter into dialogue and positive collective action.

#### TEXAS BANK HAS BEEN MAKING STUDENT LOANS SINCE 1930's

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. TEAGUE of Texas. Mr. Speaker, over the years this body has, through legislation, made incentives to financial institutions so they would loan money to young people for an education. This has been particularly important in the past few years, because a higher education is so vital. I am proud to point out to you the activities of a financial institution in my congressional district that has been allowing students to borrow money for 40 years. The First National Bank of Corsicana, Tex. has served the younger people of their area by allowing them to obtain student loans without discrimination since the 1930's.

The following article refers to an

article in the Wall Street Journal that described how banks in the United States have declined to participate in the federally insured loan program, because of the high interest rates. I would like to point out that "this is not—and has never been—the situation at the First National Bank in Corsicana."

I recommend the article to my fellow Members of Congress, the general public, and executives in financial institutions across the United States:

THE FIRST NATIONAL BANK, CORSICANA, TEX.

While college students across the country are often finding bank doors closed to them when they try to borrow money to finance their education, students in the Central Texas county of Navarro are finding a means to finance their schooling—as they have for the past 40 years.

A front-page story in the Oct. 4 issue of the Wall Street Journal described how many banks across the country have declined to participate in the federally insured loan program for college students because of the mandatory 7 per cent interest rate.

This is not—and has never been—the situation at the First National Bank in Corsicana.

We feel that any child who wants an education deserves our help," said President W. D. Wyatt of First National.

"We have taken care of every applicant who was eligible, who met requirements set by the Department of Health, Education and Welfare," said Mrs. Floy N. Smith, student loan officer.

Student loans are nothing new to First National, however. The first one was made almost 40 years ago, through the Bessie I. Hofstetter Trust, of which the bank is trustee.

Mrs. Hofstetter, who died Nov. 4, 1936, specified in her will that a portion of her trust be used "to make loans to ambitious and worthy boys and girls, who are financially unable to secure an education and would otherwise be deprived thereof. Such loans shall be in amounts and upon terms and conditions, and to such boys and girls that may be determined worthy thereof in the discretion of the Trustee."

Soon after Mrs. Hofstetter's death, the First National Bank began granting these loans. Since that time, it has assisted in the education of literally countless students. One of the first students to receive help through these loans was Jerry Roe, now one of the city's most prominent attorneys.

Even as long ago as the 1930's, the First National Bank in no way discriminated against any student in the granting of the loans, according to Wyatt and Mrs. Smith.

"We were sending minority students to school before the government even thought about it," said Wyatt.

The Hofstetter Loans, as they came to be known, were made at an interest rate of 4 per cent. Even at the time these loans were discontinued in 1969, the interest rate had not risen above the original 4 per cent, with interest collected going back into the trust. The 97 students who still have Hofstetter Loans are paying this remarkably low interest rate.

The Hofstetter Loans were discontinued, according to Mrs. Smith, because of complications which arose following the Tax Reform Act of 1969. However, she said, the bank at that time had begun providing aid to students through federally insured loans, so money was available even without the Hofstetter funds. At this time, there is \$115,000 outstanding on the Hofstetter Loans, said Mrs. Smith.

In 1966, the First National Bank began making student loans through the United Student Aid Funds, Inc. student loan pro-

gram. The bank continued with this program until Jan. 20, 1969, when it signed a contract with the Department of Health, Education and Welfare to make loans through the Federally Insured Loan Program.

The balance outstanding on these loans as of Sept. 28, 1973 is \$351,741.11, said Mrs. Smith, with 165 students having interim notes and 55 having pay-out notes. Since the beginning of the program in 1966, she said, 31 students have paid off their notes and the bank has filed 13 claims with the government for default.

The Wall Street Journal article pointed out that with the loan program requiring banks to charge only 7 per cent interest, and with the prime rate at 10 per cent, "not many banks find the student loans attractive."

Despite this, Wyatt continues to help local students. "Through some of these loans we have made a friend for life," he said. "We have some people who started doing business with us through these loans, and now, wherever they go, they do business with us."

The Journal article reported that, on a national average, loans to students in academic schools are down more than 35 per cent from last year. Mrs. Smith emphasized that this is definitely not so at First National. "We have new students," she said, "and we are continuing with students who have had accounts before."

Commenting on the Journal article, Mrs. Smith said she agreed there was an "unusual amount of paperwork" involved in the loans, but added, "Despite that, we have continued to take care of our applicants."

The article told of a new provision of the loans in which a family must prove in a "needs" test that it is eligible for government subsidies. "We do not agree with the Department (HEW) as to how they arrive at family contribution to the student," said Mrs. Smith. This new provision, said Wall Street Journal, "makes some of the loans more of a risk than in the past."

Mrs. Smith said that, in granting the loans, the bank does not discriminate as to whether students attend state or private colleges, and loans are also granted for technical schools.

"It is a pleasure to work with the students," said Mrs. Smith. "Most of them are grateful—they couldn't have gone to school without the loan."

To qualify for a loan from the First National Bank, it is not required that a student or his parents be customers of the bank. Wyatt's goal is to help young people, and the only stipulation, besides those set by HEW, is that the student be a resident of the bank's trade area.

"We have to limit our loans to the county," said Wyatt. "We just aren't big enough to take on the whole state."

#### THE OIL MONOPOLISTS

**HON. THOMAS P. O'NEILL, JR.**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. O'NEILL. Mr. Speaker, the oil interests of this country have succeeded beyond their earliest expectations in creating a national atmosphere of "crisis" and "shortage" with regard to their various products. Unfortunately for them, many of the tactics which they have employed to bring about this result are now coming to light.

One such device which has recently been uncovered by the Federal Trade

Commission involves anticompetitive practices vis-a-vis the independent gasoline retailers. The FTC's findings and other industry practices were the subject of a recent editorial by Leonard L. Sanders, editor of the Consumer Affairs Foundation Tribune. I insert it in the RECORD at this time:

New England consumers have paid higher oil and gasoline prices for years because of the monopolistic and anti-consumer attitudes of the eight largest oil companies in America. If ever one region of the country has suffered because of the predatory actions of a small number of corporations, the Northeast has.

The Federal Trade Commission, after several years to study, has taken the lid off one of the most flagrant abuses of American business, the oil monopolists. For years, New England consumerists, businessmen and political leaders have complained to Washington of the high prices of petroleum products for the New England region. Perhaps we shall at last receive relief from our annual fuel oil shortages and outrageous prices.

According to the FTC, eight companies have combined or agreed to monopolize oil refining, maintained monopoly power over distribution and maintained a non-competitive market structure. The companies cited by the Commission's complaint, in order of industry ranking, are: Exxon Corp., Texaco, Inc., Gulf Oil Corp., Mobil Oil Corp., Standard Oil Company of California, Standard Oil Company (Indiana), Shell Oil Corp., and the Atlantic Richfield Co.

The complaint charges that since 1950 these firms have conspired to control and limit the supply of crude oil to independent refiners and potential entrants into the refining business. The results can be seen in headlines proclaiming gasoline shortages and our annual New England fuel oil crisis.

In addition, it is further alleged that these companies have exercised monopoly power in refining by refusing to sell gasoline and other petroleum products to independent marketers; participated in restrictive and exclusionary exchanges and sales of these products among themselves, and with petroleum companies, and have avoided price competition through their marketing practices.

It is, in the opinion of the Consumer Affairs Foundation, a disgrace that this situation has been allowed to continue for so long. These companies have consistently through practices of the sort listed by the Federal Trade Commission, forced the independent fuel oil dealers and gasoline stations practically to the wall by controlling their access to the product.

By discouraging and actively thwarting new entrants into the refinery business through their political muscle and control over petroleum transportation facilities, they have obviously been one of the major contributors to the shortages now afflicting New England consumers and businesses.

The CAF therefore suggests that perhaps one of the best ways to begin to redress these grievances is to forbid these large oil companies from engaging in the direct retail sale of their products to the public. Further, that the government force these firms to deal with independent fuel and gasoline distributors on an equitable basis.

Secondly, the Foundation believes that the government should make every effort to break the stranglehold these firms hold on the refinery business in the Eastern United States.

We firmly believe that what this industry needs is a little free enterprise and competition for a change. Then, perhaps, New England and the rest of the East Coast will at least get a shot at lower prices.

JONATHAN DANIELS

**HON. IKE F. ANDREWS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, this past weekend, while at home in North Carolina, I read a feature article in the Greensboro Daily News that brought back many memories to me.

This article was about Jonathan Daniels—a native of Raleigh, a distinguished journalist, an unabashed Democrat, a former administrative assistant to the late President Franklin D. Roosevelt.

Most of all, I suppose, Mr. Daniels is a man whose penetrating insights into public issues over the past five decades have influenced and guided countless thousands, including several of us in this Chamber.

Mr. Daniels' influences upon me date back to my boyhood when I became a faithful reader of his editorials and of the news stories of his Raleigh newspaper, the News and Observer.

His writings—usually partisan and witty, often generous and sensitive, at times stinging and controversial, always illuminating and interesting—provided a focus that caused one to think and to see that most issues are complex and have, not just two sides, but many.

The progress that North Carolina has made over the years and the stature it has achieved as a progressive State are due in large measure to Jonathan Daniels and others like him who were not content with the status quo. They wanted something better, much better, and largely because of their prodding and dedication, North Carolina has indeed moved forward.

In recognition of Mr. Daniels' service to North Carolina and to the Nation, and in gratitude to him for his beneficial influences upon me, I am pleased to share the feature article on him with my colleagues:

DANIELS' CIGARETTE, HUMOR STILL THERE

(By Ed Rowland)

HILTON HEAD ISLAND, S.C.—The spring is gone from his step but the twinkle remains in his eye. He says, "I'm having a very satisfactory old age."

Jonathan Daniels at age 71 no longer writes biting partisan editorials for The News and Observer at Raleigh, N.C. He is no longer a counsel to presidents and observes that age is a state of the joints and muscles as well as of the mind.

Retired for three years and living at the plush resort of Hilton Head Island on the South Carolina coast, Daniels keeps busy writing best-selling nonfiction books, a weekly column for the Hilton Head "Island Packet" newspaper which he help found, and observes the world of politics from afar.

He's one of the few surviving members of President Franklin D. Roosevelt's staff. He was FDR's administrative assistant from 1943-45, and the last of the liberal Southern newspaper editors of the old school. "I feel like an exhibit," Daniels said in a recent interview, noting that two graduate students



have just finished theses on his newspaper career.

Two of the trademarks his associates remember are still evident to visitors in his home: an ever-present cigarette and his sense of humor.

He recounted an incident involving one of his children, who had told him she wanted him to make a codicil to his will in order to leave her a small item. "I've got news for you," he told her. "I've decided not to die."

Daniels said the remark was later brought up at a cocktail party where a guest noted, "I wouldn't put it past the so and so."

He also tells of being introduced to his wife's relatives in South Carolina about the time he married "Miss Lucy" and then telling her, "There are only two kinds of South Carolinians: One kind has never worn shoes, and the other kind makes you feel like you never wore any."

Daniels' father was Woodrow Wilson's secretary of the Navy and the young Raleigh native grew to adulthood in the Washington where Josephus Daniels and his assistant, Franklin D. Roosevelt, were powerful figures. Later he earned undergraduate and master's degrees from the University of North Carolina, attended law school at Columbia University and began a lifetime career as a journalist.

"I'm known to your generation as an editor," he said. "Actually I'm a reporter. I still think the greatest art on earth is reporting."

It was his reporting of the romance between FDR and Lucy Mercer between World Wars I and II that earned Daniels new national attention five years ago.

His last book was "The Randolphs of Virginia" early this year.

Current projects are a collection of his "Island Packet" columns and a book taken from his White House diary during World War II.

Today's Washington, in comparison to the capital of the 1940s, is far different. "There's been tremendous change in the White House since I was there. It's amazing the change in the presidential office," he said.

Then the immediate staff of the president was six people, plus secretaries; now it's in the hundreds, he said. "In the old days the president dealt directly with his Cabinet. Now he's got a tremendous staff between him and the Cabinet. There's an old saying: The devil will find work for idle hands to do," Daniels added.

Still as loyal to the Democratic party as ever, Daniels has no patience with Republican Richard Nixon. Noting this is Nixon's last term, Daniels said the President "is running not for office but for history. He's definitely lost the race for history."

Here are some other Daniels observations on current affairs:

Watergate: "The Watergate hearings are the biggest whodunnit in history."

On dirty tricks in campaigns: "When Jimmy Byrnes (the late secretary of state, U.S. senator and South Carolina governor) first ran for office—he was born a Catholic in Charleston and converted to Protestantism, and there was a terrible prejudice in those days—opponents took out a newspaper ad that said, 'We who were choir boys with Byrnes in the Catholic Church at Charleston urge you to vote for him,' he survived that."

On presidential assistants: "The two secretaries to Washington and Jefferson were both listed as suicides. I feel no inclination toward it myself."

On age: "When I was at the White House I was the youngest man on the President's immediate staff. I was 40. While I'm not an old man griping at the young, it's better to have maturity."

On reporting: "There isn't any such thing

as objectivity. Personality should be injected into stories."

In the days when throughout eastern North Carolina Daniels was often referred to as "Jonathan," The News and Observer traditionally printed a rooster in red ink on its front page when Democrats won national elections.

Daniels recalled returning to Raleigh in 1948 after being on the campaign train of Harry Truman and asking if the rooster were ready. "They told me Dewey was going to win. I said get the rooster out."

"We ran the rooster late that election night and about 4 a.m. I got a call from Independence. It was Truman and he said, 'Jonathan, we're in.'"

Now, at Hilton Head, Daniels says he's "a token Democrat. All my friends are good Yankee Republicans."

## THE PURLOINED PAPERS

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. DERWINSKI. Mr. Speaker, an editorial comment by Radio Station WBBM in Chicago, concerns a matter of regional domain but also involves the jurisdiction of the Federal Government. The instance described involves a stolen employee roster from an Army arsenal at Joliet, Ill., that was made available to a local real estate firm.

This editorial, aired on October 1, gives direct public attention to the broad questions involved in this illegal release of Government records. The editorial follows:

#### THE PURLOINED PAPERS

Stealing—or tampering—with government records appears to be the "in" thing to do these days. The latest discovery of foul play was revealed last Friday by WBBM Radio, the Better Government Association and Chicago Today.

It seems that a man who worked in the Data Processing section of the Army Arsenal at Joliet passed along a computer print-out containing the names of Army personnel to a Quad Cities realtor. That may not strike you as harmful but you see the Joliet Arsenal announced early in the year that it was closing down and relocating in the Quad Cities area. And the names on the stolen roster were the names of 1400 federal employees who didn't even know they were eligible for transfer to the new post.

To a real estate firm, a confidential list like that is a gold mine. In fact, one man in the business said it was worth more than \$40,000. What it was worth to the Mel Foster Company was the sale of at least 75 homes. And that's no mean trick because the housing shortage in the Quad Cities is unbelievable.

Mr. Foster admitted that he had used the list but claims he didn't realize he was doing anything wrong. He also returned the list at the request of the Chief of Staff of the Joliet Arsenal. Nonetheless, the damage was done.

No action has been taken against the Foster real estate agency. And the Army only slapped a three-day suspension on the computer operator who took the list. Which is to say that nothing is being done about this small but sordid situation.

We think something should be done. The Federal government should make a thorough investigation of the realty company that used

the stolen list for contacting potential customers. It should see whether there was, in fact, any financial gain on the part of the guy who stole the goods. And while it's at it, the government should raise some questions about security arrangements. Next time the print-out might contain much more than just classified personnel records.

## THE 50TH ANNIVERSARY OF ST. MARTIN'S PARISH

### HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. RONCALLO of New York. Mr. Speaker, I wish to share with my colleagues my reverence and happiness on the 50th anniversary of St. Martin of Tours Parish of Bethpage, Long Island. I insert for the benefit of all, an excerpt from the Long Island Catholic which details some of the rich heritage and outstanding services that St. Martin's Parish has constantly given to my community over the past years. I know that all my colleagues join with me in extending to St. Martin of Tours Parish our veneration and best wishes on this jubilant occasion and look forward to the future growth of St. Martin's fine tradition and activities which have continually served to build and strengthen the moral fiber of our community and country.

The excerpt follows:

#### JUBILEE IS SET FOR BETHPAGE PARISH

St. Martin's parish has grown from humble beginnings to be one of the most active parishes on Long Island.

In 1917, when a group of men from Bethpage (known until 1937 as Central Park) petitioned Bishop McDonnell to establish a parish in the area, the bishop denied their request. The bishop felt that the sparsely populated agricultural region would be unable to support another parish. But the Catholics of the area were persistent, gathering pledges of financial support as evidence of their sincere desire to have a parish of their own.

In 1923, Bishop Molloy appointed the Rev. Daniel A. Dwyer as founding pastor. Father Dwyer offered the first Mass in Bethpage at the Roosevelt Republican Club on Sunday, Oct. 14, 1923.

St. Martin's parish today is the kind of community where people help each other. One example is the Christian Mothers Rosary Confraternity (known before 1971 as the Confraternity of Christian Mothers). This group of parish mothers gives emergency help (housekeeping, child care, etc.) when the woman of a household is ill, convalescent, or otherwise temporarily unable to care for her family. They also provide a babysitting service during three of the Masses each Sunday.

Last year, the people of St. Martin's elected Jeff Peck, 18, president of the Parish Council. His active involvement in parish affairs is indicative of the emphasis which St. Martin's has always placed on the parish youth.

The parish family is rich in memories. For example, the first couple to be joined in marriage in St. Martin's parish were Stella Ruggerio and Antonio Finamore. They were married Nov. 18, 1923, in Father Dwyer's rented house on Herman Avenue. Mr. and Mrs. Finamore are still parishioners at St. Martin of

Tours, and they plan to attend the jubilee dinner dance.

The people of St. Martin's have benefited from the leadership of many pastors and assistants. The current pastor, the Rev. Thomas D. Helfrick, came to St. Martin of Tours in 1967. His predecessor, Rev. Valentine J. Stortz, now pastor of Our Lady of Lourdes in Malverne, was pastor of St. Martin of Tours from 1961-1966.

Other pastors, now deceased, were the Revs. Daniel A. Dwyer, founding pastor (1923-'28), Philip A. Brady ('28-'31), Charles H. Sennett ('31-'33), Terence C. Sharkey ('33-'35), John F. Cusak ('35-'40), and Michael J. Hartigan ('40-'55).

For two short periods, the parish was administered by priests who were not pastors: Rev. Joseph A. Murphy (summer, 1929) and Rev. Richard H. J. Hanley (end of 1955 to February, 1956) were parish administrators. Father (later Monsignor) Hanley was the founding editor of "The Long Island Catholic."

Much of St. Martin's growth came during the periods immediately before and after World War II. Grumman's moved from Baldwin to Bethpage in 1936, bringing new jobs and new residents and speeding Bethpage's transition from a rural, agricultural community to a residential/industrial one. The postwar baby boom of the late 40's and early 50's brought many new members to the parish.

These new young parishioners severely strained the parish's facilities for religious education. In 1951 a Mother's Club was formed which undertook regular graded religious instruction. The parish school was opened in 1955; the continued growth of the parish necessitated the construction of a ten-classroom addition which opened in 1960.

The parishioners and clergy of St. Martin of Tours parish have planned this anniversary year as a time for rejoicing in their community with each other and as a time of thanksgiving and renewal. The first anniversary event in 1973 was a mission-renewal week conducted by the Passionist Fathers Sept. 24-28. The second will be the Oct. 6 parish picnic. The chronology is fitting. The people of St. Martin's have always turned, in times of joy or sorrow, first to God, and then to God in each other.

#### VIETNAM VETERANS RECOGNIZED

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. TEAGUE of Texas. Mr. Speaker, I am pleased to note the unanimous House action today on Senate Concurrent Resolution 51 which expresses a special recognition of the magnificent service and sacrifices of our Vietnam veterans during the longest continuous period of hostilities in American history.

We have taken this action to coincide with the first Veterans Day observance since the cessation of hostilities in Vietnam. As our chairman has pointed out, this resolution acknowledges the trying circumstances that marked the period of hostilities and commends these brave young veterans for performing their duties with courage and stamina consistent with that shown by their brother veterans of previous wars.

I think it particularly significant to remind ourselves that today there are over

6,557,000 Vietnam era veterans of which over 2,406,000 actually served on Vietnam soil—in fact, some 46,000 men lost their lives there, and over 354,000 such veterans are receiving compensation for their service-connected injuries. In addition, approximately 47,500 widows, orphans, and dependent parents of deceased Vietnam era veterans are receiving dependency and indemnity compensation as a result of the service-connected death of their husband, father, or son who served so valiantly and gave his life for the cause.

As the Members are aware, I have worked for almost a quarter of a century toward assuring that the Nation recognizes the service and sacrifices of the members of the Armed Forces. As a result, I share with many of my coworkers a satisfaction that we have tried our best to translate the Nation's obligation into meaningful and fully deserved programs. I am particularly pleased for this opportunity to pay a special tribute to those young and brave soldiers who have suffered the hardships of this most difficult and prolonged period of frustrating hostilities.

I join with all Members in concurring wholeheartedly in the objective of Senate Concurrent Resolution 51 and am proud of the immediate and unanimous action taken by the House on this worthwhile measure today.

#### RESOLUTION IN SUPPORT OF ISRAEL

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. VANIK. Mr. Speaker, I enter in the Record at this point the full text of a resolution which I am cosponsoring in support of maintaining the deterrent strength of the State of Israel:

RESOLUTION To CONTINUE To SUPPORT ISRAEL'S DETERRENT STRENGTH THROUGH TRANSFER OF PHANTOM AIRCRAFT AND OTHER MILITARY SUPPLIES

Whereas the President is supporting a strong and secure Israel as essential to the interests of the United States; and

Whereas the armed forces of Egypt and Syria launched an attack against Israel shattering the 1967 cease fire; and

Whereas Israel refrained from acting preemptively in its own defense; and

Whereas the Soviet Union, having heavily armed the Arab countries with the equipment needed to start this war, is continuing a massive airlift of sophisticated military equipment to Egypt and Syria; and

Whereas Public Law 91-441 authorizes the President to transfer to Israel by credit sale whatever arms may be needed to enable Israel to defend itself. Therefore be it

Resolved, that it is the sense of the House that the President, acting in accordance with the announced policy of the United States Government to maintain Israel's deterrent strength, and under existing authority should continue to transfer to Israel the Phantom aircraft and other equipment in the quantities needed by Israel to repel the attack and to offset the military equipment furnished to the Arab states by the Soviet Union.

#### CALIFORNIA EFFORTS AT COMBATING DRUG ABUSE

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WALDIE. Mr. Speaker, I have received many letters from principals and superintendents of schools in my State of California asking that the Federal Government aid local officials in their fight against the drug abuse problems.

The Select Committee on Crime which has recently disbanded has recommended that the Federal Government provide money so that local communities can develop their own drug education and counseling programs.

Mr. Speaker, these letters from principals and superintendents of schools in California should be of great interest to all Members of Congress who are concerned about this problem.

Selections from these letters follows:

LETTER FROM RUSSELL CHIMENTO, PRINCIPAL, AMERICAN LEGION HIGH SCHOOL, SACRAMENTO, CALIF.

I agree with all four recommendations but feel as you do, that the recommendations could be more specific. Our district presently employs former drug users as consultants in our schools. It is my feeling that this program, the Aquarian Effort, has failed to achieve its objectives. The drug abuse counselors are poorly trained. Many of them have little respect for work ethics. It is a tremendous waste of manpower since these people are only functional when a drug problem appears in the school. They otherwise wait, and make themselves inconspicuous as possible. They do not have the professional skill required to organize an effective drug information program in the school.

LETTER FROM ROBERT HELLMUMS, DIRECTOR OF DRUG EDUCATION, WILLITS UNIFIED SCHOOL DISTRICT

Thank you for your letter and report concerning drug abuse. In addition to a copy of your committee's report on drug abuse, would you please send me more information on the following recommendations:

1. Local school boards initiate programs of drug abuse instruction for teachers and that they establish professional drug counseling staffs for the schools.
2. The federal government aid school boards in this effort by providing adequate funding.

LETTER FROM WILLIAM FLUTTE, PRINCIPAL, SAMUEL GOMPERS HIGH SCHOOL, RICHMOND, CALIF.

First: we big people are still of the opinion teenagers are in cocoons awaiting the chrysalis date of emergence into "adulthood."

Second: since we have this theorem we know what is good for them and we merely have to tell them how to follow the path to some future happy land of Oz.

Third: we don't listen.

A major problem is the undisclosed amount of money spent on "studies" to categorize drug users, or potential users. Very simply, the range of users are from religious, closely-knit, well-adjusted families to the lowest of socio-economic and intellectual levels.

We do not substitute God, country, mother or clean recreation for drugs; albeit this is wonderful philosophizing.

The answer is so simple it is awesome in its enormity.

There are two factors:



1. The user must want to stop being one and.
2. He must not take dope today.

Referring boxed-out users, to parents, dropped from a minimum of several a week two years ago to six all last school year.

LETTER FROM R. H. PETERSON, PRINCIPAL,  
LEMOORE HIGH SCHOOL

I would suggest a series of steps to take if any progress is to be made:

1. Utilize some of our military men to patrol the areas where drugs are entering the U.S.
2. Authorize personal search without a warrant whenever there is drug suspicion.
3. Set punishments that are strict and consistent—i.e.
  - (a) Drug use penalty—Mandatory rehabilitation with complete cost paid by family. Subsequent arrests would consist of one week jail sentences, the full cost paid by fine.
  - (b) Possession—\$500 fines, plus 5 days in jail.
  - (c) Pushing—1 year jail sentences.

We are so interested in protecting our constitutional rights that we are in danger of ruining millions of our people with drugs.

LETTER FROM CLARA C. EDDIE, SUPERINTENDENT  
OF SCHOOLS, MOBOC COUNTY

I would only suggest that many proposals from the field may not be sound, as most of us do not have the opportunity to field test our ideas to determine their soundness. For instance, I am reminded of the "scarce tactics" used several years ago, and how ineffective this strategy really was. Since then, I have read that a National Council determined that most films used were actually detrimental and unfit teaching aids.

LETTER FROM C. R. HOBERG, DIRECTOR, GROSS-  
MONT CONTINUATION HIGH SCHOOL, SAN-  
TEE, CALIF.

I would like to see stiffer penalties imposed on drug peddlers who frequent high school campuses and dispense their wares to our high school students. I don't know if this would come within the jurisdiction of your committee, but it is something that is sorely needed to stop drugs in our schools.

LETTER FROM CLARK O'DELL, ASSOCIATE SU-  
PERINTENDENT, SISKIYOU COUNTY SCHOOLS

First, I look upon drug abuse as a symptom rather than a problem. The basic problem as I see it is not that drugs are used, but that they are needed. Please remember that drugs make us all *feel good* or we wouldn't use them. If drugs made us feel bad, there would be no drug users.

Secondly, it is imperative that we provide some information to children as to how to live in a world increasingly dominated by chemicals. To this end, item 3 in your letter relative to cutting back the production of certain harmful drugs is certainly a step in the right direction.

Third, it is my feeling, and I have said so on numerous occasions, that all children who attend public or private school, sometime during their school careers, will be exposed to an illegal, illicit or harmful drug or substance. At that time, they must make a value decision regarding whether they will indulge in abusing both the drug and their bodies through ingestion, injection or inhalation. It is this value judgment which I feel is the key to reducing drug abuse among children and youth.

LETTER FROM RICHARD L. FOSTER, SUPERIN-  
TENDENT, BERKELEY UNIFIED SCHOOL DIS-  
TRICT, BERKELEY, CALIF.

