

By Mr. LONG of Maryland (for himself, Mr. HELSTOSKI, Mr. NIX, Mr. BADILLO, Mr. SEIBERLING, Mr. REES, Mr. BELL, Mr. VEYSEY, Mr. CORMAN, Mr. WON PAT, Mr. HOGAN, Mr. BROWN of California, Mr. COUGHLIN, Mr. RANGEL, Mr. EILBERG, Mr. CHARLES WILSON of Texas, Mr. RONCALLO of New York, Mr. ASHLEY, Mr. YOUNG of Georgia, Mr. EDWARDS of California, Mr. FOLEY, Mr. BRASCO, Mr. WALDIE, Mr. MOAKLEY, and Mr. FULTON):

H. Con. Res. 360. Concurrent resolution expressing the sense of the Congress with respect to the Middle East conflict; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland (for himself, and Mr. BRECKINRIDGE):

H. Con. Res. 361. Concurrent resolution expressing the sense of the Congress with respect to the Middle East conflict; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. YATES, Mr. JAMES V. STANTON, Mr. HAYS, Ms. ABZUG, Mr. PRICE of Illinois, Mr. CHARLES H. WILSON of California, Mr. VANIK, Mr. BURKE of Massachusetts, Mr. ANDERSON of California, Mr. BURTON, Mr. LONG of Maryland, Mr. EVANS of Colorado, Mr. KOCH, Mr. GIALMO, Mr. SISK, Mr. MORGAN, Mr. BINGHAM, Mr. RONCALLO of Wyoming, Mr. REES, Mr. MEEDS, Mr. WOLFF, Mr. FASCELL, Mr. ROSTENKOWSKI, and Mrs. GRASSO):

H. Res. 613. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. ALEXANDER, Mr. ANDERSON of Illinois, Mr. ANDREWS of North Carolina, Mr. ANNUNZIO, Mr. ARCHER, Mr. ASHLEY, Mr. ASPIN, Mr. BADILLO, Mr. BAFALIS, Mr. BARRETT, Mr. BELL, Mr. BIAGGI, Mr. BLATNIK, Mrs. BOGGS, Mr. BOLAND, Mr. BRADEMAS, Mr. BRASCO, Mr. BRECKINRIDGE, Mr. BRINKLEY, Mr. BROOMFIELD, and Mr. BROWN of California):

H. Res. 614. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. BURKE of Florida, Mrs. BURKE of California, Mr. CAREY of New York, Mr. CARNEY of Ohio, Mr. CASEY of Texas, Mr. CHAPPELL, Mrs. CHISHOLM, Mr. CLANCY, Mr. CLARK, Mr. DON H. CLAUSEN, Mr. CLAY, Mr. COLLIER, Mrs. COLLINS of Illinois, Mr. CONABLE, Mr. CONTE, Mr. CORMAN, Mr. COTTER, Mr. COUGHLIN, Mr. CRANE, Mr. CRONIN, Mr. CULVER, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, and Mr. DAVIS of Georgia):

H. Res. 615. A resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. DAVIS of South Carolina, Mr. DE LA GARZA, Mr. DELANEY, Mr. DELLUMS, Mr. DENT, Mr. DERWINSKI, Mr. DIGGS, Mr. DONOHUE, Mr. DORN, Mr. DRINAN, Mr. DULSKI, Mr. EDWARDS of California, Mr. EILBERG, Mr. FISH, Mr. FLOOD, Mr. FLOWERS, Mr. FOLEY, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. FUQUA, Mr. GAYDOS, Mr. GILMAN, and Mr. GINN):

H. Res. 616. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. GOLDWATER, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, Mrs. GRIFFITHS, Mr. GROVER, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HALEY, Mr. HANLEY, Mr. HANRAHAN, Mr. HARRINGTON, Mr. HASTINGS, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HEINZ, Mr. HELSTOSKI, Mr. HICKS, Mr. HILLIS, Mr. HOLIFIELD, Miss HOLTZMAN, and Mr. HORTON):

H. Res. 617. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. HOWARD, Mr. HUBER, Mr. HUBNUT, Mr. HUNT, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of California, Miss JORDAN, Mr. KARTH, Mr. KEMP, Mr. KING, Mr. KLUCZYNSKI, Mr. KYROS, Mr. LEGGETT, Mr. LEHMAN, Mr. LENT, Mr. LITTON, Mr. MCCLOREY, Mr. MCCORMACK, Mr. McEWEN, Mr. McFALL, Mr. MCKINNEY, Mr. MACDONALD, Mr. MADDEN, and Mr. MAILLIARD):

H. Res. 618. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. MATSUNAGA, Mr. MAYNE, Mr. METCALFE, Mr. MEZVINSKY, Mr. MINISH, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. MYERS, Mr. NEDZI, Mr. NIX, Mr. O'BRIEN, Mr. O'HARA, Mr. PASSMAN, Mr. PATTEN, Mr. PEPPER, Mr. PETTIS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H. Res. 619. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer

of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. PREYER, Mr. PRITCHARD, Mr. QUITE, Mr. RAILSBACK, Mr. RANGEL, Mr. REID, Mr. REUSS, Mr. RHODES, Mr. RINALDO, Mr. ROBINO, Mr. ROE, Mr. ROGERS, Mr. RONCALLO of New York, Mr. ROONEY of Pennsylvania, Mr. ROSE, Mr. ROSENTHAL, Mr. ROUSH, Mr. ROY, Mr. ROYBAL, Mr. RYAN, Mr. ST GERMAIN, Mr. SARASIN, Mr. SARBANES, and Mr. SATTERFIELD):