I have been responsible for managing a national health program that is now involved in 70 school districts in the United States. I am enclosing copies of our materials that you can look at and do have a film

available that I would be delighted to show you at a mutually acceptable time. In this particular program we are concerned about a phase of the body, i.e., heart and circulatory system, at the sixth grade. We move from an understanding and appreciation of the heart through structure and function, through malfunction, toward prevention of heart attacks and similar disasters. In this particular area we make an intensive study on drugs, ranging all the way from cigarette smoking, glue-sniffing, hard drugs, etc., and give the youngsters the opportunity to make reasonable and sound choices on the base of understanding the functions of their body. In your particular area the training center nearest to Washington is at Charleston, West Virginia, or at Del Mar, New York. The Charleston one is in the process of training six school districts in Appalachia and two in Maryland, while the New York center is at the present time training eight school districts in New York State, one in Massachusetts, and one in Maine.

I have a belief that it's this kind of a program that is more productive than the usual method which singles out drug abuse for separate instruction and has relatively low effect on students.

Jerry, I just use this letter as an introduction to our program. I would be happy to meet with you when you come home or for you to follow up with it in Washington. Do keep in contact.

LETTER FROM VIRGIL W. JENSEN, ADMINISTRA-  
TIVE ASSISTANT, FOLSON CORDOVA UNIFIED  
SCHOOL DISTRICT

In my opinion there are several other ways to combat drugs that you and your Committee may wish to consider:

1. Widespread use of T.V. commercials as have been used against cigarette smoking. This may be particularly effective in establishing early attitudes and values.
2. An all out effort to provide selected teachers and counselors the kind of in-service training needed to set up meaningful programs in the schools. Perhaps something like the NDEA Programs of the past. Most teachers, counselors, and school administrators don't really know much about drugs or effective drug programs.
3. The establishment of exemplary drug education programs for schools that could be used as models for training and implementing by others.
4. The requirement that drug education be offered throughout the educational program at all levels, with emphasis in the early grades to build sound values and attitudes.
5. Somehow get the courts and law enforcement officials to be more forceful in their handling of young drug offenders. The attitude of many teenagers after going to court for a drug offense is that it is no "big deal". Often all they receive is a lecture or informal probation. Many teenagers see this as a status symbol rather than punishment. Obviously, I believe that appropriate punishment can be a deterrent.

LETTER FROM HOWARD WIGELL, ASSISTANT  
SUPERINTENDENT OF SCHOOLS, SAN DIMAS,  
CALIF.

Throughout the report the implication is that this is a newly discovered problem. Although we are a small school district of 7700, I am sure that many other districts have tried to do as much as we have done. During the school year 1967-68 a parent committee was organized by our District to investigate the growing problem of drug abuse among our high school students. It functioned until they established a local "Open Door" facility in 1970. At the suggestion of educators, in the spring of 1970, the physicians of the Los Angeles County Medical Association (San Gabriel Valley Chapter) agreed to underwrite the development of a

drug abuse curriculum for the Bonita, Claremont and Pomona School Districts. The resulting K-12 curriculum guide was adopted for use in our schools in 1971. I merely quote these dates to indicate that not all administrators were as insensitive to their responsibilities as the Select Committee on Crime reported.

I would suggest the following which can be done by redirecting the present financial support:

1. Establish a small full-time committee to do complete and thorough research on the best possible teaching strategies. These experts could then write curriculum guides for all grade levels. We are also in need of better drug education films. These, along with the guides, should then be provided for every school district in the country free of charge.
2. Schools need not only direction but facilities for professional rehabilitative follow-up for their students who have been identified as drug abusers. Every county has public health facilities which could be expanded to include a school department.

This is a complex and important subject that needs proper research by the best minds. We don't pretend to have the answer but we certainly do not have our heads in the sand.

The government has spent large sums on the drug abuse problem in the Armed Forces. What have they learned? Can their research be of benefit to educators? Can this be shared with schools?

## HIGHEST TRIBUTE PAID TO DIS- TRICT OF COLUMBIA POLICEMAN

### HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. QUILLEN. Mr. Speaker, one of the highest tributes in the Nation's Capital was paid a policeman from my district in Tennessee when he was selected Policeman of the Year as a member of the Capitol Police force.

Officer Floyd E. Hensley, Erwin, Tenn., was presented the award at the U.S. House of Representatives Doormen's Society's Fifth Annual Picnic by Capitol Police Chief James M. Powell in early September.

This award is but a small token of appreciation and recognition for the commendable job Officer Hensley is doing. To be chosen from so prominent a group of officers is a great distinction.

It is refreshing to find a law enforcement officer who, despite being more harassed than praised these days, takes such pride in his job that he is honored with this award.

After graduating from Unicoi County High School in Erwin, Tenn., in 1962, Hensley worked with the FBI in Washington, D.C., as a fingerprint clerk.

He served his country with honor in the U.S. Army and was with the 14th Aviation Battalion in Vietnam for 1 year. He has worked tirelessly and effectively as a member of the Capitol Police for almost 5 years.

Hensley's loyalty, selflessness, and devotion to his country and to the performance of his duty have made him an inspiration to all who know him. He has made a significant contribution to the Capitol Police force and is a real credit to his profession.

The following is a brief account of the annual picnic:

The U.S. House of Representatives Doormen's Society held its Fifth Annual Picnic September 8, 1973, at the Indian Head, Md., Officer's Club of the Naval Ordnance Station. Warren H. Jernigan, the society's president, opened the ceremonies by introducing honored guests and welcoming all the members of the society and their friends.

Honored as House Floor Doorman of the Year was Charles E. Baine. Charles F. Pawlik was similarly honored as House Gallery Doorman. These awards were presented by long-term Democratic Congressman Bob Jones of Alabama.

Capitol Police Chief James M. Powell presented the award as Policeman of the Year to Officer Floyd E. Hensley.

Members of the society, their families and guests were greeted by Congresswoman MARJORIE S. HOLT of the Fourth District of Maryland. Other distinguished guests who spoke briefly were former Congressman John McMillan of South Carolina and Congressman ALAN STEELMAN of Texas.

Other features of the afternoon in addition to the delicious picnic fare were the award of several door prizes.

#### INTRODUCTION OF LEGISLATION TO PROHIBIT SECRET FDA RECALLS

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 1973*

Mr. BINGHAM. Mr. Speaker, on September 18, 1973, the FDA's heretofore secret plans not to tell the public about recalls of defective and potentially deadly medical devices and drugs were revealed in the Washington Post by John Stowell.

In what may be characterized as the outstanding example of bureaucratic upside-down logic of the year 1973, the FDA justified this action on the ground that public warnings may literally "frighten people to death." What the FDA seems to ignore is the question of how many people might succumb to the very dangers the FDA is supposedly protecting the public against by failing to issue warnings. I submit that it is much more likely that the device or drug involved would present the greater danger, and there is no comfort in knowing that eventually the recall would show up in a public announcement. The true effectiveness of a public announcement is the immediate warning to the consuming public before the item is lost in the stream of commerce.

In one startling example, the FDA said that cardiac pacemakers implanted in a patient's chest would be recalled without public disclosure if found to be defective, and therefore potentially deadly. If that be the case how would those devices already implanted be recalled without the patient's knowledge? The sooner the patient in such a predicament is notified the sooner that patient

can have the potentially fatal device replaced with a reliable instrument. The FDA has no right to deny cardiac patients the right to longer life because it decides to withhold vital information. Moreover, in testimony before Senator KENNEDY's Senate Health Subcommittee, Dr. Sidney M. Wolfe of the Health Research Group, a public interest organization located in Washington, D.C., warned that despite the benefits bestowed upon mankind by the medical device industry, that industry tends to "operate more as an unaccountable business than a part of a humanized health services system."

The secrecy favored by the FDA is inconsistent with the stated policy of its own Commissioner to seek out and assure the prompt removal of hazardous products from the market. Surely, the consuming public, with adequate and speedy warning, can be an effective agent in limiting the distribution of dangerous products.

Today, in order to make sure that the FDA does not again try to install a protective curtain around the food and drug industries, I am introducing an amendment to the Federal Food, Drug, and Cosmetic Act that would prohibit the FDA from withholding from the public information regarding the trade name or mark, manufacturer, area of distribution, and name of any product that is seized or recalled.

This legislation will insure that the recall and seizure powers of the FDA are exercised properly—with full public disclosure.

#### SOUR GRAPES FROM CALIFORNIA?

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 1973*

Mr. WOLFF. Mr. Speaker, as we might have expected, the California delegation is beginning to panic. The handwriting is on the left field wall, and a number of my west coast colleagues are already offering us one of their pitiful products for consumption—sour grapes.

As we have already seen in the first two games of this series, the Oakland A's have had hard times as they face the game's finest pitching staff—the Mets hurlers. Confronted with the towering talents of our fine Mets, the A's are reduced to babbling batters and retiring runners. Pity the poor A's, for they must face the Amazon's at home for the next three games, and victory cannot be denied the Mets at Shea.

Right now, I believe, is an excellent time to make our specific promises about the booty. I am anxiously looking forward to testing the taste of a California wine which President Nixon took with him to the People's Republic of China—an obscure liquid called Schramsberg Blanc de Blanc Natur. However, since we are justifiably unsure about the quality of this California wine, Vintage magazine has recommended that we keep in reserve four outstanding wines from Vinifera Wine Cellars in Hammondsport,

N.Y., which is represented by my esteemed colleague. JAMES F. HASTINGS.

It is going to be a great day as we toast the New York Mets and the sweetness of victory with New York wine while our overwhelmed Oakland colleagues look on.

#### LEE HAMILTON'S WASHINGTON REPORT

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 1973*

Mr. HAMILTON. Mr. Speaker, I insert at this point in the RECORD my recent Washington report entitled "The Middle East and the Middle West":

#### THE MIDDLE EAST AND THE MIDDLE WEST

The importance of the Middle East in meeting the energy needs of the nation is becoming increasingly apparent.

1. For the near future—perhaps the next two decades—the U.S. will have to import significant quantities of fuel from the Middle East, even assuming that everything is done to increase domestic oil production. By 1980, the U.S. will import about 50% of its fuel needs, with a vast majority of these imports coming from the Middle East, the one area in the world today with surplus production capacity. This situation is not changed by the discoveries in Alaska or the North Sea.

2. About three-fourths of the free world's proven reserves are in the Middle East. Saudi Arabia's proven reserves alone are almost four times those of the U.S.

Several implications of these startling statistics should be noted. The U.S., wealthy and powerful as it is, finds itself in the uncomfortable position of being dependent upon small, independent and potentially unstable states, which have the quantities of oil our gargantuan appetite requires. The annual cost of these oil imports in 1980 could be in the order of \$70 billion, some of which may flow back to the U.S. through the purchase of goods and services. The prospects of huge additional cash outlays of this magnitude, at a time when the U.S. already has trade deficits, raise potentially serious economic and political problems.

Obviously, then, American policy in the Middle East is profoundly important to all Americans. In my view, our policy toward the Middle East should emphasize several features:

1. A peace settlement of the Arab-Israeli conflict is an urgent national interest. A thorny linkage exists between our policy toward this conflict and our access to Middle East oil, as President Nixon recently acknowledged. A quick permanent settlement of the conflict is probably not likely, but some movement toward a settlement may be possible. Peace cannot be imposed from the outside, and can only be achieved by the Arabs and Israelis themselves, but we must impress upon them our deep desire for peace. The U.S. should give the Middle East priority attention and press all parties to start direct or indirect talks. The proposals for a time-related, phased withdrawal peace plan and the idea of big power guarantees of any agreement need concerted attention.

2. We must develop a vigorous domestic energy strategy. Because of the lead time necessary to develop new energy sources, action today will not meet our needs for another 5 to 10 years. Such a strategy will make less difficult our problems in the Middle East. It must aim at self sufficiency as a nation as



soon as feasible with a faster search for alternative sources of energy and expanded efforts in exploration, research and conservation.

3. We must pay more attention to the Arab world, learning more about it, demonstrating a concern for its economic development and acknowledging its place in the international economy. The oil rich Arab states can buy our technical assistance and technology to help them diversify and strengthen their economies. Effective economic, political and security policies toward the Arab states are our best guarantees that they will be willing to help us with our energy problem. Our present policy toward the Persian Gulf has a strong military flavor, emphasizing arms sales to Iran and Saudi Arabia, but our policy should be more comprehensive with equal emphasis on economic and social development.

These policies will allow us to remain committed to Israel's survival, and her deterrent strength. They will offer acceptable alternatives to the distasteful choice between an adequate oil supply or support of Israel.

And they will help allow oil to come to the Middle West and peace to the Middle East.

#### DISTRICT OF COLUMBIA CENTER FOR THE PREVENTION OF CHILD ABUSE

**HON. FORTNEY H. (PETE) STARK**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. STARK. Mr. Speaker, today, along with Congressman FRASER and Congressman STUCKEY, I am introducing a comprehensive child abuse reporting and treatment bill for the District of Columbia. The bill provides for the establishment of a Center for the Prevention of Child Abuse whose Director will be responsible for coordinating the investigation and treatment of child abuse and neglect cases. The treatment will be coordinated by the staff of the Center, but will include a multidisciplinary team of experts to assist on each case. Emphasis will be on the medical and social services which can be offered to the children and members of the home environment to prevent and eliminate the causes of abuse.

The Center will work with all the public and private resources of the District who can assist in their task. This would include the Department of Human Resources, the District of Columbia courts, the Metropolitan Police Force, Children's Hospital, or any individual or organization whose knowledge and expertise can help eliminate this dreadful and frightening sickness.

The need for this legislation is well known and documented. Only recently are we beginning to record and evaluate the tremendous impact and effect of the thousands of child abuse cases which occur in this country.

The first child abuse case was reported in New York in the late 1800's and it was discovered that the only statute protecting the safety of the child was an anti-cruelty to animals act. Yet legislatures and professionals have only recently been attempting to write and enact effective programs to meet this crisis.

I believe we have come up with a good approach in this bill. This is not a partisan issue. It is not a controversial issue. It is, however, an issue that needs our sincere and immediate attention. It is not enough to say we are against child abuse, everyone's against child abuse. We must show our commitment with swift consideration and approval of measures to get the necessary programs for the people who need help; to the children who are physically and mentally battered, to their parents and guardians who often could be helped if only they receive assistance soon enough, and ultimately to our society. If we hesitate any longer, we must all share blame for each case of child abuse in the District—over 150 this year alone.

The abused children cannot vote. They cannot come and lobby for their cause. We must act for them, we must speak for them, and we must help them.

Recently Congressman BRADEMAS' Select Subcommittee on Education heard testimony from some of the leading experts in this field. I sat in on those hearings and listened to frightening stories of cruelty and torture. There was some hope given for the future, if we will act now. Particularly noteworthy was a statement submitted by Dr. Brandt Steele, Director of the National Center for the Prevention and Treatment of Child Abuse and Neglect, and a leading authority on treating cases of abuse. I recommend Dr. Steele's remarks to my colleagues.

Dr. Steele's statement follows:

STATEMENT OF BRANDT STEELE, M.D.

Various forms of maltreatment of children are known to have existed since the earliest recordings of human history, but it is only in the past century and especially in the last two decades that we have considered parental abuse and neglect of infants and children a serious problem which warrants significant social, medical and legal attention. For a hundred years, public welfare and private social agencies have struggled faithfully and remarkably well to cope with problems of case finding and management which were far too great for the limited resources available to them. In more recent years, there has been a great increase in a much needed involvement of the medical specialties of pediatrics, radiology and psychiatry, as well as increased interest among members of the legal profession and law enforcement units. The result has been an upsurge of public awareness and concern over the extent of maltreatment of children, and significant contributions to our knowledge about the problem have been made through studies done by multi-disciplinary groups.

During the past dozen years, we have had at the University of Colorado Medical Center what now is called a "Child Protection Team." This hospital-based team, originally composed of pediatricians, psychiatrists and social workers, has also grown to include or utilize the skills of hospital nurses, public health nurses, psychologists and carefully selected lay persons with special aptitudes for human understanding and relationships. Members of this team have evaluated hundreds of families in which child neglect and abuse have occurred. Many of these families have been studied in great depth and followed for several years by psychiatrists, social workers and others who have thereby gained great understanding of the whys, hows and wherefores of this distorted, unhappy pattern of child rearing.

It is now well recognized that parents who show the pattern of neglect and abuse of

their own offspring suffer from the residual effects of their own background of being excessively punished and insufficiently cared about in their own early childhood. Their past life experiences have also led them to have a very low sense of self-esteem and a marked inability to seek help from the environment. As a consequence, when faced with the difficulties and crises of normal living, they have inadequate methods of coping. Their normal parenting desires break down and they resort to the pattern of neglect or abuse which they learned from their own parents in early life.

Knowledge of the interaction between the remote and the immediate causes for abusive behavior has enabled us to develop rational, effective methods of treatment. In addition to measures taken for the protection of the child from further injury, the parents, too, can be helped. Such treatment is based primarily on correcting through insight and new reality experience the devastating lacks in the parents' own past life of being cared about, and also teaching them how better to use their own strengths to gain help and make progress. Under such a regime, parents can become much better parents, with more rewarding lives, and a chance to maintain family units intact.

Such a treatment program must of necessity be elastic and able to adapt to the needs of people from many different socioeconomic levels and with many different problems. Consultative support, as well as direct input from persons of many different disciplines, are essential in such a program.

Familiarity with the emotional problems and behavioral life styles of the abusive parents has enabled us to recognize that the pattern of child care exhibited by the abusive parent has its roots very early in the parents' own childhood. The way one behaves as a parent bears a very close relationship to the way one was cared for in the first few years of life, although the basic core of parenting behavior can be somewhat modified by events of later childhood and adolescence.

Inasmuch as this fundamental character of the parenting pattern exists in latent form throughout life before the adult ever has children, it should be possible to determine by appropriate testing or interviewing parents' potentiality for neglect and abuse before a child is born. We have instituted extensive studies in this area and preliminary results indicate we can predict "high risk" parents with considerable accuracy. This opens up the way for significant preventive intervention before trouble occurs.

It is clear that the problem of child abuse is a self-perpetuating one. From each generation of abused and neglected children comes the next group of abusing parents, who repeat with their children the pattern which caused their own tragic problems.

Abused and neglected children often show long-term effects of their injuries and deprivations. Brain damage evidenced by neurological abnormalities, intellectual deficits, slow language development and learning problems are some of the late results which place increased burdens on families and on society. Some abused children doubtless grow up to be essentially healthy, normal adults. In other instances, the experience of being subjected to violence in the earliest formative years of life seems to provide the seeds for aggressive and violent behavior in later years. There is an increasing accumulation of evidence that from the great pool of neglected and battered children come the majority of juvenile delinquents and adult murderers, including political assassins.

When the full spectrum and ramifications of child neglect and abuse are recognized, it becomes obvious we are dealing with the impact that deleterious parenting behavior

has on many facets of society. Our goals are much more complex than merely protecting unfortunate children from further injury. We must study the effect which the abusive pattern of child rearing has on the development of violence in the total fabric of our society. This will require the cooperative effort of people from many disciplines.

# SAMOA

## HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mrs. HANSEN of Washington. Mr. Speaker, the citizens of the seven Pacific Islands which constitute American Samoa and their government leaders are to be congratulated on the occasion of the 25th anniversary session of their legislature and the dedication of the new legislative Fono building. These events will take place during the period from October 19 to 25.

Equally significant is the fact that the people of American Samoa on this occasion will be hosts for the annual convention of the Pacific Conference of Legislators.

History recalls it was in 1839 that an American exploration ship commanded by Lt. John Wilkes visited Samoa, but no formal relationship with the United States was established until 1872. That came as the result of the need for a coaling station in the South Pacific by the U.S. Navy. However, it was not until 1889 that a general pact of agreement for the security of the islands was entered into by the United States, Great Britain, and Germany. This pact was not successful and in 1899 Germany and Great Britain dropped all claims to these islands.

A new treaty was ratified by the United States in 1900 and President McKinley directed the Navy to establish U.S. authority in what is now American Samoa. The Navy government remained in effect until June 30, 1951, when administration of the territory was transferred to the Department of the Interior.

Through the years steady progress has been made in developing self-government for the people of American Samoa and they have shown a growing interest and pride in achieving self-reliance in governmental affairs.

Representatives of the Samoan legislature have traveled to the Nation's Capital in recent years to participate in congressional hearings relating to improving the conditions of their people through the development of health facilities, schools, roads, bridges, and other public services.

American Samoa no longer is a group of isolated islands in the vast Pacific Ocean. Today it is on scheduled airline routes and is served by numerous steamship lines.

Through the efforts of the people and their elected leaders the economy of the islands has been improved. There is no doubt that in the years to come even greater economic achievements will be recorded.

Food processing, principally tuna, is the most significant of all economic activities. Tourism and various industrial enterprises are expanding and thriving in the islands.

The ties of American Samoa with mainland United States are growing stronger through communications services that keep people in close contact with the United States and other parts of the world.

An extensive program in vocational and special skills training is currently under way with government sponsorship. And there is the new community college where young people are being educated in a way that will equip them to take their place in modern society.

The leadership in the Samoan legislature has consistently maintained an intense interest in working for the betterment of the people and achieving good administration in all phases of government. They are aware of the needs of the people in the island territory and are particularly concerned with providing them with higher income and better living conditions.

The dedication of the new legislative building, in itself, is an occasion of significance for all the people in American Samoa. It establishes a center for local government in which all of the citizens can be proud.

Since 1967, when it became my privilege to serve as chairman of the House Appropriations Subcommittee on the Interior Department and Related Agencies, I have initiated a change in committee policy. I suggested that representatives of the South Pacific areas meet with the committee at the appropriations hearing time. This has developed into a most satisfying experience with the opportunity to discuss with them in detail the problems of the island people and to hear reports on the steady improvement of living conditions there.

At the same time I wish to strongly commend the Legislature of American Samoa for its efforts in building a strong, stable island community.

To the people of American Samoa I wish to express my sincere congratulations on this auspicious occasion and only regret that I cannot be present to participate in the formal opening of the new legislative building.

# ACHIEVE RANK OF EAGLE SCOUT

## HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. DUNCAN. Mr. Speaker, I would like to take this opportunity to recognize before my colleagues three fine young men from Blount County in Tennessee who recently achieved the rank of Eagle Scout. In reaching the highest goal of the Scouting program, these young people displayed the courage and leadership which will prepare them to take on the responsibility of guiding our great Nation in the future. My own sons were in Scouting, and I personally know of the

great value of this organization to young men. I have listed their names below. Mr. Wayne Bunker, Alcoa, Tenn., Mr. Steve Spitzer, Maryville, Tenn., Mr. Chuck Webb, Alcoa, Tenn.

# NEW YORK TRADE UNIONS BACK ISRAEL

## HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BADILLO. Mr. Speaker, support for Israel in her fight for survival in the face of Arab aggression is gaining momentum throughout our Nation. It becomes more apparent by the hour that the overwhelming majority of Americans are appalled at the vicious and unprovoked attack by Syria and Egypt and stand fully behind efforts to assure Israel's ability to defend herself.

Yesterday, I was privileged to address a mass rally of trade unionists in New York City and present herewith for inclusion in the RECORD, the text of a resolution adopted by the unions involved—the Amalgamated Clothing Workers of America in behalf of itself and the New York Joint Board, Local 4, Local 1, Local 8; Neckwear Workers Joint Board, Local 169, Cleaners and Dyers Joint Board and Service and Allied Workers Joint Board:

# RESOLUTION ON ISRAEL ADOPTED MONDAY, OCTOBER 15

The vicious and unprovoked attack on the State of Israel by Egypt and Syria is an act of violence that ranks with the most brutal in the world's history. This aggression by the Arab forces has but one aim—to destroy Israel and its people.

Israel is a democratic state, the only one in the Mideast, and the most loyal the United States and the American people have. Since its birth in 1948, Israel has sought peace with its neighbors so that it might provide a home for the survivors of the Nazi holocaust which exterminated six million innocent souls, and be a haven for all those who desire to live in a Jewish homeland.

The surprise attacks on the Golan Heights and along the Suez Canal are clear manifestations of the Arab refusal to seek a peaceful way of life with Israel. It is evident that internal political troubles are at the root of the Arab offensives, but Israel's security and the stability of the Mideast cannot rest on the political frustrations of the Arab leaders.

Israel must not be permitted to fall the victim of military might or oil diplomacy. She deserves and must have the support of those nations who cherish democracy and who value a stable Mideast.

As trade unionists, we strongly support Israel in which Histadrut—a free trade union movement—has played such a mighty role in establishing and sustaining that tiny nation. And as trade unionists we must see to it that Israel and Histadrut receive our total support.

Therefore, be it resolved:

(1) We call upon President Nixon and the Congress of the United States to take immediate steps to send to Israel all armaments and other necessities so that it can defend itself and fight back the Arab attackers.

(2) We call on the United Nations to impose a cease-fire at the 1967 boundaries and to use its authority to bring about face-to-face negotiations between Israel and the Arab nations to settle their differences.



(3) We urge Americans all over the nation to contribute generously to Israel and to do this without delay. Every dollar is urgently needed to sustain that nation so that it can throw back the aggressors.

(4) We urge all Americans to voluntarily cut down on their use of gasoline and oil so as to dry up the source of funds to the Arab aggressors. This will not harm American oil workers who are unionized since they work in the United States, and the oil and gasoline produced here will find a ready market.

**GOLDEN JUBILEE OF MSGR. JOSEPH A. KRISPINSKY, V.F., ST. CYRIL AND ST. METHODIUS CHURCH, WARREN, OHIO**

**HON. CHARLES J. CARNEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. CARNEY of Ohio. Mr. Speaker, on Sunday, October 14, 1973, I had the pleasure and the privilege of attending the golden jubilee celebration in honor of Rev. Msgr. Joseph A. Krispinsky, pastor of St. Cyril and St. Methodius Church in Warren, Ohio.

The celebration began with a mass of thanksgiving at St. Cyril and St. Methodius Church and was followed by a 50th anniversary dinner at the Mahoning Country Club. The mass and dinner in honor of Monsignor Krispinsky were attended by more than a thousand of his friends and well-wishers, including nearly a hundred clergymen.

During Monsignor Krispinsky's 50 years of dedicated service in the priesthood, he has helped many people find spiritual enrichment, and he has demonstrated great compassion for his fellow men of all faiths. We are most fortunate to have this good and decent man as a member of our community. I am delighted that he has received the recognition he so richly deserves.

Mr. Speaker, I would like to take this opportunity to extend my congratulations and best wishes to Monsignor Krispinsky, and to commend the chairman and members of the Jubilee Committee for the outstanding work they did in making the monsignor's 50th anniversary celebration a great success.

Mr. Speaker, I insert in the RECORD excerpts from the Jubilee Mass Bulletin and two newspaper articles concerning the occasion:

1923-73—GOLDEN JUBILEE OF MONSIGNOR JOSEPH A. KRISPINSKY, V.F., ST. CYRIL AND ST. METHODIUS CHURCH, WARREN, OHIO, SUNDAY, OCTOBER 14, 1973—4:00 P.M.

**MASS OF THANKSGIVING**

Celebrant: Rt. Rev. Monsignor Joseph A. Krispinsky, V.F.

Homilist: Rev. William A. Petrunak.

Commentator: Jerome C. Kriss.

Music: St. Cyril's Men's Choir.

Organist: Mary Kathryn David.

**JUBILEE COMMITTEE**

Chairman: Mr. Stephen J. Sinchak.

Administrative Chairman: Mr. George Roscoe.

Treasurer: Mrs. Mary Tomochek.

Secretary: Mr. Raymond Sinchak.

Joseph Lesko, Max Krempasky, Charles Roscoe, Joseph A. Matey, Mrs. Louise Logan, Mrs. Bertha Mink, Mrs. Mary Petrilla, Mrs. Mary Siska, and Mrs. Theresa Verbosky.