H. Res. 620. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. SCHERLE, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. SHIPLEY, Mr. SLACK, Mr. SMITH of Iowa, Mr. SPENCE, Mr. STARK, Mr. STEED, Mr. STEELE, Mr. STEELMAN, Mr. STEIGER of Wisconsin, Mr. STOKES, Mr. STRATTON, Mr. STUDDS, Mr. SYMINGTON, Mr. TEAGUE of Texas, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. UDALL, Mr. VAN DEERLIN, Mr. VEYSEY, Mr. VIGORITO, and Mr. WALDIE):

H. Res. 621. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. WALSH, Mr. WILLIAMS, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WYATT, Mr. WYDLER, Mr. WYMAN, Mr. YATRON, Mr. YOUNG of Georgia, Mr. YOUNG of Illinois, and Mr. DE LUCA):

H. Res. 622. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. RANDALL:

H. Res. 623. Resolution expressing the sense of the House of Representatives with respect to U.S. involvement in the Middle East crisis; to the Committee on Foreign Affairs.

By Mr. YOUNG of Illinois:

H. Res. 624. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

330. The SPEAKER presented a petition of the Texas Shrimp Association, Brownsville, Tex., relative to protection of the American shrimp industry's fishing rights in the Gulf of Mexico; to the Committee on Merchant Marine and Fisheries.

EXTENSIONS OF REMARKS

JERRY FORD—A LEADER

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. ARENDS. Mr. Speaker, the spontaneous acclaim in the East Room of the White House when the President announced his nomination of Congress-

man GERALD R. FORD for Vice President is typical of the enthusiastic reaction across the Nation. This choice is an excellent one.

The President had previously noted three basic criteria for the assignment. First, the nominee must be qualified to be President. After all, the Vice President is only a heartbeat away. Second, he must share the views of the President on the critical questions of foreign policy and national defense. Finally, he must be able to work with Congress on pro-

grams affecting the national interest. JERRY FORD has all these qualifications—and more.

It has been my privilege to know JERRY FORD throughout all of his 25 years in the Congress. In his job as minority leader and mine as minority whip, we have worked even more closely for the last 8 years. You get to know a lot about a man in that time. Observing him in this day-to-day relationship—often under heavy pressure, called upon many times to make quick judgments

which affect the welfare of the country—his performance has never failed to inspire confidence.

Then, too, in leadership conferences at the White House with the President, the Cabinet, and top Government officials, I have also had a unique opportunity to evaluate JERRY's influence on public policy. Here, as well, we have to give him high marks. The success of any legislative program—for any administration—depends to a great degree on the caliber of the party's leadership in Congress. Few fully appreciate the extent or importance of his contributions. His ability is beyond question.

As a person, JERRY FORD knows the meaning of courage, the value of education, the decency of sportsmanship, and the wisdom of moderation. These qualities are not just the product of his Washington years. They go back early in life—to his midwest childhood, to his studies at the University of Michigan and later at Yale, to his naval service, and the practice of law. They are reflected not only in the character and integrity of the man himself, but in the wholesomeness of his family and their lifestyle. He has never neglected them in the pursuit of his career.

Considering the heavy demands of his leadership post, JERRY has never been cavalier about his responsibilities, never callous in his dealings with his colleagues, never scornful of his adversaries. Such would not be his nature. This is all part of his success as a leader. His perennial advice to House freshmen is to "make your office the human link between a vast Federal Government and the individual at home." This, too, is reassuring.

The House of Representatives has been called "the forge of democracy." Certainly the Nation will benefit by JERRY FORD's experience in a time of great need.

COUNTRY MUSIC MONTH

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. EDWARDS of Alabama. Mr. Speaker, most of the words that fill this Chamber describe serious problems that face our country. We talk about inflation, the energy crisis, national defense, scarcities in the marketplace, loss of confidence in government, housing needs, health care, transportation problems, war in the Middle East, and many others. We discuss how these problems often seem to interface and how an exacerbation in one area seems to cause an unraveling in another. We talk again and again about problems that we say should have been solved yesterday or last year or about problems where no immediate solution seems possible.

But, Mr. Speaker, America has solved tough problems before and will do so again. In fact, history has shown that America often thrives on adversity. So I think that it is appropriate occasionally

to step from under the clouds of difficulties that sometimes hang over this Chamber to reflect on a lighter subject.

I refer to Country Music Month, 1973, which is transpiring this month at the declaration of President Nixon. Country music has enjoyed unprecedented popularity in recent years, popularity which knows no socioeconomic boundaries. Listening to country music is probably the only way to learn what it really is, but there are words to describe it, words like straightforward, down-to-earth, sincere, homemade, American, and genuine. Names of people and places speak the language of country music, too, names like Roy Acuff, Bill Monroe and the Blue Grass Boys, Flatt and Scruggs, Eddie Arnold, the Carter family, Nashville, the Grand Ole Opry, Tom T. Hall, Johnny Cash, and Merle Haggard, to mention a few.

It was my pleasure not too long ago to see Merle Haggard perform at the White House, and the Americanism of the music came through: "We still wave Old Glory down at the courthouse," Haggard sang, and "we like living right and being free."

Country music is probably only about 50 years old, but its roots run deep into American history. The poor man's music, as it has been broadcast every Saturday night since. Hank Williams, who called my State of Alabama his home, once remarked that—

You got to have smelled a lot of mule manure before you can sing country music.

But fortunately, you do not have to engage in that olfactory exercise to enjoy listening to country music. So I join President Nixon and the rest of the Nation in saluting country music, a truly American art form.