Many thanks to these organizations for their financial support of Monsignor's Golden Jubilee celebration: Prince Pribina Society, Rosary Society, Ladies of the C and M Guild, and Ladies Slovak Catholic Association, Branch 422.

The 50th Anniversary Cake is the work of the Marvel Pastry Shoppe—Mr. and Mrs. Andrew Zofko.

MONSIGNOR JOSEPH A. KRISPINSKY, 50TH ANNIVERSARY DINNER, MAHONING COUNTRY CLUB, SUNDAY, OCTOBER 14, 1973

Chairman: Mr. Stephen J. Sinchak, Golden Jubilee Chairman.

Toastmaster: Mr. Theodore T. Macejko Sr., Supreme Legal Counsel for Jednota.

Invocation: Rev. Joseph A. Malik, Pastor, St. Mary's, Warren, Ohio.

Speakers: Honorable Arthur J. Richards, Mayor of Warren, Ohio; Mrs. Louise Logan, President: The C and M Guild; and Rev. Arthur B. DeCrane, Pastor: St. Bernadette's, Masury, Ohio, Trumbull County.

Introduction of Guests, Toastmaster.

Mrs. Mary Piroch, Supreme President: Ladies Auxiliary of the Slovak Catholic Federation of America.

Rev. Msgr. Joseph A. Altany, Past President: Slovak Catholic Federation of America.

Mr. Craig H. Neuman, Executive Secretary: Trumbull County Children's Services Board.

Most Rev. James W. Malone, Bishop of Youngstown.

Response, Monsignor Joseph A. Krispinsky V.F.

Music by Ted Csiky and his "Society Notes."

**OUR JUBILARIAN**

The Rev. Monsignor Joseph Aloysius Krispinsky was born on Thursday, August 11, 1900, to Andrew Krispinsky and Mary Bodnovich, Lowellville, Ohio. He has five brothers, the Rev. John Krispinsky, George, Stanley, Theodore and Jerome, and two sisters, Sister Mary Dominic, OSC., and Amelia Andrisek.

The Monsignor attended St. Cyril and St. Methodius Elementary School, Youngstown, Ohio. He studied high school and the Classics at St. Procopius College, Lisle, Illinois; Philosophy at St. Bernard's Seminary, Rochester, N.Y., and Theology at St. Mary's Seminary, Cleveland, Ohio. Ordained to the priesthood October 14, 1923, at St. John's Cathedral Chapel October 14, 1923, by the Most Rev. Joseph Schrembs, Bishop of Cleveland, the Monsignor offered his First Solemn Mass at St. Cyril and St. Methodius Church, Youngstown, Ohio, on Sunday, October 21, 1923.

Following ordination, he served as an assistant pastor in these parishes in Ohio: St. Clement's, Lakewood; St. Mary's, Warren. He was appointed to his first pastorate October 1, 1927, to Sacred Heart Church, Canton. Then after serving as pastor at Holy Trinity, Struthers, and Holy Trinity, Lorain, he came to Warren, February 21, 1941, to be the pastor of St. Cyril and St. Methodius Parish. He arrived just in time to be a participant in the growth and expansion which changed Warren into a thriving metropolis of Trumbull County.

This spirit of development became evident in the progress of the parish. The parish consisted of an L shaped building composed of two portable used school rooms, one part was the church, the other a meeting hall. This was to give way to a new church and a new school. In the summer of 1948, work started on the new church, which was dedicated May 20, 1950, at a cost of \$185,000. In July of 1958, work was started on the new school, convent and auditorium which was dedicated October 16, 1960, at a cost of \$310,000.

This day is celebrated in gratitude to Almighty God most of all and in appreciation of the splendid cooperation of the people of the parish. In honoring Monsignor Krispinsky today, we, his friends are paying

tribute to many things: to an Anniversary, yes; but also to Christ's Holy Priesthood, to our own Pastor, to an outstanding spiritual leader in our community and to a true personal friend—all embodied in our Golden Jubilarian of today.

Besides the usual pastoral duties of spiritual ministrations to the people of the parish, the Monsignor has a versatile scale of multiple facets of activity in ecclesiastical and civic life, in Warren and Trumbull County, in the Diocese of Youngstown, on a national level and also international level pertaining to the spiritual needs of the oppressed people of Slovakia.

Since 1960 he has been Dean of the Trumbull County Catholic Clergy. During his directorship of All Souls Catholic Cemetery the stone office building was erected and the entrance embellished. He is a member of Diocesan Consultors and a Diocesan Parish Priest Consultor; was a member of the first Diocesan Liturgical Commission and Diocesan Ecumenical Commission.

Participating in civic and community life, he is a member of the Trumbull County Children's Services Board, the Community Chest Board, Junior Achievement Board and was a three term member of the Red Cross Board of Directors. He is a 27 year member of the Kiwanis Club, formerly served on the advisory committee of Mental Health Association and RIAL and Faithful Friar of Fourth Degree Knights of Columbus. In 1962 he was coordinator for the campaign among 18 parishes of Trumbull County for new John F. Kennedy High School, which realized \$900,000.

While on the Diocesan Music Commission he was director of music for diocesan priests' funerals and Liturgy Days held for clergy and religious.

Monsignor Krispinsky has worked for the Slovak people in the United States and those oppressed in Czechoslovakia. Proud of his Slovak ancestry, he has served on the national executive committee of the Slovak League of America, and is Supreme Executive Vice-President of the Slovak Catholic Federation of America and was on the fund campaign committee for the Slovak Institute of St. Cyril and St. Methodius in Rome, a seminary for refugee students.

The Dignity of Domestic Prelate with the title of Right Reverend Monsignor was conferred upon him by His Holiness, Pope John XXIII, on March 10, 1961, in recognition of his distinguished service of the Church and her Apostolate.

By his gentleness and understanding he has engendered a parish spirit and a popular response believed by many to be unique. They are tangibly manifest in the warm parishioner cooperation, in the deep liturgical participation and in the effective ecumenicity that characterize his parish. The personality behind all this is first of all a genuine Priest—devout, loyal, gently firm and full of love for his fellow men of all faiths, at the same time that he moves along the intellectual frontiers of his Faith. His fine taste is as evident in the simple, bright, traditional beauty of our parish church as in the warmth of his greeting to each of us when we meet him. But the personal quality that most endears him to us all is his particular mixture of gaiety and dignity—the twinkle in eyes touched with sad understanding.

Lacordaire had men like Monsignor Joseph A. Krispinsky in mind when he wrote: "To teach and to pardon, console and to bless always; O God, What a glorious Life; and it is yours, O Priest of Jesus Christ!"

**MONSIGNOR KRISPINSKY—50TH JUBILEE MASS FOR WARREN PASTOR**

Warren—Msgr. Joseph Krispinsky, pastor of St. Cyril and Methodius, for more than 32 years, will mark the 50th anniversary of his ordination, with a Mass at 4 p.m. Sunday in the parish church. A banquet will follow at the Mahoning Country Club.

Concelebrating with Msgr. Krispinsky will be Father William Petrunak, faculty member at Ursuline High School, who will also be homilist and Pauline Father Francis Parella, of Queen of Apostles High School, Derby, who assisted at SS. Cyril and Methodius when he was stationed at St. Paul, Canfield.

Father Petrunak was baptized by Msgr. Krispinsky, when the jubilarian was pastor at Holy Trinity, Struthers.

Other taking part in the liturgy are: Mary Kathryn David, organist; Jerome Kriss, commentator and the Men's Choir.

At the banquet, Bishop James W. Malone will be among the speakers. Others are Mayor Arthur Richards; Mrs. Louise Logan, C-M Guild president; Father Arthur DeCrane, pastor St. Bernadette, Masury. Guests will include: Mrs. Mary Piroch, president Slovak Catholic Federation of America Ladies Auxiliary; Msgr. Joseph Altany, past president, Slovak Catholic Federation of America and Craig Neuman, Trumbull County Children's Service Board executive secretary.

Ted Csiky and his "Society Notes" will provide music.

Msgr. Krispinsky will be honored by school children and their parents at a social, 7 p.m. Oct. 26, at the parish hall.

Msgr. Krispinsky was born, Aug. 11, 1900 in Lowellville to Andrew and Mary Bodnovich Krispinsky. His brothers and sisters include: Father John, of Cleveland; George, Stanley, Theodore, Jerome, Sister Mary Dominic and Amelia Andrisek.

The jubilarian attended SS. Cyril and Methodius School, Youngstown; studied at St. Procopius, Lisle, Ill.; St. Bernard, Rochester; and St. Mary Seminary, Cleveland. He was ordained Oct. 14, 1923 at St. John Cathedral, Cleveland. He offered his first Mass at SS. Cyril and Methodius, Youngstown Oct. 21, 1923.

Msgr. Krispinsky served as an assistant at St. Clement, Lakewood and St. Mary, Warren, before being named pastor in 1927 at Sacred Heart, Canton. He also headed Holy Trinity, Struthers, Holy Trinity, Lorain before coming to Warren as SS. Cyril and Methodius pastor in 1941.

During his pastorate, the parish built a new church, school, convent and auditorium from 1950 to 1960.

He has served in several diocesan and community posts. Since 1960, dean of Trumbull County; director of All Souls Cemetery; a diocesan consultant; member of the first liturgy commission and the ecumenical commission. He was director of music for several years at diocesan priests' funerals and other special liturgies. In 1961 Pope John named him a domestic prelate.

Msgr. Krispinsky is on the county Children's Services Board; Community Chest, Junior Achievement; and the Red Cross. He is a 27-year member of the Kiwanis; chaplain for the fourth degree Knights of Columbus; and coordinated the Trumbull high school campaign which helped raise \$900 thousand for John F. Kennedy High School construction.

Active in Slovak organizations, Msgr. Krispinsky served on the Slovak League of America executive committee; and is supreme executive vice-president of the Slovak Catholic Federation of America.

#### PRIEST WILL MARK 50 YEARS

(By Dennis Mangan)

WARREN.—A lot of things change in 50 years, but to the Rt. Rev. Msgr. Joseph A. Krispinsky—a priest for 50 years this Sunday—the myriad changes of a half-century can't begin to affect the "essential values of life."

"There are many types of innovation today, and some innovation just for innovation's sake," says Msgr. Krispinsky. "But the

fundamental principles of God's law remain the same. You can't change the basics."

Msgr. Krispinsky was ordained on Oct. 14, 1923, by the Most Rev. Joseph Schrembs, Bishop of Cleveland. This Sunday at 4 p.m. in Sts. Cyril and Methodius Church on Laird NE, where Msgr. Krispinsky has served since 1941, a Mass of Thanksgiving will be celebrated to commemorate his golden jubilee.

#### SEE REVERSAL

Msgr. Krispinsky entered the priesthood during the "Roaring Twenties," and has served through the depression, a world war and the counter-cultural revolution of the sixties. As he approaches his 51st year in the priesthood, he predicts a reversal of some of the "innovative" trends of recent years.

Msgr. Krispinsky was born Aug. 11, 1900, in Lowellville, a son of Andrew and Mary Bodnovich Krispinsky, and attended Sts. Cyril and Methodius Elementary School in Youngstown. He studied for the priesthood in Illinois and New York and completed his seminary training at St. Mary's Seminary in Cleveland. He offered his first mass at the Youngstown church on Sunday, Oct. 21, 1923.

Before coming to Sts. Cyril and Methodius in Warren as pastor in February, 1941, he was assistant pastor in St. Clements, Lakewood, and St. Mary, Warren. He was pastor at Sacred Heart Church in Canton, Holy Trinity in Struthers and Holy Trinity in Lorain.

#### "PRIME MOVER"

He is credited as the prime mover behind a program of expansion and improvement during his 32 years at his present church. The past three decades and have seen Sts. Cyril and Methodius grow from a single L-shaped building—half school rooms, half church—to a complex including a new church built in 1950 and new school, convent and auditorium completed in 1960.

In addition to his pastoral duties, Msgr. Krispinsky has been active in ecclesiastical and civic life in Warren, Trumbull County and the Youngstown Diocese.

Msgr. Krispinsky has five brothers and two sisters. They are the Rev. John W. Krispinsky, George, Stanley, Theodore, and Jerome; and Sister Mary Dominic, OSC, and Mrs. Amelia Andrisek.

The cover of the Jubilee Mass booklet to be used this Sunday shows a reproduction of a wood carving bust of the Monsignor done by his brother George of Cleveland, 12 years ago.

Concelebrants in Sunday's Mass will be the Rev. William A. Petrunak and the Rev. Francis J. Parella, Jerome Kriss will be the commentator and Miss Mary K. David will be the organist. The church's Men's Choir will sing.

#### WILDLIFE IN JEOPARDY

### HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WALSH. Mr. Speaker, one of the strange side effects of the high cost of living is the threat that the meat shortage and the resulting high prices pose for the wildlife in this country.

In the 33d Congressional District, in the heart of New York State, one of the finest deer herds in the country continues to develop due to careful management by the State Conservation Department and strict enforcement of the conservation laws of the State of New York.

Unfortunately, in recent weeks because of the meat shortage and the high

cost of food, poaching began to develop to an alarming degree. Many groups and organizations in the area became extremely concerned, and various programs of action were developed in an effort to protect the deer herd. One of the finest gestures that I have come across is that of the Martisco Lions Club of R.D. No. 1, Marietta, N.Y. This group is offering a \$100 reward to anyone who provides information to the proper authorities leading to the arrest and conviction of poachers or anyone involved in the taking of an illegal deer from the area in and around Otisco Lake.

I call this thoughtful action to the attention of my colleagues so that such efforts may become known and encouraged and, hopefully, emulated.

#### DOCTOR IN JERSEY AIDS THE ELDERLY

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, Mr. James Wilkinson, chaplain of the senior citizens of Greenville in Jersey City, N.J., recently brought to my attention the tremendous success of a novel medical project begun by Dr. Huerta Neals of Jersey City. Dr. Neals, an internist, has been operating a mobile doctor's office bringing urgently needed medical facilities to patients who otherwise could not see a doctor either for medical or financial reasons.

I am extraordinarily proud of the reports I have received concerning Dr. Neals and include in the RECORD two articles from the Medical Tribune and the New York Times. Considering the tremendous need for such mobile services in urban as well as rural areas, I am sure that Dr. Neals' project will be of interest to my colleagues. The articles follow:

#### INTERNIST LAUNCHES LAND YACHT ON MEDICAL OUTREACH PROGRAM

JERSEY CITY, N.J.—Dr. Huerta Neals, a 55-year-old internist, has embarked upon his own medical outreach program here, visiting elderly and semi-invalid patients in his new 4-ton, 19-foot mobile home, or motorized office.

Dr. Neals' land yacht is a striking vehicle, carpeted, air-conditioned, equipped as it was originally with seats that adjust into bunks, water, refrigerator, and toilet. He has added a portable electrocardiograph, blood analyzer, a scale, and medical supplies.

"I've been concerned about the struggles of some of my patients to get back and forth to my office," Dr. Neals said. "They live alone. They have no friends. They can't get a taxi. Most of these people cannot wait for a bus, competing for seats and getting jostled."

One recent afternoon he visited patients at two housing projects. When he drove up to Montgomery Gardens, six 10-story apartment buildings situated opposite the Jersey City Medical Center, a man and a woman were already waiting for him. Both were elderly and both were amputees, one with a prosthetic leg, the other on crutches.

They were cardiac patients. Each was helped into the vehicle, through a back door that has one step about 8 inches from the ground, by Mrs. Neals, who accompanies her



husband as an assistant on these stops. As the patients were examined, children played about the vehicle.

"That's a doctor's office," one of the children said, opening the door.

"What's up, doc?" others called.

As he went to the second housing project along the Holland Tunnel extension of the New Jersey Turnpike, the skyscrapers of Manhattan and then the Statue of Liberty could be seen in the distance. Dr. Neals paid a toll coming off the turnpike.

"That's 15 cents—same as the automobile," he said.

#### STOPS AT HOUSING PROJECT

The second stop was at the Curry Woods housing project, six 14-story buildings about 4 miles from Newark Airport. The jets roared over the project low and loud.

Dr. Neals parked near the Curry Woods Health Clinic, a city children's clinic that is open one day a week for one hour.

He saw four elderly black patients. One woman was brought over in a car by Mrs. Marion Singleton, of Operation Service, a government-supported project for senior citizens. "It is difficult to get a doctor who's been practicing any length of time to make house calls," Mrs. Singleton said. "I don't mind being quoted on that because it's true."

"I think it's all right," a 77-year-old patient said. "It's very convenient. This is the third time the machine has been up here. Before I used to go to the office once a month. I'd get a taxicab and come back in a taxicab, \$1.25 each way."

"If I live to the 25th of October I'll be 78," he said.

Driving back to his home, where he parks the vehicle, Dr. Neals said that he can see about nine patients in an afternoon.

"It is much more efficient than making house calls," he said. "Still, I have to make some. Some physicians fear for their own safety in the big cities, in the ghettos. I've never stopped serving the public as I feel they need to be served."

He estimated that he makes 10 to 14 house calls a week in the winter, fewer in the summer.

The vehicle operation is a means of making medical care available in the ghettos, Dr. Neals suggested, or "wherever you have the need for mobile medicine."

"There's no limit to what you can do in these things," he said. "I'm thinking about vehicles of various sizes. You can carry all you need in them if you set them up properly."

The idea for this kind of operation had struck him back in April, Dr. Neals said, and after looking at a number of vehicles, he decided on a 1967 Clark Cortez that cost \$6,250. He started going out in it in June.

Dr. Neals was graduated from the Howard University College of Medicine in 1942 and later studied cardiovascular disease on a graduate fellowship at the Harvard Medical School. He is a member of the executive board of the Jersey City Medical Center and president of the Hudson County Heart Association.

#### DOCTOR IN JERSEY AIDS THE ELDERLY—DRIVES TRUCK WITH MEDICAL EQUIPMENT TO HIS PATIENTS

(By Barbara Campbell)

JERSEY CITY.—It used to be an ordeal for Mrs. Rosa Shamberger, a frail 80-year-old, to visit her doctor regularly, a plight shared by thousands of old people who live virtually isolated and friendless.

Many times she was too ill or too afraid to venture out alone from her small apartment in the Montgomery Gardens housing project and it was difficult for her to get transportation back home without help. But now Mrs. Shamberger has only to step out of her front

door into the doctor's office because it has come to her.

Recently she waited with several other elderly persons in the Montgomery Gardens lobby until a small brown and white truck wheeled into the driveway.

The vehicle was driven by Dr. Huerta Neals, a cardiovascular specialist who takes his mobile office from one low-income housing project to another every Tuesday.

In a time when many doctors refuse to make house calls, Dr. Neals asserts that doctors are going to have to extend their methods of giving medical care in order to reach many needy and sick people.

"Doctors," he said recently, "are frozen in their mobility. We have in this country some of the finest in the world, but the problem is getting them to all of the patients who need them."

It takes Dr. Neals four hours to make his Tuesday rounds.

Dr. Neals, who is 56, has practiced privately in Jersey City for 23 years. He said he was concerned particularly with old people, adding that they are "lost in the shuffle" many times because few people are interested in them.

"Many old people die needlessly because they give up the idea of trying to get to the doctor," he said. "Depression sets in because they feel helpless."

"It was disheartening to me to see older patients who have trouble with their breathing waiting for long periods of time at clinics," said Dr. Neals, who is associated with the Jersey City Medical Center and the Newark City Hospital.

"Often," he said, "I would end up taking them home myself."

To meet this problem the doctor bought a used truck, which was equipped as a camper with a bathroom, stove and refrigerator, for \$6,500 in April. He added an electrocardiograph, a unit for blood analysis and other medical tools. By June he was making his first visits.

"What I bring that is needed most is myself," said Dr. Neals, who also makes house calls and conducts night office hours several days a week.

Seeing his patients regularly, on a "non-crisis" basis, has prolonged their lives, he said, adding, "Most old people wait until they are very ill and they are forced to go to the doctor."

#### VULNERABLE TO SETBACKS

At the Montgomery Gardens parking lot on a recent day, Mrs. Shamberger and several other of Dr. Neals' elderly patients waited, some on crutches, at the rear of the camper while the doctor and his wife, Antoinette, quickly converted the vehicle into an examining office.

Folding plastic curtains were drawn across the windows, two seats facing each other were collapsed into an examining couch and a scale was taken from a cabinet. It took 10 minutes and Dr. Neals was ready for his first patients.

Mrs. Shamberger was examined first and, like many of Dr. Neals' elderly cardiac patients, the old woman had several other illnesses. She had suffered a stroke, kidney failure, and a coronary and had gallstones.

"These patients are vulnerable to a major reversal in their health with the slightest neglect from doctors," said Dr. Neals.

The doctor wrote prescriptions and promised Mrs. Shamberger he would call her the night before he was scheduled to visit her next. He phones all of his patients a day in advance.

Dr. Neals is critical of the housing projects where many elderly people in Jersey City are housed because, he said, they "are not equipped for old people." When elevators break down his patients are too feeble to use the stairs.

"Many old people stay in their rooms for

days without food when they are disabled and afraid to come out," said the doctor, who suggested that the housing projects sponsor roving doctors' offices to care for tenants.

He said that the mobile doctors' offices also could be used to give methadone maintenance treatment to narcotics addicts, prenatal care to low-income mothers, and medical care to residents of rural areas where one doctor services several towns.

#### RECLASSIFICATION OF SECURITY POLICE POSITIONS AT CHINA LAKE NAVAL WEAPONS CENTER

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WALDIE. Mr. Speaker, today I am introducing a bill which would provide for the reclassification of certain security police positions of the Department of the Navy at China Lake, Calif.

I find it necessary to sponsor this legislation, which will in effect raise the salaries of all nonsupervisory police personnel at China Lake Naval Weapons Center, in order that individuals in these security positions be paid salaries comparable to those paid in the private sector for work with commensurate responsibilities.

Mr. Speaker, the Federal Government must pay for the services it expects from its employees, and I suggest that this is not being done at China Lake Naval Weapons Center.

Mr. Speaker, the full text of the bill follows:

A bill to amend title 5, United States Code, to provide for the reclassification of certain security police positions of the Department of the Navy at China Lake, California, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) it is the policy of the Congress that personnel discharging law enforcement responsibilities be adequately paid, in amounts commensurate with the degree of danger and stress incident to these responsibilities, that Federal salary rates be comparable with private enterprise salary rates for the same levels of work as stated as the policy of the Congress in section 5301(a)(3) of title 5, United States Code; and that, to this end, members of the Police Division, Security Department, Naval Weapons Center, Department of the Navy at China Lake, California, shall be paid at rates not less than the rates at which other law enforcement personnel are paid.

(b) Section 5109 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) (1) Each position of policeman in the Police Division, Security Department, Naval Weapons Center, Department of the Navy at China Lake, California (other than a supervisory or managerial position) shall be classified, in accordance with regulations issued by the Civil Service Commission, at GS-5, GS-6, GS-7, and GS-8.

"(2) Each position of detective in the Police Division, Security Department, Naval Weapons Center, Department of the Navy at China Lake, California (other than a supervisory or managerial position) shall be classified, in accordance with regulations issued by the Civil Service Commission, at GS-6, GS-7, and GS-8."

SEC. 2. (a) Effective on the effective date

of this Act, a policeman who is a member of the Police Division, Security Department, Naval Weapons Center, Department of the Navy at China Lake, California, on such date to whom the amendment made by the first section of this Act applies, shall have his rate of basic pay initially adjusted, as follows:

(1) A policeman in GS-2 immediately before the effective date of this section shall be advanced to that step of GS-5 which corresponds numerically to that step of GS-2 which he had attained immediately before such effective date.

(2) A policeman in GS-3 immediately before the effective date of this section shall be advanced to that step in GS-6 which corresponds numerically to that step of GS-3 which he had attained immediately before such effective date.

(3) A policeman at GS-4 immediately before the effective date of this section shall be advanced to that step of GS-7 which corresponds numerically to that step of GS-4 which he had attained immediately before such effective date.

(4) A policeman at GS-5 immediately before the effective date of this section shall be advanced to that step of GS-8 which corresponds numerically to that step of GS-5 which he had attained immediately before such effective date.

(b) An increase in pay by reason of an initial adjustment of pay under subsection (a) of this section shall not be deemed an equivalent increase in pay within the meaning of section 5335 of title 5, United States Code, for purposes of step increases. For purposes of periodic step increases, an employee shall be credited, as of the effective date of this section, with all service since his last periodic step increase before such effective date.

(c) No rate of basic pay in effect immediately before the effective date of this section shall be reduced by reason of the enactment of this Act.

Sec. 3. The preceding provisions of this Act shall become effective at the beginning of the first applicable pay period which commences on or after the date of enactment of this Act.

JAMES COPLEY: RING OF TRUTH

## HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. RAILSBACK. Mr. Speaker, the death of James Copley, publisher of the Copley Press, is a deep loss to journalism. He, for many years, published the facts honestly and without bias. He won the precious respect of the vast public he served, by making the "Ring of Truth" his hallmark. Jim was from the old school, and he strongly believed that the people have a right to the truth, and the newsman's duty is to get those facts before the people. As he himself so well said:

The newspaper is a bullwark against regimented thinking. One of its duties is to enhance the integrity of the individual which is the core of American greatness.

He won numerous national and international honors. Jim Copley was director of the Associated Press, director of the American Society of Newspaper Editors, director of the American Newspaper Publishers Association. He was truly one

of the giant voices of American journalism, and he leaves behind him one of the most highly respected news services in the country.

We will all miss Jim Copley's leadership, and I know I speak for many people when I extend my heartfelt sympathy to Mrs. Copley and the rest of the family.

## SCHUYLKILL COUNTY DRUG ABUSE COUNCIL OUTSTANDING

### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. YATRON. Mr. Speaker, the problems of drug abuse are all too apparent in our great Nation today. Rarely does a day go by that a drug-related crime or tragedy does not find its way into the lives of someone in America. Regrettably, the age of drug abusers in the United States has declined alarmingly in recent years to the point that, in many of our cities and towns, evidence of drug abuse is being discovered by elementary schoolchildren in addition to secondary and college-age young adults.

No one has recognized the consequences of this development more than Mrs. Essie V. Amos, executive director, Schuylkill County Council on Alcoholism and Drug Abuse, Inc., Pottsville, Pa. Mrs. Amos, who has been active for many years in her efforts to educate the young about the dangers of drug use, has been extremely effective in accomplishing this most worthwhile task. In fact, her efforts to educate schoolchildren has taken her over 6,000 miles of Schuylkill County roads to present the council's antidrug program to 11,000 pupils.

Accordingly, Mr. Speaker, I insert the following article, which appeared in the September issue of Scene, a newspaper published by a nonprofit educational organization dedicated to drug abuse prevention, to be printed in the Record.

It is clear from this article that Mrs. Amos has been exceedingly effective in making 11,000 pupils in kindergarten through fourth grade aware of the dangers involved with drug use. The Council on Alcoholism and Drug Abuse conducted a contest among these youngsters in its effort to stop drug use before it starts and emerged with the following winners: Master Stephen Stroble of Jefferson Elementary School in Shenandoah, Pa., was first place winner in the kindergarten; Miss Heather Ann McDaniel of North Ward School in Tamaqua, Pa., was top first grade winner; Master Frank Wierzal, second grade winner of Shenandoah Heights Elementary School; Miss Maureen Gorman won top honors in the third grade at St. John the Baptist School in Pottsville, Pa., and Miss Rose Mary Matalonis of Barry Elementary School, Hegins, Pa., won first place in the fourth grade contest.

Mr. Speaker, I would like to congratulate Mrs. Amos on her untiring efforts in behalf of Schuylkill County's school chil-

dren, to commend the following article to the attention of all of my colleagues, and to pledge my continuing efforts to be of assistance to the Schuylkill County Council on Alcoholism and Drug Abuse in assuring its future success.

The article from Scene follows:

SCHUYLKILL COUNTY DRUG-ALCOHOLISM GROUP PUTS SOS PREVENTION PROGRAM INTO ACTION—GRADE SCHOOLERS ALERTED IN PENNSYLVANIA PROJECT

Some 11,000 pupils in kindergarten through fourth grade have been exposed to the Smart Set anti-drug program and the idea of "Youth Action For A Better Tomorrow", thanks to the efforts of the Schuylkill County, Pennsylvania, Council on Alcoholism and Drug Abuse, Inc.

Mrs. Essie V. Amos heads the non-profit, non-partisan organization headquartered in Pottsville. The Council is a member agency of the Southern Schuylkill United Fund, with a 24-hour answering service and a medical director available for emergency and hospital procedures, and is dedicated "to serving those with drug or drug-related problems."

The newest wrinkle in the Council's anti-drug effort is a program of drug awareness and prevention for children in the lower grades, with such SOS materials as bumper stickers and Happy Toes being utilized to help get the message across to young people before they acquire drug—or drug-related—problems. The program was the first of its kind in the state to be implemented on a wide scale. The in depth presentation, utilizing a film, "Drugs Are Like That," and emphasizing how easy it is to get into the drug habit and how hard to get out of it, was given at all public and private elementary schools in the country.

Pupils were asked to express their feelings about drugs and the prevention program through poems, essays, posters, pictures or slogans in a county-wide contest, with prizes awarded for the most original and thought-provoking contributions from each grade level.

"The thoughts of these pupils, from kindergarten to fourth grade, should really give us something to think about," said Mrs. Amos. Bronze Happy Toes plaques were given to each winner.

Stephen Stroble of Jefferson Elementary School in Shenandoah Valley was first place winner in the kindergarten category. His entry was a poster entitled "Drugs Kill," with pills plus a needle equalling a grave with a cross above it.

Heather Ann McDaniel of North Ward School in the Tamaqua Area district, top first grade winner, used highway markers to spell out the message, "Stop! Dope is the Dead End!"

Frank Wierzal, second grade winner of Shenandoah Heights Elementary School, had this thought: "Don't take dope! You have no hope. It's a sliding slope!"

For her poem entitled "Fading Rainbow," in which she pointed out that "If you're smart you won't try dope," Maureen Gorman won top honors. Maureen is in the third grade at St. John the Baptist School in Pottsville.

Rose Mary Matalonis of Barry Elementary School, Tri-Valley, capped top place among fourth graders for a story entitled "Dope Kills," picturing a child being given a piece of candy containing dope.

The program drew praise from students, teachers and parents. One of the letters, concerned about the drug problem, said: "This problem is present, and the children are never too young to learn the dangers of drugs."

Mrs. Amos said, "In the future, we hope to deal with changing attitudes about drugs, rather than presenting a strict and graphic



hard sell against drugs. We hope to continue the reinforcement process that we have begun with all the children."

Funding for this experimental, county-wide program was provided by the county commissioners and the Governor's Justice Commission.

## PHILLIPS BEATS ODDS IN MAKING VARSITY

### HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. FLOWERS. Mr. Speaker, not too long ago, freshmen college athletes were prohibited from playing on varsity teams. Since the lifting of that rule a couple of years back, several first-year players have been the subject of news articles because of their outstanding performances on the playing fields. Even more rare, however, is a story about an athlete who makes a varsity squad for the first time in his senior year.

Such an athlete is Mike Phillips from Gilbertown, Ala., which is in my district. Mike is a defensive back for the Naval Academy football team and will be a strong-side corner back and the No. 1 punt returner when the middies entertain the Air Force Academy this weekend.

I invite my colleagues to read about Mike's remarkable achievement in an article which appeared in Tuesday's Washington Star-News, which I insert at this time:

#### PHILLIPS BEATS ODDS IN MAKING VARSITY (By Merrell Whittlesey)

Not many 165-pound defensive backs make a major college varsity for the first time in their senior year under a new coach. That's what makes the Mike Phillips' story an appealing one at Navy.

The slender 21-year-old from Gilbertown, Ala., has been the route at Navy. He was the leading pass receiver on the Plebe team, played on the Jayvees as a sophomore, was named to the All-Eastern Intercollegiate Lightweight League team as a junior and finally made the varsity as a senior.

Phillips had to diet to gain weight to make the varsity. Last year he had to weigh no more than 158 pounds to retain his eligibility on the Navy 150s. He already had been elected captain of this year's 150-pound team when he made a pitch for the varsity.

Len Fontes, one of George Welsh's new assistants at Navy, admitted he lost a little enthusiasm for Phillips when he learned he was a senior. New coaches like to build for the future. Seniors without varsity experience do not fit.

"He didn't catch my eye at first," Fontes said, "but Jack Cloud, coach of the 150s, sold me, and after Phillips intercepted five passes in two game-condition scrimmages, I forgot he was a senior, even though it disturbed me."

Phillips will be Navy's No. 1 man on punt returns and a strong-side cornerback Saturday when the Midshipmen entertain Air Force Academy in the last of the three home games in Annapolis.

Phillips does not have the great speed that is preferable for punt returns, but he has an asset that Welsh likes—good hands. He hasn't dropped a punt this season, and didn't have a fumble with the 150s last year.

"We tried all our backs and ends on punt

returns and settled on Phillips as our most likely player to catch the ball, and to go for a touchdown," Fontes said. "He has excellent judgment."

Statistically, Phillips still doesn't have the breakaway run. He was off for 27 yards against Syracuse last week, but the run was called back for a clip. He made 14 yards on his best effort, and apologizes. "I thought I was away, but somebody tripped me up," he said.

Phillips went to Navy with his heart set on making the varsity, but with more academic honors than football background. He was No. 1 in his high school graduating class, a member of the National Honor Society. At Navy he is a Merits List student in Analytical Management.

## HAILING PASSAGE OF H.R. 7582, TERRITORIAL SERVICE ACADEMY APPOINTMENTS

### HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. WON PAT. Mr. Speaker, yesterday the House passed H.R. 7582, a bill authorizing the Delegates from Guam and the Virgin Islands to each nominate one resident of their islands to each of the three service academies. As a cosponsor of this legislation with my friend and colleague from the Virgin Islands, Congressman RON DE LUGO, I am pleased that the House agreed to change the existing law so as to increase the number of territorial residents who may attend the service academies and to also vest nominating power with their congressional delegates.

At this time in our political development, such action thus removes another barrier to bringing the territories closer to fuller participation in the American way of life. Such action is additionally an appropriate manner in which to honor the outstanding service that residents of the American territories have given to this country in time of peace and war.

On behalf of my fellow Americans in Guam and myself, I therefore offer our sincere appreciation to the chairman and his fellow members of the Armed Forces Committee and to my colleagues in the House of Representatives for their support of H.R. 7582.

At this time, Mr. Speaker, I insert the text of my statement before the House Subcommittee on Military Personnel supporting H.R. 7582 on September 26, 1973 at this point:

#### IN SUPPORT OF H.R. 7582, A BILL TO ENTITLE THE DELEGATES IN CONGRESS FROM GUAM AND THE VIRGIN ISLANDS TO MAKE APPOINTMENTS TO THE SERVICE ACADEMIES

Mr. Chairman and members of this Subcommittee, on behalf of the more than 100,000 citizens of the Territory of Guam, America's foremost bastion of defense in the Western Pacific, I appreciate this opportunity to testify in support of H.R. 7582, a bill which I have cosponsored with my colleague, Mr. Ron de Lugo, and which would entitle the Delegates to Congress from the Virgin Islands and Guam and the Governor of American Samoa to each make appointments to the service academies.

Passage of this legislation would change

existing statutes which provide that only "one cadet from American Samoa, Guam, or the Virgin Islands may be nominated by either the Secretary of the Army, Navy, or the Air Force to each academy upon recommendation of their respective Territorial governors."

In light of Guam's intense devotion to the American way of life, we feel that the latter formula is hardly an equitable one. Nor is it one that serves the best interests of either the Territories or the United States as a whole by encouraging our finest young men to pursue an education at one of the service academies.

H.R. 7582 would correct the deficiencies in the present law by amending Title 10, Sections 4343, 6954 and 9342, of the United States Code to delete the present method of allocating Territorial academy nominations and substitute one which vests nominating authority with the officials equivalent to those empowered for the State—their Members of Congress; and, in lieu of such Congressional representation, the Governor of American Samoa.

As presently drafted, H.R. 7582 would increase the number of appointments per academy to three for each Territory. This figure was derived by taking the number of academy appointments allocated to the Resident Commissioner from Puerto Rico and former Territorial Delegates, which is five each, and dividing that number by sixty percent, which is the percentage of benefits given under PL 93-222 to the Guam and Virgin Islands Delegates. The resulting number is three. Officials of the Air Force, however, have recommended on behalf of the Department of Defense that this number be decreased from three to one per Territory at each academy. While the latter figure is somewhat below that which we had originally considered, it will still be a significant improvement over the number of Guamanians who may now attend the service academies of their choice.

Whatever the decision of this Subcommittee and, subsequently, of the Congress as a whole, I firmly believe that permitting more young men from Guam to enter the service academies will prove to be a valuable contribution to America's defense interests.

From the first day of Guam's association with great military powers, our Island's unique strategic value has played an important role in our history. Lying at the crossroads of the Pacific, Guam has enjoyed, and also suffered from, the attention of nations who wish to occupy a pivotal position in that area. Spain was the first to take advantage of Guam's location, over three-hundred years ago. In 1898 the Treaty of Paris ceded control of Guam to the United States, and for the next forty years, with the assistance of the U.S. Navy, Guam began to grow and prosper as never before.

In 1941, however, our days of happiness turned to horror as the Japanese forces waded ashore, not leaving until the United States Marines returned in June, 1944, to drive them out after one of the bitterest battles of World War II. During those years, when our people were subjected to some of the worst conditions possible, I am extremely proud of state that not one Guamanian was ever accused of collaborating with the enemy.

Since that time, both Guam and the United States have continued to grow and prosper together. We would have it no other way. The people of Guam know what it is like to live under tyranny, and we also know what it is to live under the protective umbrella of the freedom-loving United States.

Your fellow Americans on Guam also understand that freedom must be defended. Since the end of World War I, Guamanians have joined the military services in numbers far out of proportion to our limited population. According to the best available

estimates, there are now about 4,000 Guamanians serving in the military and many thousands working in military facilities on Guam and elsewhere.

This expression of loyalty is further exemplified by the statistics of Vietnam, which show that 71 Guamanian boys died in combat. That figure, according to Department of Defense records, is proportionately higher per capita than for any other Territory or State.

In recent years, the Department of Defense has indicated its awareness of the intense interest many Guamanians have in pursuing military careers. It has instituted both a junior high and senior high school Reserve Officers Training program, and it is also my understanding that the Department of the Navy is eager to begin an ROTC course at the University of Guam next year.

With all this interest in the military expressed by our youth on Guam, I was not surprised by the number of applications for entrance to the service academies that I have received since taking office last January. Thus far, six applications have been sent to me and I understand that many times that number have been forwarded to the Governor.

I have also received inquiries from young people whose parents are stationed with the military or who work for the military on Guam. Since military and civilian Federal personnel constitute a large percentage of our population, I expect this problem to continue.

Nor do I anticipate any decline in the number of Guamanians who aspire to military careers. Given the important role which the military plays in Guam's social and economic milieu, I believe that our young people will not only continue to serve their country in great numbers, but will increasingly wish to serve as officers.

It is a recognized sociological phenomenon that developing ethnic groups seek to improve their status in our society by joining the military. With progress, however, come increased aspirations. This is evident in our own Guamanian youth, who are turning in ever greater numbers to the officer corps. We on Guam are particularly pleased about this development, and we point with pride at those who have already achieved field grade ranks.

As the father of three children who are presently serving in the military, two of whom are officers, I want to do all within my power to ensure that more of our young people will desire to become officers—for the good of our Island and of our country.

I believe that the legislation we have before us today will contribute towards that goal. I therefore urge your support. And I thank you for your attention.

#### MURDER BY HANDGUN: THE CASE FOR GUN CONTROL

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. HARRINGTON. Mr. Speaker, the title of Donald Singleton's article in the Daily News is, "Our City: Here are the Grim Facts." The tragedy, Mr. Speaker, is that these "grim facts" are human lives.

Handguns are responsible for more than half of the homicides committed in our country; one out of every 90 handguns produced yearly is used to commit a murder. And these victims are more than figures in a crime report; they are

parents, friends, and children; they are the newspaper boy and the guy next door.

I am asking you, the Members of Congress, to save these lives; the lives of the people you have pledged to help and represent. Let us work now to ban handguns, and give the people of our country a fighting chance for their lives.

I include the September 4 article from the New York Daily News and today's murder from the New Jersey Courier News of September 20.

The article follows:

#### ROBBERY RULED OUT IN DEATHS

EDISON, NEW JERSEY—A police official said Wednesday robbery has been practically ruled out in the case of twin brothers found shot to death in an auto near the Ford Motor Co. plant.

Lt. James Caffrey of the Middlesex County prosecutor's office said a small amount of money, their watches and other valuables were found on Roger Bankston of East Orange and his 25-year-old twin, Ralph of New York City.

The brothers, each with a bullet in the head, were found about 9:30 a.m. Monday by two policemen on patrol.

Caffrey said some Black Muslim literature was found in the car. But Caffrey and Chief Prosecutor's Detective Silvio Donatelli said no motive had been developed for the slaying.

They gave no endorsement to speculation that the killing of the black brothers might be linked to the murder in Newark earlier this month of Black Muslim leader James Shabazz.

Shabazz was gunned down in an ambush in the driveway of his home. Witnesses told police two young men did the shooting.

The Bankston brothers were assembly-line workers on the 4 p.m.-to-midnight shift at the Ford plant.

Caffrey said Ralph has worked at the plant for a year and Roger since August.

The motor of the car and its lights were on when the bodies were discovered.

#### OUR VIOLENT CITY: HERE ARE THE GRIM FACTS

(By Donald Singleton)

Last year in New York City, 434,303 serious crimes were reported; of them, 120,360 were crimes of violence—murders, rapes, robberies and vicious assaults. More than 329 violent crimes every day. Nearly one every four minutes.

In 1942, there were 265 murders in New York City. Last year, there were 1,691—an increase of more than 600%. For the first six months of 1973, the number of murders was 842; at the same point last year, there had been only 734 homicides. Ten years ago, in 1963, the number of homicides for the first six months was only 241.

Take another category of violent crime—assault. As of June 30, the halfway point of 1973, there had been 14,642 third degree assaults and 10,520 unclassified felonious assaults. The corresponding figures for one year ago were 12,314 and 9,508, respectively.

Or take still another violent crime—rape. During the year 1971, there were a total of 2,415 reports of forcible rape in the city. Last year the total was 3,271. During the first six months of this year, 1,759 rapes were reported; the corresponding figure for last year was 1,477. (Although rape is not generally considered statistically reliable because of the reluctance of many victims to report it, the actual increase in reports would seem to indicate an actual, and not merely a statistical, rise.)

#### HUMAN RECORDS

These are the cold figures, but each entry on the police blotter records a human life

that has been violently ended or deeply wounded.

Reporting and writing this series of articles was no fun. I find it difficult to grapple with the grimly frightening, pessimistic, nearly hopeless dimensions of the problem. I would prefer to be able to call the rising number of crimes merely statistical increases, resulting from more sophisticated reporting techniques.

But I spent evenings working with homicide squads which deal with so many human killings each week that the deaths seem practically reduced to routine paperwork.

I sat in the emergency rooms of hospitals in Harlem and watched the stream of gunshot and stabbing victims arrive, in ambulances, in taxis, on foot, until there were no more seats in the waiting room and people had to lie on the floor.

I interviewed families of murder victims only to find that the homicide was not the first murder, or shooting, or stabbing in the family.

I saw people refuse to give vital information to police because they do not believe the police can offer them protection from the violence on the streets; they know that if they give information to police, they stand an excellent chance of becoming crime statistics themselves.

Crime statistics show many interesting, if not necessarily frightening, facts about violent crimes.

For example, your chance of being a victim of a homicide is slightly greater inside the building in which you live than it is on the streets—last year, 728 homicides took place in residences, as compared with 677 in public streets.

For example, your chance of being a murder victim is greatest if you are black—last year of the victims of homicides, 959 were black, 397 were white, 318 were Hispanic and 6 were members of other racial groups.

For example, the people to be most worried about are people you know, not strangers—last year, 70% of all homicides involved victims who knew their killers, and 121 homicides, or 7.1%, involved a victim and a killer who were members of the same family.

Not surprisingly, the most common murder weapon was a firearm, and specifically a handgun. Last year, 870, or 51.4%, of all homicides in New York City were by firearms, as compared to 569, or 33.6%, by knives and other sharp instruments. In 1960, there were only 97 homicides by firearms; in the same 13-year period, the number of homicides involving handguns rose from 75 to 834, or an increase of 1,012%.

#### KNIVES LEADING WEAPONS

Guns are not the leading weapons in assault cases, however. Of the 10,520 unclassified felonious assaults listed during the first six months of this year, cutting instruments were used in 4,645 of them, as compared with only 1,747 cases involving handguns, three involving alleged (concealed and unseen) guns, four involving zip guns, 16 involving toy guns and 94 involving machine-guns, shotguns and rifles. A reported 1,660 of the assaults involved blunt instruments, while 1,017 involved simple physical force.

Those, then, are some of the statistics. But statistics are only numbers. The real story is best told in more human terms, by those involved in more human ways.

The story is told by the criminals, those who take up guns and knives and bludgeons to get the things they want.

It is told by the cops, those who face the truly impossible task of preventing crimes from happening in the first place, and the more possible job of apprehending criminals in the second place.

The story is told best of all by the victims, those who are robbed of their property, their peace, their physical or mental health—and even their lives.



And it can be told by others, too. By the doctors, who spend Friday and Saturday and Sunday evenings pulling knives and bullets out of bleeding bodies. By the storekeepers, who are forced to keep their doors locked during the day and who must close down altogether during the night. By the locksmiths, who try to devise ever more secure equipment to keep out criminals.

#### WHOLE CITY INVOLVED

No area of the city is free from this infestation of violence.

It bubbles up from the rooftop of a Lower East Side tenement, where a seven-year-old boy is slashed to death, a grotesque letter X carved across his small boy's chest; and it rises from the Bronx apartment where a 23-year-old man is found murdered with a samurai sword.

It comes up from the ghetto areas of the city, some of which have become such armed camps that logic and experience force police to presume that on certain streets, at certain times of day, every man and teenage boy is carrying a gun. In areas like those, fear of crime is so rampant that innocent people who must go into the streets routinely carry baseball bats, golf clubs or thick walking canes to be used as crude defensive weapons.

It also invades the middle-class parts of the city, and even the upper-income areas, where residents are forced to take drastic steps to protect their lives and property; where people have come to be afraid to walk to a neighborhood store after dinner for a pack of cigarettes or an early edition of a morning newspaper.

Yes, in reporting this story I saw enough to send shivers through my body; when I drove home from the 25th Precinct house on E. 119th St. after a night that ended at 3 a.m., I locked the car doors and kept the windows rolled up.

#### VICTIMS OF INFLATION

### HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. McKINNEY. Mr. Speaker, today I introduce legislation to make a 7-percent cost-of-living increase in social security benefits effective immediately. While we all feel the effects of these inflationary times, it is obvious our older Americans who live on limited incomes are among those most severely victimized. Already the rising financial requirements for the basics—food, shelter, and health care—have practically obliterated last year's 20-percent social security increase. While a 5.9-percent increase is scheduled for June, our elderly simply cannot wait until that time for their need is desperate now. Moreover, the cost of living continues to rise, thus necessitating a higher increase than that scheduled in order to begin to make ends meet.

Let's look at some of the facts. Property taxes have risen 39 percent on a national average over the past 4 years. A large majority of our elderly own their homes and a home represents security, memories, a sense of belonging to a community. Naturally, any rise in property taxes cuts deeply into the already tight budgets of our older citizens. Each property tax increase brings closer the specter of having to sell their homes, move away from friends, and become part of the transient society.

Public transportation costs over this same 4-year period have risen by 32.3 percent. Because many of our elderly have no other means of transportation, they naturally rely on public transit systems. Again this rise in prices cuts into their budget, necessitating fewer outings, thus increasing their isolation and sense of alienation from society.

I do not need to dwell on the rising costs of health care, but it is essential to remember that it is our older population who feel the impact the most, skipping that doctor's visit which may be vital to their health. Symptoms will be ignored because of the fear of medical bills, often meaning only additional cost in the future as the illness progresses to the point where hospitalization is required. Regular medical checkups are preventive in nature, but too often our elderly forego that practice in order to have the necessary funds to keep that roof over their head and their stomachs full.

The classic example, of course, is surging food costs. It is heartbreaking to read letters from constituents who write of having to cut down their food intake to two meals a day or one and a half meals. Yet what alternative do they have if they must pay the rent. Their luxuries are few, if any, so nutrition is sacrificed for other necessities of life. Instead of meat, more macaroni. A balanced diet is an unknown for too many of our elderly today and, of course, this can only lead to a deterioration in their health.

Our aging are caught in a vicious bind, one which they themselves cannot break since as a rule they cannot work or, if they are willing and able, they cannot find employment.

The facts speak for themselves and more than justify immediate enactment of a 7-percent cost-of-living social security increase. It would be the height of irresponsibility and cruelty were we not to legislate for the health and well-being of our older Americans. I realize we cannot continue to rely on social security increases to meet all the needs of our older citizens, but until we get down to the task of legislating solutions to the problems of our aging in a truly comprehensive manner, then we have no alternative but to ease their plight by this piecemeal method of increasing social security benefits. I urge my colleagues to press for swift enactment of this measure.

#### THE 1973 SUMMER INTERN PROGRAM

### Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. FRELINGHUYSEN. Mr. Speaker, there were some 1,500 interns on Capitol Hill this past summer from over 300 colleges and universities. Besides working in our offices and committees these students took part in a program sponsored by the leadership and run by a group of staff members from the Congress. My administration assistant, Wil-

liam Kendall served as cochairman with Donald Robinson, Representative REUSS, and Edward Beach—Senate Republican Policy Committee, and Charles Fenis—Senate Democratic Policy Committee. Special credit should be given to our Speaker, Mr. ALBERT, and Minority Leader FORD for their interest in this program and for their sponsorship of the intern committee. The report of the Bipartisan Intern Committee follows:

#### THE 1973 INTERN PROGRAM

A major innovation in the intern program of 1973 was the organization of the committee staff. Three summer staff people joined the Bi-partisan Intern Committee to operate the Intern Office which was newly established in the Cannon House Office Building. James E. Vandell, a high school government teacher at Arlington County's Wakefield High School, joined the committee as program director. Barbara Hoffman, a Syracuse University sophomore, was the committee secretary, and Peter Crouch, a Princeton University sophomore, was the office assistant.

The new Intern Office set up a double file system with all congressional interns filed alphabetically as well as cross-filed by congressional Member or Senator. The office issued Bi-partisan Intern identification cards which served as permanent invitations to the speaker and seminar programs. Peter Crouch and Barbara Hoffman kept the routine office work up to date, mimeographed the weekly bulletins of upcoming speakers, manned the phones, and helped interns with housing problems; additionally, they checked identification cards at the speaker and forum programs and did a number of other important tasks.

James Vandell began preliminary planning of the summer program with William Kendall and Dr. Robinson in mid-May, a month before the end of the school year. Initial mailings were planned (such as the "Memo to Congressional Offices on Summer Interns," a help sheet for Congressmen on how to utilize interns effectively, prepared by Bette Welch of Congressman Mosher's office) as well as a tentative speaker schedule for the summer. Most of the organizational planning was completed before Mr. Vandell reported for full-time directorship in June. His responsibilities were to administer the Intern Office, invite the program speakers, arrange for serving the physical facilities for each program, introduce a majority of the speakers and maintain control and order at each session, as well as to develop good public relations between the Bi-partisan Intern Committee and the Congress in general.

The summer program was organized into three divisions: The Wednesday Address series, the Forums, and the Seminars. Wednesday addresses were held at noon in the Coolidge Auditorium. The time was convenient for interns who could only attend programs during their lunch hours. Wednesday speakers were well-known personalities who were asked to give general addresses to the interns, but were not asked to face a specific legislative issue. The Forum speakers, on the other hand, were asked to address their presentations to the specific legislative topic of the week. Forum speakers were a mix of well-known personalities as well as experts on a legislative issue who may have been less well known to the interns. The purpose of the Forums was to acquaint the interns with the bank of expertise present on Capitol Hill, for the most part. The Forums were scheduled twice a week, on the average, and were designed to air both sides of an issue. One departure from this format took place during a two week block of time during which the Forums presented "liberal" and "conservative" congressmen in an attempt to present to the interns the view of this ideological

issue from the Hill perspective. The interns who attended the small seminars were individually invited on the basis of a topic-interest survey which was sent out to all interns at the beginning of the summer. Lists of interns were made up and categorized by legislative issue. As a particular issue came up for scheduling as a seminar topic, only those interns who had expressed an interest in the topic were invited. Experts in the legislative issues covered by the seminars were invited to be seminar panelists. This program was run by Allan Rosskamm of University of Chicago Law School.

In addition to the Bi-partisan Intern Committee's own program, the committee also provided the manpower for administering White House invitations to congressional interns for several White House functions. Several hundred interns were invited to the arrival ceremonies of the Shahanshah of Iran and the Prime Minister of Japan. Tickets to these functions were distributed by the Bi-partisan Committee, and lists of participating interns were compiled and submitted to the White House by the Committee. The White House also arranged two guided tours for congressional interns, and the Bi-partisan Committee acted as liaison for these functions by compiling the lists of interns to attend the tours, and by providing the Committee director's presence at the White House for both occasions.

Although the Bi-partisan Intern Committee did not officially sponsor any social activities, it did cooperate with those who planned events for the interns. In addition to the Committee's close cooperation with the White House, the Committee worked closely with the Embassy of the Republic of China on one occasion to assist that embassy with a reception given by Ambassador James C. H. Shen for the congressional interns. The Committee disbursed invitations for the ambassador, and also assisted at the embassy in admitting invited guests. Mr. Vandell, Mr. Kendall, Dr. Robinson, Barbara Hoffman, and Peter Crouch were present at the reception on the evening of July 25.

It should be mentioned that the Intern Committee worked very diligently to accomplish two goals over and above the basic tasks of setting up a speaker program. The goals were 1) to distinguish officially-sponsored Bi-partisan Intern Committee functions from other functions on the Hill to which interns may have been invited, and 2) to build better relations with the Congress by centralizing the process of running an intern program.

1973 was a successful year for the intern program. It is hoped that future programs will continue to build good relations between the young and enthusiastic interns, and the Members and staffs on Capitol Hill who are often somewhat disrupted by the rapid influx of interns every summer.

The following is a complete list of the Wednesday address and Forum speakers for the summer of 1973:

June 15, the Speaker of the House, Congressman Carl Albert, and the House Minority leader, Congressman Gerald R. Ford addressed the interns on the House Floor. Senator Strom Thurmond representing the Senate Republican leadership, followed with a short address to the interns. This was an orientation session for all congressional interns.

June 20, Senator Birch Bayh, General Address.

June 21, Mark Talisman (A. A. to Congressman Vanik), "Legislative Process."

June 25, Peter Lakeland (Exec. Ass't to Sen. Javits), "War Powers Legislation."

June 27, Congressman John B. Anderson, General Address.

June 28, Ronald Stowe, Ass't to the Acting Legal Advisor, Dept. of State, "War Powers."

July 5, Richard Scammon, co-author of *The*

*Real Majority* and polling expert, General Address.

July 9, Sen. Lowell Weicker, General Address stressing work of Senate Select Committee on Campaign Activities.

July 10, Congressman Barber B. Conable, Jr., "Trade Bill."

July 11, Senator Marlow M. Cook, General Address.