THE 75TH ANNIVERSARY OF THE KNIGHTS OF ST. CASMER

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. YATRON. Mr. Speaker, the Knights of St. Casmer, a Polish-American brotherhood in Reading, Pa., held its diamond jubilee celebration recently to commemorate the 75th anniversary of its foundation. I attended this most memorable affair and would like to congratulate Mr. John Cebula, chairman of the Diamond Jubilee Committee, for his excellent work in making the evening a resounding success.

The observance of the 75th anniversary of the Knights of St. Casmer is certainly an occasion of deep pride for the Polish-American community in my hometown of Reading, Pa. Accordingly, three-quarters of a century ago and beyond, it is quite evident that the Poles have contributed much of their rich cultural, historical, and spiritual heritage to Berks County, our State of Pennsylvania and the Nation. Certainly, in the development and continuing promise of

our country, Polish-American citizens will always play a vital role.

This early Polish contribution to America gives us a better understanding of our heritage and helps us to appreciate the principles which should guide us in our endeavors through the years to come. As the Polish-American community in my congressional district undeniably illustrates, the entire history of our Nation—from the first Polish immigrant to American shores 365 years ago until today—contains ample evidence that men and women of Polish blood contributed their toil and talents to the settlement and success of our great Nation.

These facts, Mr. Speaker, should be remembered by all of us and we should take pride in them, especially in view of the diamond jubilee of the Knights of St. Casmer. We should be equally proud, however, of the countless other men and women who came to this land from Poland and have contributed immeasurably to their local communities.

In these days of fast moving events, it is necessary to pause and to reflect upon our proud heritage; to draw strength and inspiration from past accomplishments and use these experiences to achieve present goals. The observance of the 75th anniversary of the Knights of St. Casmer is certainly a day for which we can all be proud.

WASHINGTON STAR-NEWS GIVES BALANCED VIEW OF ENERGY CRISIS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. PICKLE. Mr. Speaker, for the past 2 days there has been spirited debate on the House floor concerning the mandatory allocation of petroleum. During the debate there seems to be a certain disbelief that the energy crisis was a nationwide crisis, and not just one of the upper Midwest and the extreme Northeast.

In view of yesterday's debate, I include in the RECORD an article by John Flalka. This article appeared in the October 17 issue of the Washington Star-News. The article mentions the various areas that are facing a very cold and dark winter because of the shortage of fuel. The article follows:

Although it hasn't arrived yet, the winter of 1973-74 already looms as one that will be remembered.

In terms of energy, the Ghost of Christmas Future has already appeared in some areas as states and municipalities grapple with plans to meet fuel shortages that could be accelerated by Arab curbs on imported oil.

For instance, according to the Interior Department's new Petroleum Allocation Program office, the City of Austin, Tex., has cut off street, freeway and public park lighting because the city's power company does not have enough natural gas or fuel oil.

From the data now going into PAP files, it appears that the Texans groping down darkened streets will not be struggling alone.

In Massachusetts, Gov. Francis Sargent has asked Civil Defense and the Red Cross to develop plans to feed and house Massachusetts residents if home heating oil runs out.

In Oregon, a ruling by the governor to shut off all outdoor signs will also apply to outdoor Christmas lights this winter.

The mayor of St. Paul, Minn., recently revealed that the city was thinking about closing schools during January and February to save fuel. Statewide, Minnesota school systems are short some 13 million gallons of fuel needed to heat classrooms this winter.

In California, Gov. Ronald Reagan has ordered the heat and air conditioning turned off in state office buildings on weekends.

In Detroit, city officials have decided that the United Fund's 44-foot-high torch will burn only two days this winter.

Some fuel problems are more closely related to the energy crisis than others. For example, the Alabama Power Company in Birmingham has been unable to find enough oil to fire up its new coal-powered boiler. Oil is needed to ignite some coal units.

Last week, PAP received its third complaint from a coal mine that was running out of diesel fuel to operate its machinery.

It would appear, however, that in Washington, where numerous officials are now plotting contingency plans to deal with an expected crisis, there will be plenty of fuel to keep the center of power warm and well lighted.

A White House spokesman said that the temperature in the Executive Offices will run between 70 and 72 degrees, in line with other federal government agencies.

Although it happened once during the energy-fat years of the Johnson era, the spokesman said that there are no plans to turn out the battery of spotlights that illuminate the outside walls of the White House.

"The feeling is that the country wants to mark a place of historical interest," the spokesman explained. He did point out, however, that the White House no longer keeps its fleet of limousines idling outside when not in use.

And the national Christmas tree will shine too, although this year, according to a Park Service spokesman, indirect lights at the base of the tree will reflect off its ornaments.

Because the capital's tree will be a live one, for the first time, he explained, it was feared that hanging strings of light on it might confuse the tree's growing cycle.

"But I don't know whether it'll save any juice or not," he added.

THE PASSING OF EUGENE M. GOODWIN

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DE LA GARZA. Mr. Speaker, funeral services will be held this afternoon at Mission, Tex., for one of the most remarkable men I have ever known.

Eugene M. Goodwin, who passed away at the age of 101 years, befriended me when I was a young man, and I have been so fortunate as to retain his friendship ever since. I remember back through the years how he talked with the small boy I then was as if I were in every respect his peer. All through his long life he retained the faculty of gaining the confidence of young people, even children—mainly, I think, because he talked with them instead of at them.

A native of Missouri, Mr. Goodwin first came to the Rio Grande Valley of Texas in 1925, passing through the area on his way to Monterrey, Mexico. He

stopped for a visit with friends and was so impressed by the valley that a year later he returned to stay. He purchased land which was covered with cactus and mesquite and had no irrigation. The area now boasts productive citrus trees—and that is symbolic of the monument created by this outstanding man. A pioneer in the valley citrus industry, he was instrumental in securing a year-round citrus marketing season for south Texas. He organized the Hidalgo County Water Control and Improvement District No. 6 and built the first concrete line canal system for the valley.