July 12, Peter M. Flanagan, Ass't to President on Int'l Econ. Affairs, "Trade Bill."

July 17, Senator Lee Metcalf, "Energy Crisis/Environment," stressed strip mining.

July 18, Admiral Thomas H. Moorer, Chairman Joint Chiefs of Staff, General Address.

July 19, Senator Mike Gravel (represented by his L. A. Howard Hickman), "Energy Crisis/Environment," stressed Alaska oil pipeline.

July 23, Congressman Philip M. Crane, "Conservative View in Congress."

July 25, Earl L. Butz, Secretary of Agriculture, General Address.

July 26, Congressman John R. Rarick, "Conservative View in Congress."

July 30, Congressman Paul McCloskey, "Liberal View in Congress."

July 31, Senator Edward M. Kennedy, General Address.

August 1, Robert Novak, syndicated columnist, General Address.

August 2, Congressman John C. Culver, Chairman DSG, "Liberal View in Congress."

August 6, Dale R. McOmber, Ass't Dir. for Budget Review, OMB, "Budgetary Problems."

August 8, Elmer Staats, Comptroller General, U.S., General Address.

August 9, John King, A. A. Joint Committee on the Budget, "Budgetary Problems."

August 10, Hon. Fred Schwengel: (President U.S. Capitol Historical Society) tour of Capitol for interns.

August 14, Representatives from both Republican and Democratic congressional and senatorial campaign committees presented a panel discussion on the role of each of the four committees in congressional elections. Jack Calkins represented the Republican Cong. Committee, Frank Hoffman represented the Democratic Sen. Committee, Buehl Berentson represented the Republican Sen. Committee, and Edmund Henshaw, representative of the Democratic Cong. Committee, Bob Keefe, Exec. Dir. of Democratic National Committee.

August 16, Ms. Mary Lou Burg, Deputy Chairman, DNC.

#### NEED OF BETTER SYSTEM TO SELECT VICE PRESIDENT

**HON. MARVIN L. ESCH**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ESCH. Mr. Speaker, recent events point up the overriding national need for review of the system used to select nominees for Vice President.

Last week I wrote the national chairmen of the Republican and Democratic parties urging that special committees be created to examine the current nomination process. Hopefully, these committees could propose alternatives that would result in careful scrutiny of Vice-Presidential candidates before they are nominated in 1976.

There are a number of possible alternatives. For example, a candidate for Vice President could compete for delegate votes. This would open his record to public view and test electorate response

in the primaries to his positions. Perhaps the Presidential and Vice-Presidential candidates could campaign as a team. At the very least, there should be a reasonable period at national conventions for selection of Vice-Presidential nominees. It is absurd that we select men for such an important post in a 24-hour period on a political and regional basis.

Paul Hope summed up the situation in the lead paragraph of his Washington Star-News column on Monday. He said,

The woe that befell the Republican and Democratic parties this year and last should be ample evidence that something needs to be done about the way vice presidents are selected.

I agree. I hope action is taken by 1976 and I offer for the RECORD a Washington Star-News editorial that was printed Monday and Mr. Hope's column:

[From the Washington Star-News, October 15, 1973]

#### THE VICE PRESIDENCY

Now that Gerald R. Ford's nomination is in the mill, another aspect of this matter commands our attention. Given the slipshod method by which vice presidential candidates are selected, the United States is lucky that it hasn't had more "Agnew" and "Eagleton" affairs.

The resignation of Vice President Agnew and the dumping of Sen. Thomas F. Eagleton from the Democratic ticket only a year ago dramatically point up the need for a better system of choosing nominees for the nation's second highest office.

The voters deserve the best man available, for the main reason the office was established was to have a person ready to take over the presidency on a moment's notice. Too often, the presidential candidate does not look for the best person but for someone who either has a constituency of his own and can bring votes to the ticket, or for someone who is such an unknown that he won't be a drag on the ticket.

President Nixon barely knew Agnew when he picked him in 1968. Some of Nixon's critics, who resent the heights to which he has climbed, would point out also that Dwight Eisenhower scarcely knew the then-California senator when he chose him in 1952.

Mr. Nixon apparently selected Agnew for the principal reason that he was relatively unknown and, hopefully, would not lose him votes. There is little evidence that Mr. Nixon knew anything about Agnew's character, or that he made any substantial investigation into implications made during the 1966 Maryland gubernatorial campaign that some of Agnew's private business dealings had elements of conflict of interest.

Senator George S. McGovern was equally in the dark as to Eagleton's qualifications, his health or his character. McGovern was so pressed for time at the convention, in fact, that his selection of Eagleton had an element of desperation.

One suggestion has been made that vice presidential candidates compete in primaries, just as the presidential candidates do. Another is that presidential and vice presidential candidates run as a team, so that voters could have a chance to look both over.

Some would abolish the office altogether. But that would not really solve the problem of having the most qualified man available to step into the presidency.

The Republican and Democratic parties should give serious consideration to the matter before the 1976 conventions. At the very least, more time for investigation and contemplation should be given between the time the presidential nominee is selected and the deadline for his choosing a running mate.



One would hope, also, that men who are asked to become vice presidential candidates would be decent enough, and be public spirited enough, to level with the presidential nominee about anything in their backgrounds that would in the least bit disqualify them to be president of the United States.

#### PICKING A CANDIDATE CLEAN (By Paul Hope)

The woe that befell the Republican and Democratic parties this year and last should be ample evidence that something needs to be done about the way vice presidents are selected.

Spiro T. Agnew's resignation under a cloud last week is an embarrassing and damaging event to the Nixon administration and the Republican party, already staggering under the Watergate scandal.

The dumping of Sen. Thomas P. Eagleton from the Democratic ticket last year was equally embarrassing and distressing to the party's nominee, Sen. George S. McGovern. Some McGovern supporters contend that he might have won the presidency had he not become entangled in the Eagleton affair. That is a contention without much basis in fact, but at the very least it was debilitating to a candidate who had many other problems to cope with.

Eagleton was picked by McGovern with only the most cursory examination. There was no evidence, in fact, that McGovern had even thought about Eagleton until just hours before the deadline for selecting his running mate.

Having been turned down by several persons he would have preferred and having rejected several others for one reason or another, McGovern came to Eagleton's name on a list of possible candidates handed him by advisers.

Part of the reason that Eagleton was selected was because he was Catholic, whereas McGovern was Protestant; Eagleton was in good with labor leaders, whereas McGovern was on the outs. Potential votes, not qualifications for the presidency which he might some day have been called upon to take over, were the main consideration.

There were some rumors about Eagleton's health but the only check made of them was with homestate newspaper reporters who said the paper had never been able to pin down anything on Eagleton. With that, plus some endorsements from Senate colleagues, McGovern asked Eagleton to run and Eagleton jumped at the chance, never telling McGovern that he had been hospitalized for nervous exhaustion three times and been given electric shock treatments twice. When it finally was revealed a few weeks after the convention McGovern dumped him from the ticket and replaced him with Sargent Shriver.

In Nixon's case, the apparent major reason for picking Agnew was that he would not be a drag on the ticket. Agnew was largely unknown to voters and in Nixon's mind, picking an unknown was better than picking someone who had been around long enough to make enemies.

If there was any real investigation of Agnew's background, other than looking over his public stands while a county executive and governor of Maryland, it has not been acknowledged by Nixon.

Possible conflicts of interest in his private business dealings were raised when Agnew ran for governor in 1966. Nixon apparently either discounted them or took Agnew's word that he was clean as a hound's tooth.

Most other presidential candidates probably have used equally slipshod procedures in selecting their running mates, but the cases of Eagleton and Agnew make a pressing case for finding a better way.

The lot of a vice president is not exactly a happy one and sometimes it is a demeaning job. Despite that, the nation is entitled to have the best-qualified men in the second

highest office, for they are there mainly to become president if the President dies or is unable to fulfill his duties. Eight presidents have died while in office, four of them in the 20th century.

After the Eagleton episode the Democratic party appointed a commission to study vice presidential selection procedures. The Republican party, after the Agnew affair, should consider doing likewise.

#### KEEP PUBLIC HEALTH SERVICE HOSPITALS OPEN

#### HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. HOGAN. Mr. Speaker, within the next few days the House will vote on the conference report on the military procurement authorization of 1974. The Senate has attached an amendment to this bill which would require that the eight Public Health Service hospitals which had been scheduled for closing by the administration continue in operation.

I wish to commend the conferees for insisting on this provision to the bill and I urge the Members of the House to pass this legislation when it comes to the floor of the House for a vote in the next few days.

Mr. Speaker, I would like to include in the RECORD at this point an article that appeared in the News American which gives one of the many reasons why we should continue the operation of the Public Health Service hospitals.

[From the Baltimore News-American, Sept. 30, 1973]

#### SAILOR-PATIENT LAMENTS HOSPITAL'S CLOSING (By Judith Kreiner)

The city will lose an outstanding medical-care facility if the administration succeeds in closing the U.S. Public Health Service Hospital in the 3100 block Wyman Park Drive, a recent patient maintains.

"First I thought I was getting preferential treatment. Then I thought, 'No, I couldn't be.' But finally I realized that everybody was getting the same care and it couldn't have been better if each of us had been the President of the United States," said Mike Rowley.

Rowley is known to thousands of area residents as the operator of the "Port Retriever" harbor cleanup boat. On Aug. 30 he suffered severe chest pains shortly after reporting for work at Pier Seven.

Because he holds Coast Guard papers to operate the "Port Retriever," Rowley is eligible for care at public health hospitals.

An EKG confirmed that the pains were the result of a serious heart attack and Rowley ended up in the hospital's Intensive-Care Unit.

"When they say 'intensive care' they mean 'intensive care,'" Rowley said.

"They don't take their eyes off you for 24 hours a day," he explained.

In addition to nurses at bedside, the unit contains an electronic monitoring system for each patient. An offshoot of the technology that put men on the moon, the system lets a nurse in a central station monitor the heart action of each patient.

"They even knew when I moved my hand," Rowley said.

After he began to recover and was moved into another part of the hospital, Rowley began to see the effect of uncertainty about the hospital's future.

"One day all the nurses gave a party for one little girl who was leaving for the Social Security Administration. She said she was leaving because she had no security at the hospital.

"But it's not the professional people who are hard hit—it's people like the man who brings in the dinner tray. He's too old to find another job and too young for Social Security and you know he's got no savings because he never earned that much and you wonder what's going to happen to him.

"He wonders, too," Rowley said.

"There's a lot of discontentment among the nurses, who don't know how long they are going to be working at the hospital, but you can't see it in the way they treat their patients."

Rowley praised the care he received at the hospital, which is also the home of the Baltimore Cancer Research Center, a part of the National Cancer Institute.

"I saw the way my 80-year-old mother was treated in the Intensive-Care Unit of another area hospital—it was cold, impersonal.

"Up on Wyman Park, everybody knew me. Well, they knew everybody," Rowley said.

While he was in the hospital, Rowley met patients from as far away as San Francisco and New Orleans. Most patients were members of the Merchant Marine or their families.

"Despite the disease and suffering there, the hospital is a cheerful place and most patients and almost all the staff members are cheerful.

"But the day the Senate voted to close it, the nurses walked slower. And everybody knew who voted to shut it down," he said.

"What a way to save money! We could cut out two or three Congressional reports and save enough to run this hospital for a year," he exclaimed.

"Oh, the patients will go somewhere else and so will the staff, but they'll never assemble another group of people who work together the way these people do. It will be a real loss," he said.

#### REPORT FROM YOUR CONGRESSMAN

#### HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ESHLEMAN. Mr. Speaker, I will be sending my constituents a newsletter. I am including the contents of that newsletter in the RECORD at this point:

#### WASHINGTON SPOTLIGHT

[Report From Your Congressman  
ED ESHLEMAN]

#### STRONG-ARMING THE SPENDING SPREE

Already, Congress has increased the President's budget request for fiscal 1974 by \$1.4 billion and the fiscal 1973 budget by over \$6 billion. This means that the Federal Government will spend an estimated \$1,271 per person in fiscal 1974, up from \$613 in 1965.

These figures are proof enough of the spending spree Congress has been on for the past decade. What we badly need is reform of the legislative appropriations process.

There is a bill before the House Rules Committee which would give Congress a way of matching Federal income and outgo. As it now stands, there are 19 legislative committees all authorizing expenditures completely independent of appropriations considerations. Therefore, Federal revenues for a given fiscal year don't figure into the congressional spending picture. As one of my colleagues put it: "It's like giving each member of a

family his own checkbook so that everybody can write checks without paying attention to the family bank balance."

Obviously, the legislative spending spree is not going to be stopped until we devise a way to keep checking the national balance. That reform can't come too soon.

#### APPEALING PLAN

Those of us who would like to see our justice system reformed to provide for speedier trials got some backing from the National Advisory Commission on Criminal Justice Standards and Goals. In its 358-page "Report on Courts" they recommended restructuring of the entire process of criminal appeals. Basically, the plan would limit persons convicted of a crime to a single appeal.

Today, nearly 90 percent of all cases are appealed and there are eleven appeals available including three to the Supreme Court. According to the Commission, this appeals process buys several years of freedom for the criminal and "erodes the finality of convictions."

The recommendation was to set up a new appeals court at the State level to review all facets of a criminal case. Appeals beyond the reviewing State court would be permitted only in "exceptional circumstances" such as the discovery of substantial new evidence not covered at the trial.

#### SHORT SUPPLIES

Though we've been hearing most about food and energy shortages, there are also serious scarcities of newsprint, baling wire, tallow, sawdust, blue jeans and toilets. Machinery backlogs are up thirty percent over last year, and supply bottlenecks have become commonplace in industry.

Many of these shortages are surprisingly interrelated. The beef price-freeze not only meant diminishing supplies of hamburger, but also cut back the amounts of available tallow used in making candles, soap, and rubber. Rubber belts and grommets are used in machinery, which helps explain why machinery orders are not being filled as quickly as before. And, since machines are used in making things like blue jeans, maybe we won't get more jeans until the machinery problems are straightened out.

The Soviet grain deal not only ended up costing Americans as taxpayers and consumers, but it tied up ships and boxcars, making it very difficult to ship lumber. The temporary shortage of lumber was followed by a shortage of lumber by-products such as sawdust and pulp for paper.

There is one flower among the thorns, however. The shortages have led to one printer turning down a government contract because he couldn't get paper enough—the contract was for next year's Federal income tax forms.

#### BILL-SIGNING CEREMONY

A few of us from Capitol Hill joined President Nixon in the oval office the other day for the signing of the Vocational Rehabilitation Act. This legislation, which was considered first by the Select Education Subcommittee where I'm the ranking Republican member, provides programs to help handicapped Americans.

#### HOUSEWIVES' FRIEND

Congress sometimes shows that when it wants to it can move legislation along very quickly. The latest example was the bill to prevent television blackouts of home football games.

That piece of legislation was introduced and cleared both the House and Senate in a matter of days. The main reason for this speed was that there was practically no controversy about the bill, and it was felt from the outset that it would pass with an overwhelming vote. I, for one, want to watch the Eagles when they're at home.

Therefore, as we filed into the House

chamber to cast our votes on the blackout legislation, we were amused when a smiling House aide met us at the door with the advice, "the housewives want a 'no' vote".

#### NO NEW TAX

With good reason, there was a loud public outcry when a Presidential advisor mentioned the possibility of a tax increase. Not only did the public make it clear that they wanted no new taxes, but Congress reacted unfavorably to the suggestion, too.

This is not the time to be raising taxes. Quite the contrary. We have enough money coming into Washington. What we should be doing is reducing the amount of it we're spending.

#### INSIDE INFORMATION

Jeb Magruder, one of those who has pleaded guilty to charges stemming from the Watergate incident, sums up the significance of this political disaster in an interview with *Harper's Magazine*. Magruder said, "Well, I think it would be a greater tragedy than the Watergate affair itself if people didn't learn from our experience."

#### CHANGING PRIORITIES

Those who advocate different priorities for our Nation ought to be encouraged by the shift that has taken place in the last four years.

Four years ago defense expenditures accounted for almost half the Federal budget. Today, they are down to 30 percent, and we are beginning to see real evidence that to cut any more will seriously jeopardize our national security.

Four years ago social spending made up about 30 percent of the budget. That spending has gone up to nearly 50 percent today, a fact that shows that our Nation can change gears and can move from a wartime to a peacetime set of priorities when the times will allow.

#### VETO VERSUS VETO

With all of the talk about presidential vetoes, some people are getting the idea that President Nixon must be setting some kind of record in vetoing congressionally-passed legislation.

Since he took office, Mr. Nixon has vetoed 38 bills, but that's way behind Franklin Roosevelt's record of 635. It's even a trifle compared to Cleveland's total of 414, Truman's 250 and Eisenhower's 181.

I think we can assume that the Nixon vetoes are not another "constitutional crisis."

#### SATISFACTION GUARANTEED

The House will soon be considering legislation to give us better warranties. There is general concern among consumers about appliances, autos and gadgets that stop working or start giving trouble as soon as they're put into use. This concern has led to a call for more effective warranties, and Congress is beginning to respond.

A Senate-passed bill expands the Federal Trade Commission's power to deal with warranties. Any maker of a product worth more than \$5 could decide whether or not to issue a warranty. If he does guarantee the product, the minimum requirement would be that it must be repaired or replaced within a reasonable time at no charge. A large number of defects would entitle the buyer to a free replacement.

Used car dealers would be included under the regulatory provisions of the legislation. A non-warranted car would have to bear a sign saying: "All repairs are the responsibility of the buyer."

The bill also protects consumers from "implied" warranties that sound genuine but are disclaimed in the fine print.

Such action by Congress should help clarify the warranty situation and give consumers a little faith that a product with a warranty is something to believe in.

## POSSIBLE RADICAL INVOLVEMENT IN THE 1972 PRESIDENTIAL CAMPAIGN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ASHBROOK. Mr. Speaker, the October 4 issue of the Scott Report, the nationally syndicated column authored by investigative reporter Paul Scott, comments on possible left-wing activities in the 1972 Presidential campaign. Mr. Scott reports on correspondence sent to the Senate Watergate Committee by Mr. Wilson C. Lucom, chairman of a national citizens organization, Concerned Voters, suggesting that a closer look be given to the possible involvement of the Communist Party of the USA and other radicals in the 1972 campaign. According to the Scott column, the Justice Department has been contacted for any available information on this aspect of the Senate investigation.

The Scott column of October 4 follows:

#### THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, October 4.—A political bombshell has been dropped into the lap of Senator Sam J. Ervin, Jr., (D. NC.), chairman of the Select Senate Committee investigating the Watergate bugging scandal and political espionage in the 1972 Presidential election—and he doesn't quite know what to do with it.

The bombshell is a statement by the General Secretary of the Communist Party, Gus Hall, that his party has been operational in the liberal wing of the Democratic party for the past 25 years.

The statement of Hall, along with other connecting information, was furnished to Senator Ervin by Wilson C. Lucom, a long time Democrat and presently chairman of "Concerned Voters," a national Citizens organization with members throughout the country.

In his explosive communication to Ervin, Lucom challenged the Senate probes to expand their present investigation to include "The Communist Party's activities within the liberal wing of the Democratic Party and its Orbit" in 1972 and previous campaigns.

Noting that Senator Lowell Weicker (R. Conn.), one of the vocal members of the Committee, had publicly promised that the Select Committee would investigate Communist participation in the Campaign, Lucom wrote:

"I bring to your personal attention the fact that Mr. Gus Hall, General Secretary of Communist Party, USA, on January 27, 1973, openly confirmed that the Communist Party has been operational in the liberal wing of the Democratic Party for the past 25 years."

In furnishing the Committee with copies of Hall's little-noticed statement about the party's political activities, Lucom suggested that the veteran head of the Communist Party be called as a witness so members could question him about his startling admission.

Specifically, Lucom believes the Committee has a duty to quiz Hall about this following statement:

"Our electoral policy has for some 25 years been expressed in the phrase 'the three prongs of a stool' or 'the three legs of a fork'. . . . The flexibility was contained in the idea that no one leg of the stool was the main leg or legs. In fact, the concept was built in the idea that when the other two



legs, namely, the Communist party and the forces of political independence gets strong enough, then and only then would the stool sit on three legs. But until that day comes the one operating leg would be the liberal wing of the Democratic Party. And thus in practice the only operational leg was the movement around the liberal Democratic Party Candidates."

#### THE MCGOVERN TIES

Pointing out that the Committee had requested the Justice Department to turn over any evidence and information it may have linking Democratic candidates or campaign staffs with violent-prone radical groups, Lucom suggested the Committee question James Rowan, McGovern's son-in-law, and one of his campaign aides in 1972. Lucom wrote:

"We bring to your attention the fact that there very definitely was a connection between the Democratic Candidate Senator George McGovern and a socialist revolutionary which you should investigate."

"Senator McGovern had such personal knowledge . . . his very own son-in-law, James Rowan, a self-proclaimed 'socialist revolutionary', according to the candidate's authorized biography, 'McGovern' by Robert Sam Anson. . . . Rowan not only worked on the 1972 Presidential campaign, but also had 'much access to the candidate's ear' . . ."

Lucom proposed that the committee look into newspaper reports that Rowan "helped set off the movement that led to the bombing of the Army's Mathematics Research Center in Madison, Wis., in 1970."

With McGovern's liberal forces still deeply embedded in national Democratic party organization and in control of the important delegate selection Commission, Lucom believes the Committee has the responsibility of determining the Communist penetration of the liberal wing of the party. He also believes the Committee should expose the influence, if any, of Communists within the Republican party.

What Chairman Ervin and the Committee plans to do about the Lucom bombshell is still undecided and will probably depend on the amount of public pressure brought on them to widen their investigation to call Hall.

At this point, all Senator Ervin will say is his staff is studying Lucom's letter. He also is waiting for the Justice Department to make its report on the information requested by the Committee.

#### WHITE HOUSE UNDECIDED

While the discovery of Hall's statement has caused a big stir at the White House, there has been no decision by President Nixon and his advisers on what the Nixon Administration should do about it.

A White House move to pressure the Ervin Committee to expand its inquiry would mean a reversal of Administration policy to try to end the Senate hearings as soon as possible.

Several of President Nixon's political advisers believe such a move should be made even at the risk of prolonging the Senate hearings. They want the President to try to turn the tables on the Democrats by forcing the Committee to spotlight Hall's admission.

It is the belief of these advisers that the Democrats on the Committee are using the Watergate investigation to try to mortally wound not only the President but the entire Republican party. They contend that the President has no choice but to counter attack.

By playing up and documenting Hall's statement, these political advisers claim, the covert security operations undertaken by Administration officials during the 1972 campaign would be cast in a much better light.

President Nixon's foreign policy advisers headed by Secretary of State Henry Kissinger are vigorously opposed to the Administration

doing anything. They are concerned that any move would upset the President's policy of accommodating Moscow and Peking, and could touch off a bitter new battle in Congress between the Administration and the Democratic leadership there.

All Lucom and his "Concerned Voters" want is for the Committee to expose the depths of the Communist penetration now that Gus Hall has let the cat out of the bag.

### THE 1,300 VIETNAM MIA'S MUST NOT BE FORGOTTEN

#### HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ZABLOCKI. Mr. Speaker, at the time the Paris Peace Conference Agreement was signed on January 27, 1973, almost 2,000 Americans, 1,925 servicemen and 52 civilians, were missing in action or being held as prisoners-of-war in Southeast Asia.

Today, some 8 months later, more than two-thirds of these men are still missing and their fate remains unknown. Despite detailed assurances written into the agreement, North Vietnam has refused to comply with those commitments.

While we all take great satisfaction over the return of the 591 Americans who have been released nevertheless it is vital we not forget our debt to the more than 1,300 men who remain unaccounted for. Our obligation to them and their families and loved ones must not be permitted to fade with time.

The reassuring knowledge that they are not being forgotten was recently conveyed to me by a San Diego, Calif., organization known as Concern for Missing in Action, Inc.

A questionnaire recently distributed nationwide by Concern for MIA's revealed an abiding public interest in and concern over our MIA's. Most significant in the questionnaire results was the response to the question: "Do you believe that all prisoners-of-war are home?" Slightly more than 98 percent of the respondents replied with a resounding "no."

Equally significant was the response to the question of whether the United States should provide financial aid to rebuild North Vietnam before a full MIA accounting is complete. In addition to the 99 percent who answered "no" were several who added the word "never."

Nearly all of the responses contained additional personal comments. A representative cross section of those comments and the tabulated results of the entire questionnaire follow. I recommend them to the careful reading of my colleagues.

The material follows:

#### COMMENTS WHICH REFLECT MAJORITY OPINION

"Our elected officials should forget about the Watergate mess and get down to the more important things."

"Secure an appointment with the Congressional Senators and Representatives and get

them to make an affirmation what they should do in order to live up to their obligations to the U.S. citizens when they took their oath of office. Make them act on this affirmation positively or else you will seek their dismissal from their office at the next election of Congress."

"Such letters are virtually ignored! We are also concerned about the status of three missionaries who were taken prisoners by the Viet Cong in May 1962. They have never been heard from. Their names are: Dr. Ardel Vietti, Rev. Archie Mitchell, and Mr. Dan Gerger. We would ask you to include them on your list of missing ones and use whatever pressure is available to aid in their release as well as all other POW's and MIA's."

"I believe the President is satisfied as to our POW's now that he got the 'honor' of getting some out. I believe it would be better for Congress to proceed with this."

"Unfortunately, I feel the American Public was pacified by the homecoming of the P.O.W.'s and I feel they have now lost much of their enthusiasm concerning any other P.O.W.'s or M.I.A.'s. I would like to see some campaigning (sic), for at least more information on the M.I.A.'s who I believe may still be alive in Viet Nam. Make the Public a little more aware that these men need our attentions and that the war in Cambodia still exists. We should and could do more to find these M.I.A.'s or P.O.W.'s still held."

#### QUESTIONNAIRE BY CONCERN FOR MISSING IN ACTION, INC.

DEAR FRIENDS: Our records show that you have indicated an interest in the POW/MIA cause. May we ask you to take a moment of your time to help us obtain a sampling of public opinion on this issue?

Our organization is still vitally involved and we would appreciate your assistance. A self-addressed envelope is enclosed for your convenience.

Do you believe that all of the prisoners of war are home? No: 98 percent.

Dr. Kissinger has said "North Vietnam has made itself responsible for an accounting of our prisoners and missing in action throughout Indochina, and for the repatriation of American prisoners throughout Indochina".

Do you feel that the United States should provide financial aid to rebuild North Vietnam before that accounting is complete? No: 99 percent.

Do you know how many Americans are listed as missing in action in Laos? Yes: 83 percent.

In Cambodia? Yes: 74 percent.

Do you think that the accounting of the missing in action should have any bearing on our negotiations? Yes: 85 percent.

If you are a bracelet wearer:

Are you aware of the status of that man?

From what source did you learn his status?

Are you still wearing the bracelet? Yes: 50 percent.

Are you satisfied that "all that can be done is being done"? No: 94 percent.

Do you believe that public opinion (letters to Congress/the President) would have any effect on the present situation? Yes: 71 percent.

Comments:

Thank you,

PATRICIA G. NELLIST,  
Executive Director.

### A LOOK AT NO-FAULT DIVORCE

#### HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mrs. GRIFFITHS. Mr. Speaker, at this time, I place in the Record the final

article of a series of five, written by Vera Glaser of Knight newspapers, on No-Fault divorce. This most interesting and informative series appeared in the Miami Herald. The articles follow:

#### LAW AND PROFITS: NO-FAULT FAULTED BY NOW

WASHINGTON.—A band of gung-ho feminists like the National Organization for Women might be expected to favor fast, easy "no-fault" divorce.

Not so.

In its drive against what it views as inequities in family law, NOW opposes "no-fault" unless economic safeguards for women and children are included in the law.

"Judges make plenty of mistakes. 'No-fault' leaves women in worse shape than before," says Betty Spalding, a member of the Greenwich, Conn., Town Council and head of NOW's marriage and family task force.

In recent years feminist pressure has wiped out much of the discrimination against women in federal laws relating to jobs.

NOW's next major offensive will be in the complex area of family law, which affects an even greater number of people.

#### BETTER MARRIAGES, FEWER DIVORCES

For the long term, it plans to educate for better marriages and fewer divorces.

For the short term, NOW lobbies to improve divorce laws. Connecticut's new law, which goes into effect Oct. 1, is an example.

NOW worked successfully for language limiting "no-fault" divorces to situations where both the husband and wife want to end the marriage.

In contested divorces, it is still necessary to prove one party guilty of a charge such as cruelty, adultery or desertion—thus giving the husband or wife more bargaining power in the financial settlement.

Only four state laws specifically direct the judges, in deciding the settlement, to consider the contribution of the homemaker to the marriage.

Spalding and her colleagues are waiting to see how—or if—judges interpret that. They have been critical of the predominantly male legal establishment for divorce decisions they say discriminate against women.

And they doubt the situation will improve until more women sit on the bench.

Meanwhile, NOW is publicizing the pros and cons of "no-fault" divorce.

On the pro side, they see the new concept as "the most amicable means" of settling husband-wife disputes.

It cuts down perjury and fraud, helps people end hopeless marriages, and may eliminate costly, time-consuming litigation.

On the con side, they say "no-fault" too often conveys the idea of "no responsibility," permitting a person guilty of wrong-doing to profit from it.

#### FINANCIALLY DEPENDENT

More than half of America's 48 million married women are financially dependent on their husbands.

As long as the marriage is working tolerably well, NOW points out, the housewife has a sense of security.

Only when she faces divorce does she awaken to the fact that she can "lose her livelihood, her capital, her credit rating, and all fringe benefits, possibly winding up as the sole support of the children."

To make up for what it sees as deficiencies in liberalized divorce laws, NOW has drafted a model marriage and divorce bill, working with Hofstra University's Associate Dean Judith Younger, her law students, and NOW members who have experienced divorce.

Describing marriage as an "equal partnership," it calls for equal division of property,

and individual control of his and her property in marriage.

In divorce there would be "equitable" alimony and child support, with cost-of-living increases, "no-fault" or not.

Before the trial, the dependent spouse would get a legal fee, so that each party could retain a lawyer of comparable ability.

A security bond equal to one year's projected payments of child support and maintenance would be required.

Financial disclosure would be compulsory and pay-oll deductions could be made for support payments.

#### INVESTIGATION ENFORCEMENT

A financial investigation and enforcement bureau would be set up.

Training and vocational guidance would be offered for separated and divorced persons, and a widow or widower would be guaranteed half the assets of the marriage.

Foes of the equal rights amendments, which needs ratification by eight more states to become law, claim the ERA would diminish support rights for women and children.

In many states, however, alimony and support laws already are in accord with the ERA. At least 27 states, for example, award alimony to both sexes.

An argument can be made that the ERA would require courts to decree settlements. Such a situation would keep the living standards of the two spouses about equal, according to an analysis published by the Citizens Advisory Council on the Status of Women.

#### GETTING MARRIED TOO EASY?

(By Vera Glaser)

WASHINGTON.—The revolution in divorce laws has reached into almost every state.

Some have adopted sweeping "no-fault" laws, wiping out the old grounds for divorce which made one party "guilty" or "innocent," and permitting marriages to be dissolved without "blame."

Other states have added "no-fault" to the list of old grounds such as desertion, cruelty, and adultery.

Still others have tinkered with language, cutting a word here, inserting a comma there.

But experts know that the real problem, America's shocking divorce rate, is not likely to be cured by rewriting laws.

It goes much deeper.

Should it be tougher to get married?

Preparing and educating one's self for a major undertaking makes sense—yet many people back off in horror from discussing anything other than the romantic aspects of marriage.

Woven into the hopes and dreams of lovers are responsibilities, money problems, and legal booby traps—any of which can strain or break the relationship.

Controversial as they may be, divorce insurance, marriage contracts and efforts to make "housewife" a bona fide occupation are attempts to smooth sexing areas of family life and chart a happier future course.

But first and foremost, for a sound lifetime partnership, husband and wife must be able to communicate honest feelings, says marriage counselor Elma K. Wolf.

#### THE NO. 1 KILLER

No matter how many divorces are triggered by sex and money, she regards "inability to communicate" as the No. 1 marriage killer.

Real regard for the other person's feelings means straight talk.

"You won't annihilate anybody and you'll survive," she predicted.

Years of experience as a psychiatric social worker have taught Mrs. Wolf that marriage problems eventually boil down to each partner's basic inner difficulties.

Unless there is therapy or counseling be-

fore a second marriage, she expects the mistakes of the first to be repeated.

The United Presbyterian Church, as part of its permarital counseling program, is distributing a series of state-law pamphlets, compiled by Betty B. Berry and other family law specialists, to acquaint couples with the legal realities they face.

The New York pamphlet, first to be issued, explains the rights of both partners and alerts them to at least one possible hazard.

From it the wife-to-be may learn for the first time that she will have no rights in property acquired by her husband before or after the marriage unless he makes a gift of it or sells it to her.

On another front, interest in divorce insurance is increasing as a means of avoiding the financial blow of marriage breakup.

The Metropolitan Life Insurance Company has worked out a pilot plan designed to cover married workers between 20 and 59. For a \$28 annual premium, a benefit of \$100 a month could be paid for three years to a dependent divorced spouse, unless he or she remarried.

If still unmarried at age 60, the dependent spouse would receive a benefit comparable to that paid to widows under social security.

#### IMPORTANT ELEMENT

The self-respect and security of the housewife is recognized as an important element in a successful marriage. The National Organization for Women proposes social security, health insurance, retirement benefits, and employment training in case of divorce for the homemaker.

In general, authorities are coming around to the view that more effort should be put into making marriage work than into reforming divorce laws.

Those who use permissive divorce laws to shed spouses sometimes discover too late that the relationship may have been worth salvaging.

"You'd be surprised how many men, coming for a second divorce, say, 'I should never have left my first wife,'" says lawyer Elizabeth Guhring.

What really needs to be toughened, Miss Guhring believes, is "the idea of responsibility to family and to other people. Frustration, dissatisfaction, and refusal to accept responsibility are what lie behind the divorce rate."

Another distinguished lawyer, Professor Herma Hill Kay of the University of California at Berkeley, takes a somewhat different view.

She believes that "freer marriages"—in which both partners retain independence and personal identity—will in the long run lead to "less punitive" divorces.

#### CONGRESSMAN NEAL SMITH'S STATEMENT ON COMMODITIES MARKET

#### HON. BOB BERGLAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. BERGLAND. Mr. Speaker, yesterday the House Committee on Agriculture began public hearings on the commodity exchange authority and today our colleague from Iowa, Congressman NEAL SMITH presented testimony which merits the attention of all Members of Congress. It is an excellent statement and I commend it to those of you who feel as I



do that there is a need to strengthen the laws relating to the commodities market. The statement follows:

STATEMENT BY CONGRESSMAN NEAL SMITH OF IOWA

Mr. Chairman and Members of the Committee: I appreciate the opportunity to appear before the Committee as you begin your hearings to review the Commodity Exchange Act with a view toward strengthening and revising laws relating to the commodities markets. A Subcommittee of the Small Business Committee which I am privileged to Chair has just held a series of hearings on grain marketing problems. As members of this Committee are aware, the purpose of the Small Business Committee is to provide a vehicle for small businessmen throughout the country to communicate their problems to Congress, especially when those problems cover matters which lie within the legislative jurisdiction of more than one committee. Investigations and hearings by the Small Business Committee are designed to and have succeeded in encouraging government agencies to do a better job under existing laws. But also, after developing a good hearing record and considering the problems presented, our Committee then makes available the information we have developed, together with our own recommendations, to the various committees with the legislative jurisdiction so that those committees may take whatever action they, in their wisdom, deem appropriate.

While transportation and some of the other problems come within the jurisdiction of other committees, this is the Committee with the legislative jurisdiction covering the major portions of the problems presented to us. I am, therefore, thankful to have the opportunity to appear before you and to present to you for whatever use you may desire a summary of the impressions we developed and to offer the full cooperation of my staff in every way possible to make available to the Committee any other information which has developed during the course of the investigation.

You have outlined in your announcement of these hearings some 25 subjects to be covered. I would like at this time to pinpoint my remarks toward a few of these problem areas which I think need the most immediate attention. This is not to say that all of the areas should not be dealt with but I think the commodity marketing situation is so bad right now that immediate attention is needed on some of the areas you mentioned and in a few other areas not mentioned in your announcement.

Before proceeding with the subject matter, I want to stress that I have tried very hard to present this subject in simple language. I may have oversimplified some of the matters; however, while members of this Committee would understand this complex subject, I believe most citizens have not understood either how the commodity markets work or how important they are to every citizen. Thus, it is necessary for the public generally to understand the need to restore, preserve and improve the system.

To fully appreciate the urgency to be attached to this situation, it might be well to review briefly the changes in the basic economic forces in this country which have in turn caused the need for so many changes in the rules, regulations, attitudes and the law.

There probably has been no industry in the United States which has grown faster in the past few years than has our commodity marketing system. The volume of grain produced has doubled and quadrupled in many cases and, in addition to that, a larger percentage of the grain is moving interstate and over international transportation systems rather than moving merely from one farm to an adjoining farm. Today 25 percent

of all the corn raised is shipped overseas and more than 50 percent of all soybeans are exported. No longer do our grain marketing facilities consist only of several thousand local elevators; they now also include a very few, large international grain marketing companies.

As late as 20 years ago, there were a relatively few large cash grain producers and most of their product was sold for cash after they had harvested the crop and determined how much they would not need for livestock feeding. The relatively small amounts that were shipped by rail to some other market were usually in turn sold for cash or hedged by such a large number of small merchandisers that there was really little opportunity to manipulate the market in most years. That was the situation which existed when the last major legislative actions were undertaken which legalized and regulated contracts for future delivery and, therefore, that law was tailored to a much different situation than we have today.

It is now common practice for producers to contract with a local elevator in advance of the time the grain or fibers are harvested for the delivery of a certain number of units at a fixed price. Many creditors demand that they do this in order to reduce the risk they would have in the market place and others do it on part of their crop in order to assure themselves of cost of production. These local grain merchandisers either directly or through another medium almost always immediately sell the same volume of grain on the futures market by purchasing a short contract for a future month. In other words, they agree to either deliver the grain or buy the contract back at a specified time. Under this arrangement they have been able to offset any losses or gains in the market which would occur on their inventory with an equal loss or gain on their futures contracts. By using this system, elevators in the corn belt prior to this year have been able to reduce the spread they keep for themselves for handling the transactions to around 3 cents per bushel and still make a reasonable profit. Without a place to hedge, these commodity merchants would have had to deduct a much larger spread for themselves.

The demand for such a system has increased so much that last year the commodity exchanges handled \$268 billion in contracts of regulated commodities, compared to trading of \$60 billion per year 10 years ago. This compares to a total of only \$200 billion for all stocks handled on the Stock Exchanges.

It should be obvious that this system has been, on an overall basis, a very good thing for producers, processors, consumers and the nation as a whole. In fact the system worked so good that people within the system itself could not believe how near it was to collapsing and how vulnerable it was to manipulation and abuses. One of the reasons that the vulnerability was not apparent for the last several years was that there was always a surplus of most commodities and also an abundance of transportation to shift those commodities around so that if need be a commodity could be delivered in lieu of buying back a futures contract. This situation has changed. We not only do not have a surplus but we also do not have an insulated reserve which could be used to reduce the height of the peaks and the depth of the valleys.

I would like to briefly set forth three examples of how the changes in the transportation or supply situation can produce an artificial futures market price and provide the conditions conducive to a squeeze or manipulation.

#### THE JULY 1973 CORN CONTRACT

A large volume of corn had been hedged last year on the July futures contract. When local elevators made those contracts, they agreed to either buy back the contract or de-

liver the grain between July 20th and the 10 days following. Under the terms of the corn contract, the delivery point must be one of several delivery points, all of which are in Chicago. The elevator or the seller of the contract, who is described as being on the short side of the market, must either deliver the grain within that time or pay whatever is necessary to buy the contract back. Speculators or exporters or others who have bought such contracts are described as being on the long side of the market and they may demand delivery of the corn or agree on a price at which they will sell back the contract.

At the time the July contract expired, corn was readily available in Iowa at about \$2.25 per bushel but there simply was no transportation available to deliver that volume of grain to Chicago within a few days and the delivery points named in the contract could not have handled that volume anyway. Since the shorts could not deliver corn in fulfillment of the contract, the holders of the long side of the futures contracts were able to demand as much as \$1.30 per bushel more for their contracts than the corn would have cost if it could have been delivered. This is a case where transportation alone caused the problem. Later in this statement, I will specifically suggest a remedy to this situation.

#### SOYBEAN CONTRACTS

The loan rate on soybeans was \$2.25 per bushel at the beginning of the last marketing year. At that time, the market price was about \$3.25 and that was enough in excess of the loan rate so that farmers were encouraged to sell rather than secure loans. Under these circumstances most of the soybeans were sold early in the marketing year and by March were largely concentrated in the hands of a relatively small number of processors and traders. The number of traders who held most of the soybeans were so few that unless they sold big volumes of cash soybeans, there was little danger that enough could be delivered to satisfy the long contracts. Also the holders of much of this inventory also held long contracts demanding delivery.

On one day last summer more than 90 percent of all the long contracts (the ones which could demand delivery of the product) on the Chicago Board of Trade were held by only 4 traders. There simply were not enough soybeans available even if transportation had been available, to fulfill long contracts by delivering soybeans in lieu of buying back those long contracts. Therefore, those who had hedged by selling short were at the mercy of those who held the long contracts.

Even if they had accepted soybeans at points other than those called for, it would not have cured this situation. As this situation developed, the response of the Board of Trade was to increase margins or deposits required by those in the market. At the end of May, I suggested that the whole soybean futures market be suspended for three days pending a full revelation of all the facts and figuring out a way to deal with it. I admit this was not in and of itself an adequate answer, but the fact that the idea was met with ridicule and that no alternative solution was offered, indicates that those in charge were not prepared to deal with the changed situation we have in the commodity markets today. Finally three weeks later after many more businessmen became trapped, at the urging of the CEA, the trading in the old crop soybeans contracts was suspended—not just for three days but for the balance of the marketing year except for liquidation purposes.

#### RECENT COTTON CONTRACTS

Although there are an abundance of alternate delivery points for cotton, cotton is in fact in short supply. When a commodity is in short supply, toward the end of the contract month a holder of the long con-

tracts may end up holding a large percentage of the total long contracts. About three weeks ago one trader on the New York Cotton Exchange held 67 percent of all the long contracts for the month of October. In this case he was increasing his percentage by making new purchases but it could have happened merely because others sold and caused his percentage to increase. When the Commodity Exchange Act was originally passed, I feel sure no one envisioned a situation where one trader would ever control that high a percentage of any contract.

#### HOW TO MEET THESE CHANGES

Members of our Small Business Subcommittee who heard the evidence are in agreement that the businessman's need for a mechanism where he can hedge his risk is as great or greater today than it ever was. We must make the changes that are necessary to meet such situations before something happens such as happened with the onion contract a few years ago.

Some of you may recall that the futures contract on onions was being manipulated by a relatively few individuals. To their surprise, instead of the sellers buying contracts back, almost overnight carloads of onions were dumped in Chicago. Onions became so cheap in Chicago that they sold for less than the cost of the bag in which they were contained. While it may have taught some few traders a lesson, the price was extremely high. In addition to the terrible waste of the onions which resulted in the product becoming scarce in other areas of the country, it caused a deplorable waste of valuable transportation facilities needed to bring the onions to Chicago. As a result of this experience, an amendment was passed in Congress which prohibited any trading of onions on the Board of Trade in the future. That prohibition still stands.

I am convinced that the grain marketing situation today for soybeans, corn and wheat is so subject to abuses that unless some positive action is taken in the very near future there is danger that a situation will develop which might very well result in outlawing futures trading in these commodities just as it happened to onions. It is with this background that I have set forth some proposals to deal with the particular problems which have developed and can be anticipated.

#### ALTERNATE DELIVERY POINTS

The July corn situation which I outlined above could have been avoided simply by the futures contract permitting delivery at some alternate delivery points in the grain surplus area such as Des Moines and Peoria, that is, permitting delivery to be made by truck where corn was available, instead of requiring that delivery be made in Chicago. In answer to a question by me, the President of the Chicago Board of Trade, Fred Uhlmann, agreed that had alternate delivery points been permissible at Peoria, Illinois, Des Moines, Iowa, and one place on the Mississippi River, the squeeze on the July corn option would not have been possible. He flatly stated that the Board had been in error and that they will take some action to establish alternate delivery points for corn and soybeans. I think some preliminary work is under way but the Board has not yet announced any corrective action.

If the boards of trade will do so, I think it is best for alternate delivery points and some other matters to be set by the exchanges on a periodic basis, before trading in the futures month commences. I believe this to be true because the Board would have more flexibility and less difficulty in changing something when circumstances change than would be the case if alternate delivery points were set by government regulation. However, I think it has been demonstrated clearly that some government agency needs

to have the authority to order such delivery points set in the event that the Exchanges do not do so. The availability of this authority is, in and of itself, probably enough to get the Exchange to move when the need is called to their attention. I urge that a new, beefed up agency be given the authority to order, if need be, that alternate delivery points be established for particular commodities.

#### MARGIN REQUIREMENTS

A matter which I will subsequently discuss in detail is the tremendous increases in margin and maintenance requirements prior to the closing of some contracts during the last few months. The Board required elevators and others to make larger deposits per bushel. The unexpected huge increases in margins and the huge sums it cost the local elevators and other hedgers will cause them to deduct a larger spread for themselves for years to come. For example, any elevator operator who found himself paying an additional 6 cents per bushel in interest charges due to increases in margin requirements is going to in future years allow himself a similar larger amount because of the possibility that such a thing will occur again. This is already reflecting itself in the amount that grain merchandisers subtract from a futures contract in dealing with the customer. For example, Iowa elevators which have in previous years engaged in forward contracting at about 19 cents per bushel less than the Chicago price now are subtracting from 30 to 60 cents per bushel. Some of this may be due to other problems but they will not forget for a long time to come what happened to them in the summer of 1973 with regard to the cost of margin requirements and meeting maintenance calls. The result of this is undoubtedly to decrease the amount farmers receive for a product and also to increase the cost to the ultimate consumer.

It seems to me that decisions as important as this should either be made by a government agency or in cooperation with a government agency. I also think they should not change the margin requirements on a particular contract after it had been made and that other methods should be used to cool off the market. In my judgment, it hurts legitimate hedgers more than speculators. This was especially true last summer when the big profits were made on the long side of the market and longs did not have to meet additional maintenance calls because the market was going up. It was the elevators which had contracted for farmers grain and which had to put up the extra money.

#### DOUBLE HEDGING

Another problem involves limiting huge speculation by any one trader. Supposedly, a trader cannot buy and sell nor may he own at the end of the day contracts in excess of 3 million bushels of soybeans or corn unless he is a bona fide hedger. (For wheat, oats, barley and flaxseed, the limit is 2 million bushels; and the limit for cotton is 30,000 bales.)

In other words there is no limit on hedging but there is a limit on speculating. However, the definition which is being applied to hedging allows large traders under certain conditions to speculate far in excess of the limits. The definition of hedging allows a trader who has inventories, purchase commitments and/or sales commitments to hedge all of these on both sides or any combination of these cash positions in the future market.

For example, a grain company may have contracted with farmers for the delivery of 50 million bushels of soybeans at a fixed price and also have contracted with a foreign company to sell them 50 million bushels at a fixed price sufficient to lock in the desired profit. At that point, that company has off-

set its risks so that it will not lose or gain by changes in market price.

Under the rules of the CEA, that company could also buy futures contracts totaling 50 million bushels short to offset the purchase contracts from farmers and they could also hold 50 million bushels in long contracts to offset the export sales. If they did both, they would still be in a fully hedged position.

However, in this situation, the CEA also permits that company to sell its short positions and hold the 50 million bushels long. Thus he would have 50 million more bushels contracted for than he had sold.

The net effect of this is to permit a company with the purchase contracts or export sales contracts to speculate far in excess of the 3 million bushel limit.

An investigation of the records shows that the net effect of one company's position was that of a speculator to the extent of about 25 million bushels of soybeans for much of June, 1973. However, under current interpretations as to the definition of hedging, the company was never in excess of the 3 million bushel speculative limit. This gives large traders the ability to legally speculate with what is carried in CEA records as hedged positions and in a great enough volume to exert considerable pressure on futures prices.

This situation makes it easy for a company which had made a big foreign sale which is not yet known to others and may not be known for two weeks under current reporting requirements, to speculate to the full extent of the outstanding reported sales positions which were not covered on the futures market rather than the 3 million limit even though the company may have sufficient inventory to cover all or most of its sales commitment. Combined with the fact that export sales are often made in huge quantities, the possibilities for advantages over farmers and others in the market are enormous.

Although some CEA management personnel believe the practice could be prohibited under existing law, CEA Administrator Caldwell takes the position that the law does not clearly prohibit this practice and he is not likely to change that position unless there is some clear congressional directive to that effect.

I believe this type of buying and selling in the futures market without regard to economic risk and based purely upon one bookkeeping entry without regard to another bookkeeping entry (that is, the buying and selling without considering the net risk to the trader), is not hedging but is speculating and should be subject to the trading limitations imposed on a speculator.

I urge this committee to exercise some oversight in that regard and redefine hedging in whatever way is necessary to prevent any trader who uses the commodity markets from in effect speculating with hedged positions in a volume in excess of the speculative limits.

#### TRADING CLUBS

Trading clubs are now springing up around the country. Brokerage houses give specific advice or recommendations regarding trading in specific commodities to certain customers. These customer participants are not required to follow these recommendations. However, the plans are designed for the best results when all recommendations are followed. With a uniform movement of various members of a club, the net effect is that speculative limits which would have been exceeded if the market position had been taken by an individual may be avoided.

The inherent dangers of such clubs are obvious. If a broker had enough people moving the same direction with each holding a substantial number of speculative positions, it is obvious that they could substantially distort the market under certain circumstances. The Kansas City Board of Trade officials favored prohibiting trading for man-



aged accounts while many others viewed it as a new problem they had not fully considered.

The CEA recognizes that speculative limits do apply to a trading plan and that customers' accounts included in a trading plan should be combined for the purposes of determining the limit. However, the CEA has very limited information on the identity of such plans and in my judgment, when the club is not tightly enough organized to be easily detected, the CEA does not have the ability at the present time to effectively detect and move against such plans. Injunctive authority would be important because CEA could then enjoin persons acting in concert instead of only punishing them after they had developed the proof and held lengthy administrative hearings. A beefed up surveillance mechanism both in terms of personnel and hardware is probably needed to detect and check the tremendous number of abuses that are almost sure to occur in this area.

#### TRADING FOR CUSTOMERS AND THEIR OWN ACCOUNT

Another matter of serious concern involves trading by floor traders and by futures commission merchants for their own account in the same contracts they are handling for customers. When this is permitted, the opportunities for accommodations between traders, for scalping, for three-cornered deals, and for any number of abuses are so great as to stagger the imagination. CEA Administrator Caldwell and other witnesses agreed that in most cases it is almost impossible to secure the evidence necessary to prove that such traders have violated the rules. Other than some of the members of the exchanges, almost everyone who was contacted by members of my staff have disapproved of this practice. There is a split of opinion within members of the exchanges and this is understandable because a substantial percentage of those members engage in this business, but even a substantial number of the members of the exchanges want it prohibited.

More examples of how these abuses can occur have been related to us than it would be possible to present here—such as when one trader comes on the floor with a deck of cards representing a substantial volume of purchases or sales he is about to make, a mere wink of the eye, a tug at an ear, scratching the back of his head, or any other such movement known to some other floor trader is all that would be necessary for that trader to know he should buy or sell in competition with his friend at the beginning and get out while his friend is still filling his orders in a matter of a few seconds or minutes. Tens of thousands of dollars can be made and an artificial supply and demand provided at the wrong time for the best interest of the market. Also, merchants who have buy and sell orders with a margin in between can offer an opportunity for a floor trader to pick up that profit rather than the ultimate customer.

Actually there need not even be the kind of collusion referred to above but merely a knowledge as to the habits of certain traders and their usual actions when they have large orders to fill on one side or the other or what customers they are likely to be dealing for. Defenders of this "scalping" practice call this "skill" but whatever it is called it can result in distortions of the market and a cost to legitimate hedgers. This practice in the stock market was outlawed in 1964. There have been a number of cases where abuses have been proven by the CEA but there is a general feeling that the number that have or can be proven is such a small percentage of the total that trading by floor traders for both customers' accounts and their own account should be outlawed on the commodity markets.

#### TRADING BY COMPUTER

I am intrigued by a suggestion which has been made by a number of people to the effect that a good many abuses could be avoided, or at least there would be more confidence that no abuses occur, if computers were used to match buying orders with selling orders. There can be no question that it would be beneficial to the whole process if some of the turmoil and emotionalism in the pit could be avoided.

One scalper said that he pays no attention whatever to supply and demand, government reports and so forth, but instead he simply detects the feeling that other speculators have as to the change in the market. If he detects a belief in the pit on the part of most of the traders that the market will go up, he said it is bound to go up for at least a short period of time. Under those circumstances he buys and helps to feed the belief it will go up, and he then gets out the second the run slows down or before the market reverses itself, which may be only a few minutes later. He said he almost never holds any contracts over night and usually he holds them for only a small portion of the day.

Many futures customers would also feel more certain they are getting the best price available if they or their agent, far removed from the pit, could place the order by electronic device and see it matched the same way. In effect, he would bid by computer until his bid is accepted.

I think every encouragement should be given to the development of such mechanical devices.

#### REGULATING ALL FUTURES

It seems to me that trading in all futures should be under Federal regulation. In our vast expanded and complex economic society the need for reducing risk and for providing a place where risk can be reduced applies just as much to those contracts which are non-regulated as it does to the regulated contracts. Under the Act, commodities are specifically listed and those not listed are excluded from regulation. When speculators are prevented from manipulating the regulated commodities, they are sure to concentrate on the unregulated futures. Last year the commodity investing public lost over \$100 million in a scheme of selling puts and calls in non-regulated commodities. This activity, while known to the CEA, was not under its control.

Understandably, the exchanges are responding to the opportunities presented and adding contracts. They now offer contracts in such important unregulated commodities as iced broilers, plywood, silver, lumber, copper, sugar, coffee, and cocoa.

There was unanimous agreement from both regulators and industry witnesses that all futures contracts which have an economic purpose should be regulated.

#### SELF-REGULATION

In the past, the CEA has largely relied upon the exchanges to regulate themselves and there has been opposition to the establishment of a surveillance agency with the ability to constantly monitor the operations of the exchanges. In the years before some traders dealt in such large volumes and when there were surpluses of most commodities, the opportunities for manipulations and squeezes were not as prevalent; but, it seems obvious now that we neither can nor should rely on the markets to police themselves.

The following case is an example and the facts set forth are as reported by the Committee investigators and confirmed by Mr. Caldwell:

1. On July 28, 1972, Mr. Caldwell received a complaint alleging manipulation of the Kansas City September wheat future.

2. On the same day, Caldwell referred it to the CEA regional office in Kansas City with a

directive to start an investigation and give it "the highest priority."

3. On August 15, 1972, the CEA regional office communicated with the Kansas City Board of Trade and asked them to make an investigation of the matter.

4. On September 27, 1972, the CEA regional office was advised by the Kansas City Exchange that their investigation showed that the market had functioned properly and there were no indications of price manipulation.