During his useful life he received numerous awards in recognition of his outstanding service to the citrus industry. Among these was the Arthur T. Potts Award presented to him by the Valley Horticultural Society in 1957.

Mr. Goodwin, the son of a Methodist preacher, served his church in numerous capacities from young manhood until his later years. He was active in civic affairs and earned the title of "Mr. Rotary of the Valley." He held many offices in Rotary International and was much in demand as a Rotary speaker. He had been honored annually on his birthday by the McAllen Rotary Club until last year when his failing health made it impossible for him to attend.

Mr. Goodwin is survived by a son, Ray D. Goodwin, of Mission, two grandsons and five great-grandchildren. They have a proud tradition to live up to, for Eugene M. Goodwin was in every way a tremendous human being. I proudly pay my respects to his memory.

CONGRESSMAN NIX POINTS OUT THE IMPORTANCE OF THE RESOLUTION OF THE CITY COUNCIL OF PHILADELPHIA SUPPORTING ISRAEL'S FIGHT FOR SURVIVAL

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. NIX. Mr. Speaker, the city of Philadelphia on October 11, 1973, enacted Resolution No. 213, the wording of which I will request be included in the Record at the conclusion of my remarks.

The importance of a resolution in support of Israel is that city representatives of one of America's largest cities are willing to go on record in that support in the face of Arab threats to create a heating oil shortage in the United States this winter. This step by the City Council of Philadelphia, under the leadership of its dynamic city council president, George X. Schwartz, is certainly commendable. We all know what Americans may have to face this winter with cold homes and sick children.

But Americans have never submitted to blackmail. Americans know, as the people of Philadelphia know, that we have a commitment to democracy around the world.

Israel is a democracy with a population of 3 million facing the combined hatred of the Arab world with popula-

tions 40 times their own size. The Arab nations are dictatorships whose armed might comes from the Soviet Union.

After weighing all of these factors, the City Council of Philadelphia went on record in order to do their share in convincing the Arab world that the mixing of blackmail and oil will not gain them anything in dealing with Americans.

The resolution follows:

RESOLUTION No. 213

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 of 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.

AN IMPORTANT BIRTHDAY

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. SLACK. Mr. Speaker, American Airlines and Charleston, W. Va., are sharing an important birthday this month.

It was 40 years ago—on October 18, 1933—that a Ford Tri-Motor operated by one of American's predecessor companies, American Airways, took off from old Wertz Field to give this city its first commercial airline service.

The famed "Tin Goose" left here for Washington, D.C., at 1:20 p.m. carrying

a delegation of local and State officials that was headed by West Virginia Gov. H. G. Kump and Charleston Mayor R. P. DeVan.

With a cruising speed of 122 miles per hour, the Tri-Motor took about 2½ hours to reach the Nation's Capital. The 727 Astrojets that American uses at Charleston today could make that same flight in under 50 minutes—carrying 93 passengers compared to the Tri-Motor's capacity of 11.

Said Eric Thon, American's manager here:

Commercial aviation has been a key factor behind the progress of the Charleston area over the last 40 years, and American is proud to have launched this long and fruitful partnership.

Thon estimated that the airline through the years has boarded about 500,000 passengers and 10,000 tons of cargo here, first at Wertz Field and then at Kanawha County Airport, which was opened in December of 1947.

Between the Tri-Motor and the Charleston introduction of the 727 in February 1969, American served the area with eight different airplanes. They included the twin-engine Curtiss Condor biplane, the famous DC-3, the DC-6 and the four-engine Lockheed Electra.

The airline today operates two daily 727 flights between here and Cincinnati and Chicago, with one of the westbound flights going on from Chicago to San Antonio, Tex. Thon noted that the 42-minute trip to Cincinnati used to take the Tri-Motor 1 hour and 21 minutes.

A Charleston newspaper editor was one of those on hand when the first Tri-Motor arrived at Wertz in preparation for the 1933 inaugural, Thon said. He said the editor summed up the significance of the event for the community with this passage from an editorial:

There no longer is a question of the success of commercial aviation. Airlines eventually will prove to be as important as railroads and highways now are.

THE HONORABLE HAMILTON FISH,
SR.: "HENRY KISSINGER, AN OUT-
STANDING SECRETARY OF STATE"

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. GILMAN. Mr. Speaker, the Honorable Hamilton Fish, Sr. who served as a Member of Congress for over 25 years, representing that portion of New York State which now comprises my congressional district recently wrote to me expressing his thoughts concerning the appointment of Dr. Henry Kissinger as our Secretary of State.

In order to give my colleagues the benefit of the thoughts of former Congressman Fish, I insert the following text of his letter in this portion of the RECORD:

LETTER FROM HAMILTON FISH, SR.

DEAR CONGRESS GILMAN: A number of friends of mine have asked me why Henry Kissinger was appointed Secretary of State.

They want to know if we did not have some American-born who is qualified for such a high office. Having served as a member of the Foreign Affairs Committee of the House of Representatives for almost a quarter of a century, and as ranking minority member for ten or twelve years, every Secretary of State during that time appeared before our Committee and I knew them personally, all upright and honorable men. The most outstanding was Charles Evans Hughes of New York who had a crystal clear mind. Some of the Secretaries were often vague, indecisive and garrulous.

I naturally have the highest regard and respect for the office of Secretary of State as my own grandfather, Hamilton Fish, served as Secretary of State for eight years and probably no Secretary of State was better versed on international law. He was offered the appointment of Chief Justice and declined on the grounds he had been holding public office for 20 years and not practicing law.