5. On April 30, 1973, the CEA finally 9 months later completed its own investigation and found that the market had been manipulated on the close for several days resulting in the payment of millions of dollars more in export subsidies.

6. On May 23, 1973, the matter was referred to the Justice Department.

It seems to me that this example proves both that the CEA does not move fast enough (at least partially because they lack sufficient staff) and it also demonstrates that we should not depend upon self-regulation at a time when conditions make manipulation possible. Both the authority to exercise surveillance and the ability to do so are urgently needed.

#### PRACTICAL SANCTIONS

In many instances, the CEA at the present time must, as a practical matter, either impose or threaten severe sanctions or nothing at all. The authority to impose civil money penalties or more modest sanctions would, in all likelihood, be used more and be a greater deterrent toward preventing some of the abuses than under the present situation. I urge the Committee to provide such authority with the appropriate administrative proceedings and I believe there is fairly common agreement among the various interests that this should be done.

#### INJUNCTIVE AUTHORITY

Even when the CEA does detect marketing practices which frustrate the purposes for which the commodity market exists, they are, in too many cases, not securing injunctions to stop such practices. For example, during the past marketing year, the prices of soybean contracts were rising rapidly at the same time that a small number of traders dominated the long side of the market requiring delivery. The number of longs clearly exceeded the ability of shorts to deliver or offset. Toward the end of May, three traders controlled over 50 percent of the July long positions and by the second week in June, three traders controlled 60 percent of the same positions.

During this period, the Chicago Board of Trade was trying to meet the situation by raising margin and maintenance deposits. The margin deposit on soybeans was increased from 40 cents per bushel earlier to \$1.50 on June 22nd. This increased the requirements for borrowing and the interest cost for genuine hedgers. In some cases the interest cost to hedgers to maintain margins and meet calls jumped to double the total amount the country elevators had reserved for their total gross profit.

People in the trade know that the Department will not move decisively on any of these matters and therefore will ignore the CEA officials when they do seek to stop abuses. One situation was described to us where a CEA official stood beside a trader who was doing something he should not do and asked him to stop, but he ignored the CEA employee's request.

Injunctive authority in the hands of the CEA would encourage the exchanges to make a more diligent effort to find an appropriate response to such circumstances and could have provided a decisive course of action without the legitimate hedger paying such a high price.

Under many Supreme Court cases arising out of the legislation of the 1930's, it has been held that an agency such as CEA has the authority to seek injunctions in fulfillment of the purposes of the law which they are administering. Our staff reports that the General Counsel's office in the Department of Agriculture agrees that the CEA could, without any change in the law, seek injunctions. However, the CEA takes the position that Congress has never specifically authorized injunctions and therefore they will not apply to a court for an injunction in any case unless legislation is passed specifically establishing such authority. In view of this, I think specific authority should be given to the CEA to seek injunctions where necessary to fulfill the purposes of the Act.

#### CONTINGENCY PLANS AND FOREIGN COMPANIES AND GOVERNMENTS

I think there is a very real and very great danger that futures markets will be distorted and manipulated by foreign companies, some of which have access to the huge resources of foreign governments. If a big grain trading company sells to a foreign government, the grain company can hedge on our commodity markets by buying contracts on the long side. The CEA records will show them as hedging a sale but it is not known for two weeks or longer who contracted for the grain. The records do not then show whether the foreign customer is really using it for speculation or for consumption. By dealing with four or five big companies simultaneously the way the Russians did, they could buy at a fixed price almost an entire wheat crop. They could have purchased more than they did last year and the grain companies who sell to them would not know at the time they signed their contracts at a fixed price, the extent to which other companies were obligating themselves on fixed contracts. Indeed this happened in the Russian grain deal and Cargill said before our Committee that although they assumed the Russians were negotiating with others, they had no idea that they were buying the quantity of wheat which they bought.

These large grain companies which have sold the wheat to the foreign governments would usually move simultaneously into the futures market to hedge their positions. Since these long contracts will show up as hedges it will appear that the demand for the commodity has increased tremendously and a boom market will soon be underway. Under the present reporting practices, as included in this year's agricultural bill, it may be as much as two to three weeks before the extent of sales are known and an opportunity is had to compare those sales against probable needs of that country or foreign companies. This is enough time to wreak havoc upon our commodity markets.

If the foreign companies want to they could hold and demand delivery of the huge amount at the fixed price or they could wait until a later date and dump part of it. One can easily see how they could take delivery of as little as one-fourth of a big purchase and secure enough profit from the resale of the rest to pay for the grain they receive.

When it is so easy for foreign customers with huge resources to do this and when large export companies under certain circumstances can legally share in the gain by double hedging as described above far in excess of the usual limits, I think it is inevitable that such a huge manipulation or distortion in some commodity will occur if steps are not taken soon to prevent it.

When this happens there will be a strong demand to abolish commodity markets and impose export controls. Export controls would be dealing with a situation after the damage had mostly been done and in a very bad way. The better way is to prevent such a thing from happening.

If companies which use our commodity markets were required to report sales they have made and expect to hedge on our commodity markets within 24 hours of the sale, then in the event a foreign company is setting up a manipulation, the surveillance agency could move rapidly enough to protect against such severe damages. Our government officials could compare total sales made to a particular company or to a company buying for a particular country's use with our official estimates for demand in that country. If it appeared that their purchases were far in excess of demand, then our appropriate officials would inquire and determine if our estimates were in line. If it appeared they were in fact moving into a position to manipulate the world market with the help of a fixed price which private grain companies would not give them but for the fact that they were able to hedge on our commodity markets, hedging further sales to that country could be stopped.

This would not prevent any foreign country or foreign company from buying commodities for delivery at a flexible price and the net effect would be to cause big companies selling to those countries to sell the additional quantities on a flexible price basis rather than on a fixed price basis. That would eliminate the possibility of making huge profits and negate the reason for huge overbuying or overselling. Preventing these big foreign customers from buying far more than their needs at a fixed price by indirectly hedging it on our commodity markets, when the buying would result in manipulation, would be far preferable to export controls and would not disrupt the whole market mechanism the way export control would.

I do not claim this is the only answer but what I am trying to point out is that a tremendous risk exists today that our market will be manipulated indirectly by foreign companies with huge resources available and that a contingency plan should be developed and ready for use on any day when this occurs. I also want to emphasize that in order to put any contingency plan into effect it is necessary to know within a matter of two or three days rather than in two or three weeks as is the case under existing law, the identity of the country and the size of the sales.

When I questioned Mr. Caldwell about this he said they had not even thought of the problem and had no contingency plans available. In view of the experiences we have had the past year with sales to foreign governments, I think contingency plans should have been developed. In view of the fact they do not have any such contingency plans for something as important as this, it appears clear to me that the agency needs some specialists who are constantly looking for possible ways that the market can be manipulated and to develop plans for dealing with such cases in the same way our Defense Department constantly anticipates all possible actions against our best interests and develops contingency plans to deal with them.

To protect against manipulations of this nature which could easily occur in wheat, corn, soybeans or cotton during the coming year, specialists need to be assigned this mission and begin working immediately.

#### NEW AGENCY

It is obvious from all of the above that an agency which could fully provide the surveillance necessary and the protection desired to assure businessmen that they will continue to have an efficient and economic place to reduce the risk on futures contracts will have to have a much greater capacity than does the present CEA. The commodities futures industry in FY 1973 operated at a level in excess of \$268 billion in regulated commodities only and is growing rapidly. This compares with the total value of stock traded of \$200 billion.

The CEA has a total of 160 personnel and the SEC has 1700 personnel. I do not say that the CEA would necessarily need the same number as the SEC because there are differences in their functions. However, the difference is not as great as the difference in personnel numbers. A considerable number of SEC employees are engaged in examining prospectuses and this duty will not be necessary for CEA employees. However, the commodity markets have expiring contracts for each commodity several times per year and this is where a tremendous amount of surveillance is necessary to avoid squeezes and manipulations. The SEC has no such comparable demand on their time.

The top man in the CEA is now a GS 17 at a salary of \$36,000 and the average GS level is 7.66. CEA Administrator Caldwell stated before our Committee that he has difficulty recruiting the right kind of personnel and that too often they leave after being with the Agency because the average GS grade is lower and some will not stay with the Agency because more lucrative jobs become available in other agencies. In addition, there are lucrative jobs in the industry available to many of those with the requisite expertise we would most like to have stay with the CEA.

It seems clear to me that a new beefed up agency which can carry out the additional powers I have outlined above must have the stature to attract a high level of personnel. I think the CEA should be reorganized into an agency which has a stature and capability comparable to the SEC.

#### CONCLUSION

I apologize for the length of this statement before this busy Committee; however, it is very short in comparison to the amount of material accumulated through 3 man years of work in our investigation and the problems presented to the Subcommittee by various people in the industry—producers, processors, board of trade representatives, regulators, grain companies and others. I believe I can safely say that the vast majority in the industry feel that something needs to be done soon in order to save what is left of the system which has in previous years worked so well and to restore, to the extent that we can, the ability of producers, merchants and other businessmen to hedge their risk at a reasonable cost and without the fear that the futures contract they purchase may get them into some bad situation they could not have foreseen.

I am sure your Committee should and will want to look into areas other than those I have covered in this brief summary of my Subcommittee investigation and hearings; but I particularly urge that you (1) encourage existing agencies to do a better job under existing law and; (2) develop legislation which at a very minimum covers all the items I have pinpointed above.

Again, I want to emphasize that the hearing record compiled by my Subcommittee, any investigative reports and material or any information whatever which my staff can provide to your Committee, will be readily available to you.

Mr. Chairman, I thank you again for providing the opportunity for me to present this statement to your full Committee.

#### CHANGE OF VOTE ON H.R. 9281

**HON. ROBERT P. HANRAHAN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. HANRAHAN. Mr. Speaker, on September 20, the House passed H.R. 9281, a bill providing improved retire-



ment benefits and incentives for Federal law enforcement and fire-fighting personnel. My vote was recorded in opposition to the legislation, and my desire now is to publicly state that I intended to vote in the affirmative. I regret this error, but was pleased to know that this legislation providing benefits for these very dedicated public servants, passed the House by a wide margin.

SECRETARY OF INTERIOR MORTON  
COMMENTS ON MINE SAFETY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 16, 1973

Mr. CARTER. Mr. Speaker, at this time, I offer for the consideration of my colleagues the remarks delivered by the Honorable Rogers C. B. Morton at the 24th National Mine Rescue and First Aid Awards Banquet held in Louisville, Ky., on September 7, 1973.

The Mine Rescue Contest, first held in 1911, draws participants from mining areas across the Nation. Its program has proven not only an entertaining event, but also an effective demonstration of mine safety techniques and an educational experience for both government and industry.

I believe Secretary Morton's comments reflect the tremendous strides made in the field of mine safety, and emphasize the need for continued cooperation between mine operators and the Federal Government. Each must work to insure a safer life for the American miner.

REMARKS OF THE HONORABLE  
ROGERS C. B. MORTON

On behalf of the Interior Department, and as a native Kentuckian, it is a great pleasure to welcome the participants, judges, and distinguished guests to the 24th National Mine Rescue and First-Aid Awards Banquet.

I can think of no more appropriate setting for this year's contest than Louisville. Since the coal fields in the eastern part of the State were opened in the early 19th century, Kentucky has had a great mining heritage.

The National Mine Rescue Contest was originated by Joseph Holmes, the first Director of the Bureau of Mines in 1911.

While mining techniques have changed since President Taft attended the opening ceremonies in 1911, the spirit and purpose of the competition has not.

As you know this year's event was the best and largest yet. It was the second contest since our two most recent Federal Mine Health and Safety Laws were enacted. Today, the life of every miner, in every mine in America is safeguarded by Federal law, and spirited enforcement. I would like to add, incidentally, that the events this week included for the first time teams from noncoal mining operations. All of us welcome you.

Hopefully, none of the rescue teams here in Louisville will ever be called upon to use their skills.

In the three and one-half years since the passage of the Federal Coal Mine Health and Safety Act of 1969 there have been three coal mine disasters resulting in death for 52 of our Nation's coal miners. Because of the tremendous improvement in mining conditions as a result of the Act, I hope that we will no longer be plagued with repetitions of this grim history. The number of lives lost in coal mines has significantly decreased in the last

three years. Last year 156 men lost their lives mining coal, compared with 311 in 1968—a reduction of 50 percent in four years. Last year was also the second consecutive year in which the least number of men lost their lives in the coal mines. At the end of the first seven months of this year, there was a 33 percent reduction in fatalities from that of 1972. A 33 percent improvement in a seven-month period on top of two record setting years in reducing coal mine fatalities suggests that we may be doing something right.

Enforcement of the provisions of the Federal Coal Mine Health and Safety Act of 1969 was recently transferred to the Mining Enforcement and Safety Administration (MESA). Creation of MESA will insure that decisions relating to the interests of mine workers will be totally insulated from decisions relating to mineral development. I can assure you the Mined Safety Administration is committed to nothing short of a goal to protect the mining industry's most valuable resource—the miner.

The Federal Metal and Nonmetallic Mine Safety Act empowers the Mined Safety Administration to promote safe and healthful working conditions throughout all noncoal mines within the United States and territories. The inspection program covers more than 12,000 noncoal mines and mills across the Nation, and involves observations and measurements of conditions and practices to determine compliance with mandatory health and safety standards. Particular concern is directed to identifying conditions which might result in loss of life. The Mined Safety Administration is concerned with the development and promulgation of more comprehensive and effective health and safety standards.

Unfortunately, the human cost of mining or any other industry is not limited to those persons killed on the job. Disabling injuries and illness are still a major problem. And mining industry personnel have suffered more than others because of the inherent dangers associated with structural conditions, and respiratory ailments like black lung. Thousands of men have been disabled by these two factors as well as accidents resulting from haulage of materials, faulty machinery, and human error. In the past, primary attention has been directed to the more severe type accidents which result in death. However, we simply cannot afford to minimize the impact of those accidents which do not result in death. I personally am committed to ensuring that we meet our legal and moral responsibility to every miner, to protect him from all types of injuries—fatal and nonfatal.

A new and more accurate accident reporting system introduced in the coal mining industry indicates a rise in disabling injuries. Although the total increase in injuries may be due to the greater accuracy of this system. Regardless of that, however, there will be more than 10,000 disabling injuries in coal mines this year. This is far too many—more than twice as high as any other industry.

Because of this, a new accident reduction program has been put into effect in our Nation's coal mines. This program, in effect, will attempt to reduce the number of disabling injuries by monitoring those coal mines which have disabling injury frequency rates higher than the National average. Initial attention will be directed to those mines employing more than 200 men. Although evaluation of the safety practices used in all mining activities will be made and subsequent studies of the evaluation will hopefully result in the initiation of safer mining practices. Similar unsafe practices in other mines will then be more easily recognized and corrected. If the new nonfatal disabling injury reduction programs meet with the success similar to our various fatality reduction programs we may be able to make mining one of our safest industries by the end of the decade.

Because of the changes, the improvements, and the success which I have described above, we cannot rely on past history to predict the future. What we can do is look at the efforts made in the past and, based on the results of those efforts, make an estimate as to the probability for similar results in the future. The efforts since the passage of the Federal Coal Mine Health and Safety Act have been as herculean as the statistics have indicated. Unfortunately, we still cannot point to a declining fatality rate in the Nation's noncoal mining industry.

Enforcement of mandatory health and safety standards was upgraded substantially in the past year. Recent program changes in the administration of the Metal and Non-metallic Mine Safety Act have resulted in increased inspection and enforcement activities since the last half of 1972 and into 1973:

More than 13,000 inspections were conducted in 1972, an increase of 54 percent over 1971.

Notices of Violation increased from 45,600 in 1971 to 54,800 in 1972.

Withdrawal Orders increased from 56 in 1971 to 216 in 1972.

And during the first six months of 1973 nearly 84,000 inspections were conducted, resulting in the issuance of more than 32,000 Notices and over 200 Orders. State Plan Agreements have also been amended to increase State inspection activity.

This drastic increase in enforcement activities is expected to have a profound and dramatic decrease in the number of fatalities and injuries in the noncoal mining industry.

The quest for mining safety, like our quest for clean energy and secure mineral supplies presents us with a great challenge—and an even greater opportunity.

We're going to do all we can, but the responsibility for working conditions in the mines lies with the mine operators. The responsibility for working habits must be shared by the miner and the mine operator.

The fact remains, however, all the rules, inspections, and Federal laws in the world will not overcome human carelessness. The Federal Government, and our mining inspectors are there to help mine operators and the miners themselves—to comply with the law. Without your cooperation and commitment to achieving mine safety, none of this will be possible.

For years now our domestic mineral and energy base has become increasingly more dependent on foreign imports. We also have recognized, and sought to meet our Nation's emerging environmental needs by reducing pollution, and wedding the environmental and energy ethic through Land Use Planning and Mined Land Reclamation. At the same time we're seeking to streamline government, by creating agencies like The Department of Energy and Natural Resources (DENR) that will make government more responsive to America's energy, environmental and human needs.

The mining industry, and America's miners have a great share of these challenges, and these opportunities. I say we can meet them, if we work together, for a viable mining industry that is environmentally sound and—most important—safe.

JAMES ZIATS OF PARMA, OHIO, TO  
BE HONORED

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. JAMES V. STANTON. Mr. Speaker, on October 19 the friends and neigh-

bors of James Ziats will gather in Parma, Ohio, to honor this respected and recognized community leader at a testimonial dinner. I take this opportunity to commend Jim on this most-deserved tribute.

Jim, a lifelong resident of Parma, is presently serving his eighth term as commander of the American Legion Joseph J. Jacubik Post 572, and he is in addition serving his sixth year as lay vice president of Holy Spirit Church. The list of Jim's activities for the betterment of his community is endless, and it includes his work in the American Legion Buckeye Boys State, the Veterans of Foreign Wars, and other charitable, civic, and political endeavors.

In this difficult time in our Nation's history, when serious questions about the quality of our leadership have been raised, many people have begun to wonder if this land has lost the greatness it once held. To these people I would say that we need look no further than the boundaries of our own community to find men of service and character such as Jim Ziats, and so long as this is true, we need not fear for the future of our country.

#### INDIANAPOLIS SBA OFFICE NAMED "DISTRICT OFFICE OF THE YEAR"

**HON. WILLIAM H. HUDNUT III**  
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 16, 1973

Mr. HUDNUT. Mr. Speaker, this morning it was my pleasure to attend the annual small business awards ceremony at the departmental auditorium where the Indianapolis office of SBA was named "District Office of the Year."

This was the 8th year that this award has been given, but it is the first time an office from the Midwest region has been selected. As a Representative in Congress from Indianapolis, I am proud of the honor accorded this office which deems it to be the very best of SBA's 89 nationwide offices.

Mr. William F. Miller, who received the award, has been district director in Indianapolis since October 1971. During this time the office productivity has nearly tripled—with the addition of only 5 employees—from 29 to 34 people. The Indianapolis office achieved the best overall performance record in the country. Some 1,100 small business loans were made totaling \$73 million.

Since becoming director, Bill Miller has taken what had been a good SBA office and made it an outstanding one. His slogan "Public Servants Should Serve" summarizes his true feelings.

It is also very significant that this award was made at this time when we are observing the 20th anniversary of the Small Business Administration. The contributions this agency has made to our private enterprise system in the short time it has been in existence are well known. Former Senator Homer E. Capehart of Indiana was the chairman of the Senate Banking and Currency Commit-

tee in the 83d Congress and he authored the Small Business Act. He recently made this statement with reference to the SBA's anniversary:

I'm very proud of the part I played in passage of the Small Business Act and I think that the performance of the Small Business Administration over the past twenty years has demonstrated that a viable small business community assisted by, but not controlled by, government, is the best possible answer to those critics of our system who say we are heading downhill.

In my view the performance of the Indianapolis office and of the Small Business Administration in general is a fine example of the cooperation between Government and business that can best promote and maintain our free enterprise system which has made America great.

#### FEDERAL CONTROL OF SCHOOLS

**HON. EARL F. LANDGREBE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 16, 1973

Mr. LANDGREBE. Mr. Speaker, the House Committee on Education and Labor is presently marking up a bill, H.R. 69, which would extend the Elementary and Secondary Act of 1965 (ESEA) for another 5 years.

On October 2, 1973, 11 Members of Congress participated in a special order regarding Federal involvement in education. Discussed in detail was the ominous degree of Federal control of education that has resulted from the great amount of power granted to the Federal Government by ESEA. Not only was the means of this control explained, but numerous examples of irrational programs actually implemented under the authority of ESEA were detailed—involving such things as behavior modification, sensitivity training, and gross invasions of student's rights to privacy.

Since then I have come across an amazing article written by Meldrim Thomson, Jr., Governor of New Hampshire, entitled "Federal Control of Schools." It is an amazing article because it warns of and accurately predicts the Federal control and dangerous programs that have resulted from passage of ESEA. It was written in 1966 shortly after the enactment of ESEA.

Governor Thomson did not, I am sure, have a crystal ball with which to look into the future. He obviously understood that basic issues involved in ESEA and merely predicted the natural consequences of granting such power to the Federal Government.

Governor Thomson's article makes it clear that the goals of those who support Government programs such as ESEA are Federal control and a centralized, uniform national school system, and not quality education. For those who doubt that this is the case, they need merely look at the programs fostered by ESEA. The evidence is unmistakable.

Since we shall soon be voting on the extension of ESEA, I commend Governor

Thomson's article to the attention of my colleagues.

The article follows.

#### FEDERAL CONTROL OF SCHOOLS

(By Meldrim Thomson, Jr.)

"The true purpose of this bill [The Elementary and Secondary Education Act of 1965] is to authorize general aid without regard to need, and the clear intent is to radically change our historic structure of education by a dramatic shift of power to the Federal level."

"In terms of our structure of educational control, to say nothing of public policy, this progression of Federal influence in the sciences to Federal influence in the social sciences is a quantum leap toward a centralized, standardized, uniform national school system."—From Minority Views on Elementary and Secondary Education Act of 1965, House Report No. 143, 89th Congress, 1st Session.

IF

If you believe that local control of your schools is vital to an independent and vibrant educational system;

If you wonder whether there is another side to the story of Federal control of our schools, other than the one of innocence and rich gifts told by the professional educator;

And, if you oppose Federal scheming for the minds of your children;

Then you might find that a few minutes spent in reading this pamphlet could alert you to some unbelievable truths about the dangers confronting your local school.

Permission is gladly given to anyone wishing to quote any part of this pamphlet.—The Author.

#### 1. DANGER AHEAD

Few voters in New Hampshire realize the speed with which Federal controls are invading their schools. The invasion is not confined to public schools; a snare of controls awaits the unwary private school lured by the bait of Federal aid. Even fewer persons recognize the revolutionary changes in policy structure of which these controls are but the outward manifestations.

Fortunately, for those who believe that one of the supporting pillars of our Republic rests on the bedrock of local control of public schools, a fresh breeze of independence is blowing out of the north country.<sup>1</sup>

From Colebrook southward voters in six school districts had, as of January 1, 1966, rejected more than \$80,000 in Federal funds for fear of Federal control.<sup>2</sup> Since very little has been written or said about the entrapments behind these Federal gifts, most of these rejections were prompted by an inherent fear on the part of the voter of Federal controls.

So lethargic has been the voter interest that in some school districts in New Hampshire these so-called entitlements have been accepted by voters where school board members constituted a majority of the persons voting.

The passage on April 11, 1965, of the Elementary and Secondary Education Act of 1965, Public Law 89-10, signalled a dramatic shift of power to the Federal level of our historic concept of local control of education.<sup>3</sup>

This Act was described in Congress as full of loopholes. "It presents a virtual bulldozer for Federal bureaucracy to overrun our long-established policy regarding local control of our schools."<sup>4</sup>

Even one Congressman who voted for P.L. 89-10 expressed, with many witnesses, a real concern over the possibility that this Act might be administered in an unconstitutional manner in some local programs.<sup>5</sup>

Under this Act vast power has been placed in the Office of Education in the Department

Footnotes at end of article.



of Health, Education, and Welfare. There are \$1.06 billion available to implement the Act. Of this huge sum \$2.5 million are allocated to New Hampshire for the current fiscal year. That is about equivalent to the state aid our school districts receive in one year. And out of this \$2.5 million more than \$100,000 will be used to administer the program in our state.

Jubilant bureaucrats in the Office of Education were recently reported as saying their office now has a life of its own. "It has billions to disburse, and the commissioner is in charge. The Federal commitment can not help but get bigger."<sup>6</sup>

With this enormous fund it should be easy to shackle Federal controls on local schools, reasons the Washington bureaucracy. Thus, money becomes the weaponry in the battle to shift control over our public schools to Washington.

## 2. EXPANDING FEDERAL CONTROLS

*a. The issue.* Like the forked tongue of a snake, the issue is twofold. Is the Federal government really reaching into our communities to run our schools; and if so, would Federal control be good or bad for us?

The issue under Title III of the Act is "between (1) our historic pattern of local public education controlled locally under state law and (2) the establishment of a separate public education system financed and administered by a Federal agency."<sup>7</sup>

Recently an official of our State Department of Education was quoted as saying "There's no particular measure of control" under Title 1 of the Elementary and Secondary Education Act of 1965.<sup>8</sup>

School boards that have been in touch with the offices of their school superintendents know that all through the recent fall months their superintendents experienced a very real measure of control in the long hours of tedious labor exacted to prepare the mountain of forms required under Title 1 of the Act.

We can understand the position of the professional educator even if we do not sympathize with it. "Unfortunately, all too many educators take the position that as long as some money is being spent, they are for it and will accept it regardless of any erosive effect it may have on the future of education."<sup>9</sup>

*b. Controls under prior acts.* We have accepted Federal funds under such prior Federal acts as the National School Lunch Act, the National Defense Education Act, and various vocational education acts. Because of this fact, educators are prone to equate Public Law 89-10 as just another grant of Federal funds to our schools.

Inevitably, whenever Federal funds were given to schools, the money carries with it controls. In the beginning controls were gentle, subtle and quiescent. Under these earlier acts the threat of control was ever present, but gloved; and so we lived with it while large and less palatable doses of control were quietly being prepared for us. The stinger was there but generally sheathed. Occasionally, a school district was stung.

Our Department of Education has admitted that even under the National School Lunch Program there was a little red tape or control.<sup>10</sup>

Department of Education officials, with Federal funds available to implement the vo-ag program, recently indicated to the Orford School Board that about three thousand dollars would not be forthcoming this year, because among other things, the vo-ag curriculum was not changed as directed.<sup>11</sup>

*c. Battle plan for the big grab.* The shadow that we see clearly today often portends the substance of the reality of tomorrow. So it was with a 56-page booklet entitled "A Federal Education Agency for the Future," issued

sued in 1961 by the Department of Health, Education, and Welfare.<sup>12</sup> This was the Federal blueprint for control of our local schools. This plan for the big grab of our schools stressed Federal participation and control in formulating educational policies. It urged Federal review of teacher preparation, curriculum and textbooks. It even proposed to have the Office of Education implement international educational projects in cooperation with UNESCO in the United Nations.

One important new role which the Washington educational bureaucrats planned to add to the Office of Education was designated in the 56-page report as "extensive involvement in formulation of national policy."

According to this battle plan, the Office of Education "must also prepare itself to assume larger responsibilities in carrying out Federal policy through the administration of operating programs. It must assume a new role, speaking within the Federal government for the long-term interests of education. And it must render assistance in the development of public educational policy."

This revealing report stated that "curriculum will have to undergo continual reshaping and upgrading, and new techniques and tools of instruction will have to be developed;" also, "teacher preparation, textbooks, and the curriculum in the subject fields must be improved in the decade ahead."

Judged by their own words, these Federal educators are ambitious men. In the area of international education, their report provided that, "the responsibilities of the Federal government in this effort are marked. Not only is it the constitutional responsibility of the Federal government to conduct the foreign affairs of the nation: it is almost equally evident that national observers are especially well qualified to assess the international deficiencies of our domestic educational system."

Certainly enough has been said in the Office of Education's own blueprint about the future role of that power-hungry agency to demonstrate conclusively that Federal aid without controls is a myth.

If there is any lingering doubt that Federal control of our public schools is just around the corner of Capitol Hill, then bear constantly in mind this ominous warning from the report: "The Committee foresees an extension of the active Federal role in education."

*d. The ruthless grab.* It took the Federal educators only four years to implement their grandiose battle plan. In 1965 it was made effective, in large measure, by Public Law 89-10, and particularly by Title 1 of that Act.

Seldom has a law been so ruthlessly steamrolled through the Congress.

When Public Law 89-10 was before the House for consideration it was pushed through quickly by the raw power of the majority. One Congressman stated, "I have seen debate cut off with no opportunity to present views on vital amendments. In one instance the Chairman of the Education and Labor Committee moved that debate close in 5 minutes. He then took the entire 5 minutes himself!"

"On one occasion he even flouted custom and refused to allow the minority leader to speak for an additional 5 minutes. On one occasion, he moved to close debate before it had even started, but fortunately the longstanding rules of the House required at least one speaker address himself to the matter before the motion could be made."

"It is only appropriate that these tactics brought the American people a bill so badly drafted and so tied together by sealing wax that no amendment could be accepted regardless of merit, lest the political support for the bill by various groups who put the coalition together be withdrawn."<sup>13</sup>

*e. In battle array.* The high command in the camp of the Federal educators has been expanded and strengthened.

Harold Howe II, described as an "eager innovator" was recently made U.S. Commissioner of Education. The former commissioner, Francis Keppel, was promoted to Assistant Secretary for education in the Department of Health, Education, and Welfare. With the Secretary of the Department, John W. Gardner, a specialist in education, this "triumvirate provides the strongest educational leadership ever exerted from Washington—for the political battles that lie ahead."<sup>14</sup>

Thus, equipped with some of the best command talent in the nation, loaded with three billions of taxpayers' dollars, and with a battle plan designed to take over the operation of our local schools, the Federal educators have begun the fight in thousands of school yards all over the country. Initially, the battle will be waged through the exercise of Federal controls funneled through state agencies.

*f. Some examples of controls.* To qualify for an entitlement, that is to say, Federal monies, a school board makes application through the State Department of Education for a "basic grant or a special incentive grant" under Title 1 of the Act. It must make several determinations, under section 205 of the Act, which, in the language of the statute, must be "consistent with such basic criteria as the Commissioner may establish." It would be difficult to imagine any better language to effectuate controls than that used in the statute.

"At first reading, this bill appears to leave approval of local programs to the State education agency, where the power belongs. However, there is inserted (hidden, almost) a power in the U.S. Commissioner of Education to require that such approval be consistent with basic criteria formulated by him. This effectively robs the State agency, or the local schools for that matter, of any real authority to shape the programs. This centralization of power in the U.S. Office of Education runs throughout the bill."<sup>15</sup>

There are eight determinations a school board must make under section 205 of Public Law 89-10. Citation of two of these should be sufficient to illustrate the type of controls the Act establishes.

Under par. (5) of section 205, a school board must find "that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs."

And under par. (8) a school board must determine that "effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects."<sup>16</sup>

Under paragraph (5) we open the school door to the administration of all kinds of tests on the nod of a Federal educator. These could include the obnoxious personality questionnaires in which the pupil must check out such prying statements as—

My father is a tyrant.

I wonder if I am normal in my sexual development.

Pupils in grades 4 through 7 could be required to take one of the so-called Wishing Well tests in which they check off such statements as—

I wish my parents did things that would make me feel more love toward them.

Under paragraph (8) we throw open our schools to the wildest forms of pedagogical experimentation. Conceivably, we could be required to give sex education, instructions in how to overthrow the United States Gov-

Footnotes at end of article.

ernment, or a course in some Chinese dialect if the Federal educator found them to be "promising educational practices."

These possibilities may sound far fetched. But it has been said that under Title II of the Act, "if a text used in a single school district should depict one racial or national group as inferior, or leave the clear inference that a President or other public figure was a traitor, or covertly adopt a Marxist interpretation of history, Federal funds could be used to supply that text to every child in the State."<sup>17</sup>

*g. Controls in action.* According to the administrator of the Title I program in New Hampshire, "Washington is not doing anything but allocating the funds and providing the mechanics of how they are administered to the districts."<sup>18</sup>

This sounds quite innocent. No evidence of control here; but does this statement square with the facts?

Following complaints last fall of racial discrimination in the schools of Chicago, \$30 million in Federal funds were summarily withheld on orders from Washington. Later the funds were released upon direction from the White House.<sup>19</sup>

Last November Dr. Carl Hansen, superintendent of schools in Washington, D.C., admitted that controls did exist. He said, "despite soothing assurances that local schools are to remain fully independent in their management of Federal funds, the evidence is that controls are being imposed even at the early stages of the new programs."<sup>20</sup>

#### 3. VANISHING LOCAL SCHOOL POWERS

For decades the strength of our nation was taprooted in the soil of local institutions. On the anvil of local public forums, with the issue at cherry heat, were hammered out the decisions that fashioned our nation's greatness.

Through their locally elected school trustees, New Hampshire voters control the education and thus the destiny of their children. They have the last word in such vital areas as hiring teachers, approving curriculum, purchasing textbooks, and determining discipline.<sup>21</sup>

Curriculum and textbooks are the arteries to our educational system. Expose these to the Federal educators and the transfusion to a centralized, national school system will be swift and certain.

We have seen by their own battle plan published in 1961 that Federal educators would gain control over curriculum and textbooks. We have noted that the Office of Education is equipped with superior talent in the struggle to establish supremacy over local schools. And we have observed that the supply depots of the Federal educators are bursting with taxpayers' dollars with which to assert their ascendancy.

If our state laws on education can be circumvented through the administration of Public Law 89-10, and they can be; and if our voters and their representative school board members lose control over curriculum and textbooks, then local authority will be reduced to a caretaking role of the school-houses. Centralization will then be complete, and possibly some computer monster in Washington will even issue the report cards to our children.

#### 4. LATE IS THE HOUR

The hour is late, but not too late! You can reverse the onward sweep of Federal control over our schools.

If your school district has not yet voted to accept current Federal funds under Title I of Public Law 89-10, you can work to decisively reject these funds. A strong demonstration at the grass-root level that local voters want no part of Federal control, would show our representatives in Congress, more emphatically than words or letters, that we do not want our tax dollars spent on further appropriations under Public Law 89-10. Instead, let us keep these dollars at home and controls on Washington.

Unless amended, Public Law 89-10 will remain effective until 1968. To keep it operative, Congress will have to appropriate new funds each year. If your school district is one of many which accepted Federal funds under this Act, possibly because voters were unaware that control did accompany the funds, then you will have an opportunity to vote against accepting this aid at your next annual school district meeting. To avoid special school district meetings, convened by court order, school boards in New Hampshire will probably include a Federal aid item under Public Law 89-10 in their 1966-67 school budget.

If you are alarmed about Federal control of your school, then by all means attend your next school district meeting and vote against accepting Federal funds under the Elementary and Secondary Education Act of 1965.

#### FOOTNOTES

<sup>1</sup> *The New Hampshire Sunday News*, January 2, 1966. The arguments used by those opposed to accepting Federal school funds were described as "typical New England arguments" by Commissioner of Education, Paul E. Farnum.

<sup>2</sup> *Ibid.*

<sup>3</sup> Minority Views, House Report No. 143, 89th Congress, 1st Session.

<sup>4</sup> Congressman Ashbrook, *Congressional Record*, March 25, 1965, p. 5918. "Its pitfalls will trouble educators, boards of education, and, indeed, communities for years to come."

<sup>5</sup> Congressman Scheuer, House Report No. 143, *Ibid.*, p. 80.

<sup>6</sup> *National Observer*, December 27, 1965.

<sup>7</sup> House Report No. 143, *Ibid.*, p. 76.

<sup>8</sup> *The Valley News*, December 29, 1965.

<sup>9</sup> Congressman Ashbrook, *Ibid.*

<sup>10</sup> "We are confident that new Federal programs have as little 'red tape' or 'controls' as this program exercises for the benefits received." Letter to all New Hampshire School Board Chairmen, dated December 22, 1965.

<sup>11</sup> Letter September 21, 1965, from New Hampshire Division Vocational-Technical Education.

<sup>12</sup> *Congressional Record*, July 18, 1961.

<sup>13</sup> Congressman Ashbrook, *Congressional Record*, March 26, 1965, p. 5918.

<sup>14</sup> *National Observer*, *Ibid.*

<sup>15</sup> House Report No. 143, *Ibid.*

<sup>16</sup> Italics supplied.

<sup>17</sup> House Report No. 143, *Ibid.*, p. 74.

<sup>18</sup> *New Hampshire Sunday News*, *Ibid.*

<sup>19</sup> *U.S. News & World Report*, Oct. 18, 1965.

<sup>20</sup> *U.S. News & World Report*, Nov. 8, 1965.

<sup>21</sup> N.H. RSA sections 189: 10, 189: 15, 189: 16, 189: 39.

#### VOTES ON OCTOBER 12

#### HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, on Friday, October 12, I was in North Carolina meeting with constituents in my district and therefore was unable to be present for the two quorum calls and the two rollcall votes.

Although I voted "yea" earlier this session when we considered the war powers legislation, and although I was paired "for" the conference report, I would like to state that I would have voted "yea" had I been present for rollcall No. 520. I would also have voted "yea" on rollcall No. 521, the Water Resources Development Act. I might add, however, that my vote would not have affected the outcome of either piece of legislation.

#### DEFENSE DEPARTMENT TOLD TO OPEN ADVISORY COMMITTEE MEETING

#### HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. OBEY. Mr. Speaker, U.S. District Court Judge Aubrey E. Robinson, Jr., has ordered officials of the Defense Department to open to the public a meeting of the Defense Advisory Committee on Women in the Services—DACOWITS.

The Institute for Public Interest Representation at the Georgetown University Law Center has sent me a copy of Judge Robinson's order and memorandum of October 10, in which he notes:

The Court finds no injury to Defendants in being obliged to conform to the open meeting requirement imposed by statute. Further, the public interest will be best served by requiring strict compliance with the letter and spirit of the Federal Advisory Committee Act.

#### And further:

This Court is distressed, however, that the penchant for unjustified Government secrecy repeatedly evidenced in cases under the Freedom of Information Act seems to be present here.

#### The order and memorandum follow:

[In the U.S. District Court for the District of Columbia: Civil Action No. 1864-73]

#### ORDER

Margaret Gates, et al. v. James R. Schlesinger, et al.

Upon consideration of the Complaint, the Motion of Plaintiffs for a preliminary injunction, the memoranda and affidavit in support thereof and Defendants' opposition thereto, it is by the Court this 10th day of October, 1973,

Ordered, that Plaintiffs Motion for Preliminary Injunction be and hereby is granted, and it is

Further ordered, that Defendants admit Plaintiffs and other members of the public to all sessions of the October 14-18, 1973 meeting of DACOWITS including subcommittee sessions for the purpose of observing such sessions; and it is

Further ordered, that should Defendants postpone, reschedule or cancel the October 14-18, 1973 meeting for purposes of appealing this Order or for any other reason, Plaintiffs and other members of the public shall not be prohibited from observing any session of the rescheduled DACOWITS meeting.

AUBREY E. ROBINSON, Jr.,  
Judge.

October 10, 1973.

[In the U.S. District Court for the District of Columbia: Civil Action No. 1864-73]

#### MEMORANDUM

Margaret Gates, et al. v. James R. Schlesinger, et al.

Plaintiffs herein seek a Preliminary Injunction requiring Defendant officials of the Department of Defense to open to the public a meeting of the Defense Advisory Committee on Women in the Services (DACOWITS) now scheduled to be held October 14-18, 1973 in Orlando, Florida. Plaintiffs contend that the Federal Advisory Committee Act (5 U.S.C. App. I, P.L. 92-463) (the Act) requires that the DACOWITS meeting be open to the public. The Court agrees that Plaintiffs have made the requisite showing at this stage of the proceedings to warrant the issuance of a Preliminary Injunction.



The Act, Section 10(a)(1), expressly requires that "each advisory committee meeting shall be open to the public." Defendants have based their decision to close the working sessions of the DACOWITS meeting on the exception to this open meeting requirement contained in Section 10(d) of the Act. That exception, as relevant here, provides that meetings may be closed when an appropriate authority determines that the meeting is "concerned with matters listed in Section 552(b) of Title 5." 5 U.S.C. § 552(b) lists the matters exempted from disclosure under the Freedom of Information Act. The specific exemption claimed as applicable here is § 552(b)(5) for "inter-agency or intra-agency memorandums or letters. . . ."

The Assistant Secretary of Defense (Manpower and Reserve Affairs) has determined that:

"These working sessions involve the exchange of verbal information and proposals between the Directors of the women's military components which, if written, would fall within the exemption in clause (5) of Section 552(b) of Title 5, United States Code."

In a supporting affidavit opposing the present motion for Preliminary Injunction, the Assistant Secretary has elaborated on the above determination.

"These sessions involve debate and an exchange of views on policies affecting women in the services. . . . (T)he women Directors of each of the women's military components are present as a source of information to the Committee members. The women directors are asked many questions by the Committee members as to what real problems currently are for women in the military. In answering those questions, the women Directors discuss with the Committee internal views and proposals which, if written, would fall within the exception clause (5) of section 552(b) of Title 5, United States Code. . . ."

The Court has several difficulties with Defendants' position. First of all, the question arises whether exemption 5 of the Freedom of Information Act is available for matters discussed by or before an advisory committee. The exemption applies only to inter-agency or intra-agency letters or memoranda. Essential to Defendants' case, then, is a finding either that the Advisory Committee is itself an "agency" or that it is within an "agency" of the Defense Department for purposes of the Federal Advisory Committee Act and the Freedom of Information Act. The Court cannot make such a finding. Indeed, its present conclusion is to the contrary.

The Federal Advisory Committee Act utilizes the definition of agency contained in the Administrative Procedure Act, 5 U.S.C. § 551(1), which is applicable also to the Freedom of Information Act. It is significant that the Federal Advisory Committee Act contains a separate and distinct definition of an "advisory committee", thus supporting the proposition that an advisory committee is not an "agency". Further support for this proposition is found in *Soucie v. David*, 448 F. 2d 1067, 1073 (D.C. Cir. 1971), a Freedom of Information Act case wherein the Court of Appeals said:

"(T)he Administrative Procedure Act apparently confers agency status on any administrative unit with substantial independent authority in the exercise of specific functions."

It is clear on the present record that the role of DACOWITS in the Department of Defense is advisory only and that it possesses no "substantial independent authority." The Court concludes that DACOWITS is not an "agency" and that matters before it are, therefore, not "inter-agency" affairs within the meaning of the applicable statutes.

Defendants contend that DACOWITS "is functioning as a part of the Department of Defense . . ." This argument, of course, can be made for any advisory committee, for by

its very nature an advisory committee is considering matters and offering recommendations which will ultimately be presented to government officials for final policy decisions. Defendants claim DACOWITS is "unique" from other advisory committees" because of "the presence of the women Directors, who exchange policies and proposals internal to the Department of Defense with Committee members." The Court finds nothing unique in this. Indeed, it would be surprising if the situation were otherwise, with an agency allowing its advisory committee to meet in a vacuum, with little or no information or dialogue to guide its deliberations. Yet the exchange of information does not make an advisory committee "part of" its government agency. The committee is not an internal organ, but again by its very nature, is a group of "outsiders" called upon because of their expertise to offer views and comments unavailable within the agency. Defendants would liken advisory committees to professional consultants. Yet consultants generally operate by contract in a subordinate and confidential role. Whatever may be the status of consultants' reports under the Freedom of Information Act, Congress has expressly determined in the Federal Advisory Committee Act that Advisory Committee reports and functions are not generally confidential. The Court is not persuaded, therefore, that the analogy to professional consultants is sound. Thus Defendants' argument that the Advisory Committee is within the Defense Department, and that matters before it are therefore "intra-agency" cannot be accepted here. If the matters coming before an advisory committee are neither inter-agency nor intra-agency affairs, exemption 5 of the Freedom of Information Act is by its terms unavailable as justification for the closing of the DACOWITS meetings here in question.

It might well be argued that the statute requires only that the Advisory Committee meeting be "concerned with" exempt matters. Yet it is hard to imagine an advisory committee that would not be concerned with some aspects of inter-agency or intra-agency affairs. To allow the "concerned with" language to be so broadly construed would allow the sponsoring agencies to close all advisory committees to the public by placing some "internal" matters on the agenda. Such an approach would clearly fly in the face of Congressional intent.

Congressional intent and the policy of the Federal Advisory Committee Act underlie the result thus reached. Congress was concerned with the proliferation of unknown and sometimes secret "interest groups" or "tools" employed to promote or endorse agency policies. Congress established openness to public scrutiny as the keystone of the Advisory Committee Act. Arguments that public participation and disclosure would inhibit debate and the frank expression of views were heard and rejected by Congress. An exception was created, however, for matters truly confidential by incorporating by reference the protection offered by the Freedom of Information Act for military and trade secrets, personal data on individuals, and the like. The availability of each exemption in the Freedom of Information Act must be measured by its own terms, however. In the circumstances of this case, the Court finds exemption 5 inapplicable by its terms and irreconcilable by result with the very purpose of the Federal Advisory Committee Act.

Beyond this major barrier, the Court notes several other difficulties with Defendants' position. Assuming for the moment the availability of exemption 5 of the Freedom of Information Act, it is now well established that a claimed exemption under the Freedom of Information Act must be supported by substantial justification and explanation of the basis for the claim, not merely by conclusory assertions. While the Advisory Committee Act does not contain the same express provision of the Freedom of Information Act

placing the burden of proof on the agency to sustain its action, this Court is of the view that the underlying policy considerations are identical and that the burden of proof should be comparable. In this present case the Government has offered only conclusory statements to justify its position.

Further, cases under the Freedom of Information Act also require that where portions of some documents may be exempt from disclosure, the non-exempt portions are to be disclosed where feasible. The burden of showing unavailability is also on the Government. Again, by like reasoning, the Government should bear the burden of showing specifically that all sessions of an advisory committee meeting should be closed.

Lastly, the matters before the upcoming DACOWITS meeting will apparently be mostly oral in presentation and discussion. The Freedom of Information Act was originally designed to refer to written records rather than oral discussions. Some reconciliation is necessary with the substantially oral nature of the advisory committee function. It may well be that oral discussions may be construed as written documents for the purposes of applying the Freedom of Information Act exemptions to the Advisory Committee Act. Even if that is assumed, however, the subject matter of the discussions must still be shown to fall within one of the specific classes of information exempted from disclosure. Upon all of these legal considerations, the Court finds that Plaintiffs have demonstrated the required likelihood of success on the merits.

With regard to the injury to be suffered by the Plaintiffs, it is well-established that acts by Government agencies in derogation of statutory rights of the public or certain individual members of the public can constitute irreparable injury. In the circumstances of this case, attendance at the upcoming meeting of DACOWITS, found above to be their right under the Advisory Committee Act, will be permanently lost to Plaintiffs if an injunction is not issued. The Court finds no injury to Defendants in being obliged to conform to the open meeting requirement imposed by statute. Further, the public interest will be best served by requiring strict compliance with the letter and spirit of the Federal Advisory Committee Act. Plaintiffs have requested an injunction requiring that they be allowed to "participate" in the DACOWITS meeting as well as to attend as observers. Plaintiffs have not pointed out, however, any statutory language creating a right of public participation in advisory committees, and the Court can find none. The Court will order that the meeting be open to the public as observers. Under § 10(a)(3) of the Advisory Committee Act, interested persons may "attend, appear before, or file statements with" an advisory committee, subject to reasonable regulations. The proposed regulations of the Office of Management and Budget on Advisory Committee Management (38 F.R. 2306, et seq., January 23, 1973) seem reasonable in this regard. The Court will not order more at this stage of the proceedings. Neither will the Court enter Orders proposed by Plaintiffs which speak in terms of future meetings or future claims of exemption 5 for DACOWITS meetings. Such provisions are inappropriate at this preliminary stage of the proceedings.

This is apparently a case of first impression under the Federal Advisory Committee Act. Because of this, although the written record herein sparse, the Court has devoted substantial effort in the time available to exploring the issues herein. The Court finds that the policy of the Advisory Committee Act is reflected clearly in its legislative history although the mechanics of implementing the exemptions therein does require exploration in this and undoubtedly, later cases. This Court is distressed, however, that the penchant for unjustified Government secrecy repeatedly evidenced in cases under the Freedom of Information Act seems to be

present here. This proceeding, of course, remains in the preliminary stages, and Defendants will have the opportunity should this case come on for full disposition on the merits to convince the Court that the claims of exemption here proffered are in fact justified. An appropriate Order will be entered.

AUBREY E. ROBINSON, Jr.,  
Judge.

October 10, 1973.

## GOOD THINGS ARE HAPPENING IN BEREA

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 1973

Mr. CARTER. Mr. Speaker, it is my pleasure to share with my colleagues an article which appeared recently in the Kentucky Banker magazine. This article pays tribute to the great economic growth of Berea, Ky., a community I am honored to represent in the 93d Congress.

In this time of industrial expansion, companies across the Nation look to communities, such as Berea, offering a central location, accessibility, and an abundant work force, as a possible site for operation. I feel this article emphasizes the importance of cooperation in achieving community development:

#### GOOD THINGS ARE HAPPENING IN BEREA

Down "where the Bluegrass kisses the foothills of the mountains", a new and exciting growth story is unfolding. It's a story featuring a town that has increased its business community more than 100% in the past three years . . . and . . . has accomplished what is thought to be the nation's first triple industrial ground-breaking ceremony. It's the story of Berea.

Golden shovels that broke the ground for Suburban Homes, Inc., Keller Industries and Goodyear, made up the greatest gold strike in Berea's history, according to members of its Industrial Development Corporation. It would seem, however, that the area has been ready for major industrial discovery for a long time.

From the economic framework to the romance of life at the edge of the beautiful Cumberlands, it's all there. Berea's proximity to major cities (120 miles from both Louisville and Cincinnati and 40 from Lexington), a major highway artery and rail service, natural gas, a particularly inviting abundance of both male and female labor in all categories, plus hundreds of acres of good industrial sites provide all the right ingredients. And there's more. There's nationally famous Berea College incorporated in 1855 . . . a community school system representing a national "first" in educational cooperation . . . a multiplicity of colleges (in addition to Berea) within a 50-mile radius . . . cultural opportunities . . . historic lore . . . and most of all, hometown people who welcome newcomers interested in adopting their area.

Morris Todd, chairman and president of Berea National Bank, and William Finnel, president of the Industrial Development Corporation of Berea, recall setting up the groundwork to "sell Berea" some fourteen years ago when the industrial development committee of the Chamber of Commerce was first formed. Stock was sold at \$100 a share in a successful effort to raise funds to promote industrial development under the new Berea Industrial Development Corporation.

"At this time", Bill Finnel recalls, "Berea had three industries . . . the Berea College, Churchill Weavers which was actually the first industry in the area, and Parker Seal—a rubber product plant."

Two years following the organization of the new Industrial Development Corporation, they were successful in bringing Manning, Maxwell and Moore (now Dresser, Inc., Industrial Valve and Instrument Division). Then, about seven years ago, Gibson Greeting Cards chose Berea for their plant.

Berea's industrial boom of the seventies, however, is the result of a new major thrust by the Berea Industrial Development Corporation. Now nine in number, the board includes long-time Berea booster Morris Todd of Berea National Bank . . . and . . . a new face in Berea, that of J. D. Hiles, president of Peoples Bank.

Hiles might well be used as a prime example of how a banker, as a relative newcomer to a community, can assume a position which compliments not only his own bank but the promotion of the banking industry as a whole. He's a walking Chamber of Commerce, enthusiastic about opportunities which have come his way to work with the Department of Commerce and Blue Grass RECC in obtaining industrial leads, plans for raising funds to further develop a local airport just outside of Berea, work with the State in getting aid such as road upgrading in the industrial areas . . . just genuinely enthusiastic about his adopted home in general.

Townpeople, as well as new-industry personnel, are quick to credit Hiles and his reorganized bank with being a major spark in the new industrial flare. Now, through the strength of the Kentucky Group, of which Peoples Bank is a member, major financial assistance is available to industries locating in this and other areas.

William Finnel, president of the Industrial Development Corporation, recalls that when Parker Seal came to Berea, 35 to 40¢ an hour was the average wage rate, and if a small business averaged \$500 to \$800 a week gross sales, it was considered a really good week. "Now," he says, "with the new growth, \$4,000 is considered a small week." Finnel estimates that the standard of living in the Madison County area in the last few years has risen 500%, and he's quick to give the bankers credit for their action.

"For example," says Finnel, "Morris Todd was active in obtaining plant sites, and J. D. Hiles worked closely with those involved in developing leads and in obtaining financing to insure their ability to locate." He pointed out that the cooperation between businesses, the Development Corporation, and the city government with Mayor C. C. Hensley had been outstanding.

Berea City Council first approved the is-

suance of industrial revenue bonds for Suburban Homes in the amount of \$945,000. Bonds were purchased by Peoples Bank. Next, the Council authorized the issuance of \$2,200,000 worth of bonds for Keller Industries, Inc., and although Peoples Bank did not buy all of the bonds, it handled financing through the Kentucky Group. The bank is the trustee of the bondholders.

Both Morris Todd and Don Hensley indicate strong feelings that this is only the beginning. Peoples Bank is already looking toward plans for a new main office banking facility in the not too distant future, with the present office retained as a branch. The new industries, according to Hiles, will provide jobs for at least 1,000 people in the very near future, and that's just the beginning. "Berea's growing," he says, "and we want to make sure the people have the banking services they need."

A tour of the beautiful town of Berea quickly bears out the enthusiasm of its leaders. Where not so long ago a sleepy country road turned off the highway, motels, restaurants and other businesses now form a continuous pattern. Apartments and subdivisions are springing up. An organized plan for cooperative store-front remodeling is underway in the center part of town.

In every respect, good things are happening, and Kentucky bankers are helping to make them happen.

## STATEMENT ON NOMINATION OF GERALD R. FORD AS VICE PRESIDENT

### HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. MIZELL. Mr. Speaker, the announcement by President Nixon last Friday night that the distinguished minority leader, Mr. GERALD R. FORD, is the President's choice for nomination to the Office of Vice President came as welcome news to me, as it did to so many of my colleagues on both sides of this aisle and both sides of the Capitol.

Following the President's announcement, I issued a statement to the news media, praising his selection. The statement follows:

#### STATEMENT

President Nixon's nomination of Gerald Ford to the office of Vice President represents a timely demonstration of the statesmanship, and the confident and competent leadership, that have been the mark of both these men through long and distinguished careers in public service.

I have worked with Gerald Ford for almost five years in the House of Representatives, and I believe he can perform the duties of the Vice Presidency with great distinction and achievement.

I applaud the President's choice and his wisdom, and I congratulate Jerry Ford on this well-deserved and well-advised nomination.

## HOUSE OF REPRESENTATIVES—Wednesday, October 17, 1973

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

When you pray, say, Our Father.—  
Luke 11: 2.

Responding to the call of our President

proclaiming this day a National Day of Prayer, we bow our heads in Thy presence, our Father God, acknowledging our dependence upon Thee and offering unto Thee the devotion of our hearts.

We pray for the coming of Thy king-

dom of peace on Earth and good will among men. In the midst of swiftly moving scenes, may our trust in Thee and our faithful observance of Thy laws move in us as we seek to usher in a new era of human brotherhood.