There has probably been no Secretary of State in the last 75 years who has had better training and more experience in foreign affairs than Henry Kissinger. As an instructor at Harvard and as the author of books on foreign affairs, he has devoted his adult life to American international policies and stands almost alone as the chief and ablest spokesman for our foreign policies. Acting as the representative of President Nixon, he did much to help win the war, bring back our Armed Forces from Vietnam and to negotiate an honorable peace. There is no one except the President who is more entitled to the Nobel Peace Prize than Henry Kissinger.

I was also asked why appoint a Jew, born in Germany. My answer to that is that the United States, particularly at this time, needs the most available, ablest and experienced Secretary of State. There is no one who is anywhere near so well qualified or who has such a record of successful negotiations with foreign nations.

I predict that Henry Kissinger, like the famous Disraeli, the Prime Minister of England, will succeed in promoting peace and understanding among the nations of the world within the next three years and will restore our prestige and leadership in the free world, which under recent Administrations, sank to a very low level.

It should be clearly understood by all Americans, regardless of partisanship, that Henry Kissinger was appointed Secretary of State because of his well known abilities, experience, record and will make an outstanding Secretary of State.

HAMILTON FISH, SR.

**ENTERTAINER OF THE YEAR
AWARD**

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DAN DANIEL. Mr. Speaker, last night in Nashville, the Country Music Association honored Roy Clark, cohost of television's "Hee Haw," with its "Entertainer of the Year Award."

With his millions of fans in this country and around the world, Roy's award will win much favor, for he has come to symbolize many of the good qualities which all of us like to see in our heroes. He represents in a commendable way the best in good entertainment and has brought pride to his family, to his native

State, to the field of entertainment and indeed to his country.

Because I have the honor of representing Roy's home area in the Congress and because his parents, Mr. and Mrs. Hester L. Clark, of Meherrin, Va., are my constituents, I share the pride which they have in his achievements. Recently while in my district, I had the honor of meeting Mr. and Mrs. Clark and it did my heart good to listen to their accounts of Roy's activities and to see in their faces the satisfaction they enjoy in the progress he has made in his chosen field.

In 1970, the Country Music Association honored Roy as the "Comedian of the Year" and he has received many other recognitions in the highly competitive field of country music. His versatility, good humor, and native ability to communicate have stood him well. Although he did not have the benefit of professional music training, he is accomplished in playing the guitar, violin, banjo, trumpet, trombone, piano, and drums. "Hee Haw" is seen each week by millions and his personal appearances around the country have endeared him to an army of fans who love good country music and the light-hearted humor which has become a trademark.

But Roy is more than an entertainer, he has expended much time and effort in the promotion of many worthwhile causes. One of the principal ones of these is the "Johnny Horizion" environmental program, sponsored by the Department of the Interior. He has given himself unselfishly in the promotion of the goals of this program and officials of the Department are high in praise of his efforts to promote good environmental practices and conservation of our natural resources.

Born on April 15, 1933, near Meherrin, Roy and his family moved to Washington in 1942 and most of his early steps toward a music career were taken in the metropolitan area, in the company of Jimmy Dean and other entertainers, who also went on to stardom. He travels widely and makes a favorable imprint wherever he goes and I am convinced that, at heart, countless millions of Americans subscribe to the basic concepts of honor, patriotism, decency, and love of family which Roy so well exemplifies.

**DOLLAR DEVALUATION NOW AG-
GREGATES 30 PERCENT IN 2
YEARS**

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the recent vote by the House on the appropriation of \$2.2 billion to maintain the value of U.S. contributions to international financial institutions points up the fact that the value of the dollar has dropped about 30 percent in recent months since the disastrous Smithsonian monetary conference.

The Smithsonian conference in De-

ember of 1971 was hailed by then Secretary of the Treasury John Connally as the world's greatest monetary meeting. As a result of this conference the dollar was devalued 7.89 percent and Congress then appropriated \$1.6 billion to maintain the value of the dollar in its participation in international financial institutions.

However, the fruits of this conference turned sour—the effort collapsed—and this year a further devaluation of 10 percent was put into effect, further eroding the dollar.

With the increase in the value of other currencies, the dollar now is estimated to be worth 70 percent of its value 2 years ago.

The \$1.6 billion appropriation and the \$2.3 billion appropriation recently voted total \$3.9 billion appropriated just to maintain the par value of our contributions to the International Monetary Fund, the World Bank, the Inter-American Development Bank, the International Development Association and the Asian Development Bank.

I voted in opposition to the \$2.3 billion appropriation to these institutions because I think it is time we faced up to reality—I believe the time has arrived to carefully reconsider, evaluate and drastically curtail our participation in these foreign-aid programs. Resulting in devaluations of the dollar and bad balance-of-payments situation.

The facts are that this administration is willing to do for other countries what it refuses to do for our people at home.

We need to strengthen the dollar—not continue to weaken it and siphon off billions of dollars into the "Alice in Wonderland" financial world of international monetary institutions.

It is certainly my hope that the appropriate committees of the Congress will carefully review this entire matter and develop legislation to bring about a more practical approach to our massive foreign-aid programs.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 35

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. HARRINGTON. Mr. Speaker, handguns in today's society do not serve the purpose of the innocent citizen. Rather, they protect the criminal whose victims die quickly and certainly when assaulted with this deadly weapon.

More lives are lost than saved by homeowners who keep a gun on hand for protection; neighbors are often mistaken for prowlers, playing children shoot—and do not miss, and during an argument, the gun is easy to wave around and threaten with; and when someone gets killed the regrets are too late.

The only way to get the guns away from the criminals before they use them is by handgun control legislation. And

the best way to prevent accidental killings is to make owning a handgun illegal for private citizens.

At this time, I would like to include a September 27 article from the Washington Post:

NE HOLDUP VICTIM DIES OF WOUNDS

The manager of a Northeast delicatessen died yesterday at Freedmen's Hospital from gunshot wounds he received Sept. 18 during a holdup at the delicatessen, Washington police reported.

Police said Mehmet Derberoglu, 40, of 5823 36th Ave., Hyattsville, was shot by one of the two armed men who held up the Kris Delicatessen, 2 Quincy Pl. NE. One of the men disarmed Derberoglu and shot him with his gun as the second robber took an undetermined amount of money from the cash register.

Derberoglu's brother, Zeki Ceci, 24, a clerk in the store, was shot once in the right hand by the robbers as he chased them from the store, firing several shots at them from a revolver kept in the shop.

A suspect, Robert David Grinnage, 21, of 203 P St. NW, was arrested shortly after the robbery in a nearby alley. He was charged with robbery and held at D.C. jail. Police said he will be charged with homicide in Derberoglu's death.

SURGICENTERS NEED STUDY BY HEW NOW

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ROUSH. Mr. Speaker, in January of this year the second free-standing surgical center in the United States was opened in Fort Wayne, Ind. Since that time the Fort Wayne Surgical Center has been providing a valuable health care service to the people of my district in northeastern Indiana.

I believe it is time for the Department of Health, Education, and Welfare to recognize that surgicenter patients should be eligible for medicare and medicaid. And I believe that the "Federal foot dragging" discussed in the following article from the September 26, 1973, Arizona Republic should stop:

FEDERAL FOOT-DRAGGING

As anyone who has been sick knows, health care costs have mounted astronomically in the last few years.

In 1970 two Phoenix physicians, Dr. Wallace A. Reed and Dr. John L. Ford, came up with an idea that would reduce hospital costs. They secured permission to build a free-standing surgical facility in which minor operations could be done and allow patients to go home the same day.

A good example is a tonsillectomy. Until Dr. Reed and Dr. Ford opened Surgicenter, most persons wanting their tonsils removed had to spend two days in a hospital, with costs running up to \$100 a day. In Surgicenter a patient can walk in, have the operation, spend four or five hours under medical supervision to be sure there are no complications, and walk out.

Because a surgeon can schedule four or five minor operations in quick succession, he can save time. Because the patient can walk in and walk out, without having to stay in bed for a couple of days, he can save money.

Although most hospitals opposed licensing

of Surgicenter, they soon realized the procedure was a good one. Today the big Phoenix hospitals have made their own surgical facilities open to ambulatory patients.

In the three and a half years since it opened Surgicenter has completed 16,000 operations without a death or a life-threatening complication. Most health care insurance companies, both commercial and non-profit, pay Surgicenter a portion of what they would pay a hospital for the same services.

But Medicare, the Social Security Administration's program that pays a large portion of hospital bills for everyone over 65 years of age, has refused to make payments of any sort to Surgicenter.

Surgicenter has been writing letters to, and holding conferences with, Social Security Administration officials. All efforts to get Medicare support for the Surgicenter program have failed.

Last October Congress passed a law authorizing the secretary of the Department of Health, Education, and Welfare to develop a demonstration project with Surgicenter. The Social Security Administration, which is under HEW, was ordered to carry out the law's provision. The last communication from the Social Security Administration, dated May 17, suggested that "further delays of unpredictable duration are to be anticipated."

The preceding quotation is from a bulletin Surgicenter recently sent to its Community Advisory Committee. In commenting on Medicare's delay, Dr. Reed and Dr. Ford said: "For the first two or three years, we were somewhat amused by this known inability of the federal bureaucracy to move effectively. Now, however, it's beginning really to alarm us, not because of what it means financially—we are managing to get along without Medicare Part A paying its way—but because of what it portends for the survival of our society."

It is hard to understand why the federal government, which is at least partly responsible for spiraling health costs, shows such disregard for a cost-cutting program that has worked well in Phoenix.

It is impossible to understand why the federal government cannot even run a demonstration project to determine for itself whether Surgicenter is a success or a failure.

THE JUVENILE COURTS AND LAWYERS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. HELSTOSKI. Mr. Speaker, every community, large or small, has been confronted in varying degrees with the problem of the juvenile delinquent.

As the caseload of the juvenile courts increases in number and societal impact, it is imperative that lawyers who practice in this field have a full awareness of the dimensions of their professional responsibilities to the system, the litigants, and the bar.

Because of his experience as presiding judge of the Juvenile and Domestic Relations Court of Passaic County, N.J., and his formidable credentials of scholarship and community leadership in the field of social service, Judge Harold M. Nitto is particularly qualified and gives a highly authoritative quality to his views on the functions of the juvenile court

and the lawyers who practice in that particular area of the law.

I wish to present to my colleagues the article written for the Reporter, a publication of the Passaic County Bar Association, by Judge Harold Nitto. I commend this article to my colleagues and hope that it may serve as a guide to many of the juvenile courts throughout the country.

The article follows:

THE JUVENILE COURTS AND LAWYERS
(By Judge Harold M. Nitto)

The Juvenile Court is not the forum for assemblyline treatment of troubled and disturbed children. It is not the unpleasant and unprofessional place which, in the past, many attorneys may have avoided and many laymen criticized. The Juvenile Court of today is a sophisticated, complex, professional and concerned branch of our court system which warrants equal recognition with any other type of court. This positive definition, however, is totally dependent upon the individuals who operate within this court. In order for the Juvenile Court to attain its optimum level of effectiveness, both the judge and the attorney must demonstrate a high degree of skill, initiative, and concern.

This court is but one branch within the overall court structure which has been developed to deal with the varied types of problems which confront our society. The performance level of sophistication and professionalism in the Juvenile Court should not be any lower than that in any other court. The personal trauma to a charged and convicted juvenile defendant is at least as severe as that of any adult criminal defendant or one who is ordered to pay damages in a civil lawsuit. The important fact which must be remembered is that the judge and the attorney must approach each juvenile case on an individual basis. By so doing, we can achieve a strong and effective Juvenile Court System and maintain and enhance the respect for all courts.

The lawyer who practices in the Juvenile Court must be a highly trained and skilled professional advocate whose sole function is to reach a full and proper adjudication of his client's problems. He must realize that this court is no different from any other court in relation to the time and preparation which must be put into each case. He must also realize that the scope of his preparation must include a careful factual analysis in the context of the applicable law.

Representation in this Court requires that a lawyer should be fully knowledgeable of the procedural details of practice in the Juvenile Court. Finally, the lawyer must keep himself informed of those areas of constitutional law which specifically relate to the juvenile offender. It is most significant that the base area of legal rights which are involved in juvenile law are now frequently overlooked. Prior to 1967 the *parens patriae* theory prevailed within the courts and the juvenile was considered to have very few personal rights. However, in 1967 the landmark decision of *In re Gault*, 387 U.S. 1 (1967) transformed the Juvenile Court into an entirely different forum. While the Supreme Court in *Gault* did not make a sweeping conclusion that the juvenile defendant was entitled to all the procedural guarantees which apply to an adult criminal defendant, it did specifically hold that the due process clause of the Fourteenth Amendment applies to state juvenile court proceedings. The Court explicitly noted that the defendant is entitled to a reasonable and fair notice of the charges made against him, he is entitled to be represented by legal counsel; he has the right to be free from self-incrimination and also the right to cross

examine witnesses. Of course, this case opened up the entire spectrum of juvenile rights. Whether one agrees with Mr. Justice Black, who, in his concurring opinion stated, "I think the Constitution requires that he (the juvenile) be tried in accordance with all the guarantees of all the Bill of Rights made applicable to the States by the Fourteenth Amendment," or whether one's views align more so with Mr. Justice Stewart in dissent, who said, "Whether treating with a delinquent child, a neglected child, a defective child, or a dependent child, a juvenile proceeding's whole purpose and mission is the very opposite of the mission and purpose of prosecution in a criminal court", the fact remains that the rights of the juvenile defendant have been established and must be recognized and protected.

The lawyer of today who practices in the Juvenile Court must be fully cognizant of the fact that there are many crucial stages of the proceedings in which the juvenile's right to certain constitutional guarantees must be advanced. This principle applies from time of arrest, (in *re Gault*, supra), to the question of waiver of jurisdiction, (Kent v. United States, 383 U.S. 41 (1966)), to the degree of proof necessary to substantiate a finding against a juvenile defendant (In the Matter of Samuel Winship, 397 U.S. 358 (1969)). These rights are so precious and so significant that any lawyer who fails to recognize their application is doing a great disservice both to his client and to his profession.

The lawyer who practices in the Juvenile Court must not only be well versed in the applicable statutory, procedural, and case law, but he must also be equipped to deal with the sociological, psychological, and sometimes medical aspects which surround many juvenile problems. Before the attorney can attempt to counsel his client, he must fully understand the underlying causes of the existing problem. This, in all probability, will involve an in-depth sociological and psychological analysis of the problem. While attorneys must rely on the expertise of probation officers, psychologists and psychiatrists, they must still prepare themselves to the extent that they can confer with these experts and participate meaningfully with them in the recommendation process. It is for this reason that a skilled and concerned attorney is needed to represent a juvenile defendant.

In summary, every lawyer who practices before the Juvenile Court must realize that this representation is as demanding as any other type of case. He must prepare himself to fully understand the underlying problems of the juvenile and although this aspect may involve many hours of preliminary study and discussion, the time spent is priceless in relation to the overall result which will benefit the client. The attorney must be fully sensitive to the needs of his client and he must exert extra effort not only to develop an initial rapport with his client, but to maintain the element of trust throughout. The attorney must assert his legal skills with the same vigor as he would in any other case. Finally, because of the special nature and treatment which is accorded juvenile problems, the initial disposition is not always the ultimate disposition and the attorney must be fully aware that each case involves a good deal of follow-through on his part. This follow-through will, of course, demand his time and effort, but again, these additional hours will prove to be invaluable in the overall benefits to the juvenile offender and to the proper solution of his problems.

The lawyer who practices in the Juvenile Court will find full satisfaction for his effort and skill.

**U.S. TAX DOLLARS SUPPORT THIEU
POLICE STATE REPRESSION**

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. SEIBERLING. Mr. Speaker, I recently received a petition from 67 people in my district asking for an end to U.S. aid to the police force and prison system of South Vietnam.

The interesting thing about this petition is that it was circulated by its author, a factory worker, among his fellow workers in a tire-mold plant, and all but five of the people to whom he showed it signed the petition.

The people who signed this petition have a great respect for human liberty and self-government, and are disturbed that their tax dollars are being used to undermine these principles in South Vietnam. The text of the petition, along with an article from the Akron Beacon Journal, follows my remarks.

Mr. Speaker, there are between 50,000 and 250,000 political prisoners in South Vietnam. The police force in South Vietnam has increased from 20,000 men in 1964 to 120,000 in 1972. The South Vietnamese ground and air forces have increased from 216,000 men in 1964 to 1.1 million in 1972. These forces are being supported by American tax dollars.

The South Vietnamese economy is largely supported by American dollars as well. The South Vietnamese Government relies on American aid to maintain the economic, military, and repressive political structure in South Vietnam. It seems to me that, at the very least, we should insist that none of our economic aid be used to construct or operate political prisons or a system for repression of basic liberties and human rights.

ANTI-VIET SUPPORT STUNS HIM

(By Bruce Larrick)

When Phillip LoCascio, 22, went to his fellow workers at the Goodyear tire mold plant in Stow asking them to sign petitions opposing foreign aid to South Vietnam, the results astounded him.

In a plant where LoCascio doubts he would have gotten a handful of signatures four years ago, 67 of the 72 men he asked signed the petition "to express support for the deletion of aid to South Vietnam's prison system and police force."

"I doubt if even I would have signed the thing four years ago," said LoCascio, of 1006 Oakland av., Akron.

"If the men in Stow feel we should discontinue the support, it's an indication that most American people would support it. Most of those guys are over 30 and generally conservative."

The petition written by the 1969 Hower High School graduate argues against the approximately \$20.4 million for South Vietnamese police in a foreign aid bill now being considered by a House-Senate conference committee.

It states in part: "We believe our hard-earned tax dollars should not be given to a country that detains thousands of civilians on charges as minor as 'a declaration of neutrality.'"

LoCascio said he wrote to the South Viet-

name embassy in Washington, D.C., asking the officials there to respond to charges that as many as 250,000 South Vietnamese may be political prisoners.

"You know how they responded?" he asked. "They said it was only about 50,000!"

LoCascio, a machinist at the plant, mailed copies of the petition to Sen. J. William Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee; Rep. Thomas E. Morgan (D-Pa.), chairman of the House Foreign Affairs Committee and Rep. John F. Seiberling (D-Akron).

TEXT OF THE PETITION RECEIVED BY
MR. SEIBERLING

"The below signed wish to express support for the deletion of aid to the prison system and police force of South Vietnam.

We believe our hard-earned tax dollars should not be given to a nation that imprisons thousands of its own civilians for offenses as minor as "a declaration of neutrality." We understand that President Nguyen Van Thieu uses approximately 20.4 million U.S. dollars to operate his police force and prison system, and we also know that American manufacturers have supplied nearly all of the equipment needed for the operation of these institutions.

There have been numerous reports on the tortures, beatings, and executions without trial in South Vietnam. However, we do not advocate American intervention into Thieu's policies; we merely want our federal government to discontinue funding and condoning the police-state of South Vietnam.

We are Americans who hope to see an improvement in our country's reputation abroad, as well as at home. It is hard for us to trust, praise, and respect a nation that promotes an undemocratic dictator such as Thieu.

South Vietnam has existed 95% on our financial aid for the last ten years, when we could have used the billions of dollars right here in the United States.

Mr. Seiberling, please work for the cause of justice, humanity, and our economy. Stop financial aid to South Vietnam's prison system and police force."

ALASKA DAY

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. YOUNG of Alaska. Mr. Speaker, today marks a very special date in Alaska. On October 18, 1867, in Sitka, the Russian flag was lowered and the American flag raised to symbolize the transfer of sovereignty over the Alaskan territory from Russia to the United States. Alaskans are commemorating that historic occasion today by celebrating Alaska Day.

Since that memorable date, there have been three major achievements in the development of Alaska—the Statehood Act, making Alaska the 49th State in 1958, the Native Land Claims Act in 1971, and the passage of legislation for construction of the trans-Alaskan pipeline this year.

Of these three important victories for Alaska, I have had the very exciting opportunity of contributing to the last—the legislation to construct the pipeline. This is a major piece of legislation, not

only for Alaska, but for the other 49 States, both in its employment of local as well as nonlocal skilled workers and the many benefits this major source of oil will have for the entire country.

I am very proud to have been elected to the Congress by this State and I am sure my colleagues will join me in celebrating the 106th year of flying the American flag over Alaska. We can appreciate now, more than ever, the contributions of a unique culture and beauty that Alaska has brought us.

AMERICANS FOR DEMOCRATIC ACTION
OPPOSE FORD NOMINATION

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Ms. ABZUG. Mr. Speaker, on October 14 the National Board of Americans for Democratic Action adopted a resolution opposing the confirmation of GERALD FORD as Vice President of the United States. As a man next in line for the Presidency, nominated by the President whose own tenure is presently in jeopardy, the nominee must be clearly fit to serve as President. GERALD FORD is not such a man. According to ADA, FORD's voting record over the last decade averages 9 percent. His latest labor rating charted by the AFL-CIO's Committee on Political Education was 11 percent in 1972. The League of Conservation Voters gave him a 23 percent environmental rating last year, up from 17 percent in 1971.

The ADA resolution on the Vice-Presidential nominee and the ADA Legislative Newsletter containing a summary of FORD's voting record follow. I urge my colleagues to read these documents carefully.

The articles follow:

RESOLUTION ADOPTED AT NATIONAL BOARD
MEETING

AMERICANS FOR DEMOCRATIC ACTION,
Washington, D.C., October 14, 1973.

VICE-PRESIDENTIAL NOMINEE

On the basis of his record thus far developed, ADA opposes the confirmation of Gerald R. Ford as Vice President of the United States. We urge Congress to confirm only a nominee who is clearly fit to serve as President of the United States. Especially where a nomination is made by a President whose tenure is in jeopardy, the Congress should deliberate long and carefully before approving the designate.

The apparent popularity of a nominee should not cause Congress to act quickly. The committees of the House and Senate and the full Congress itself should consider Mr. Ford fully and deliberately. Speed is not essential; care is. Congress must remember the candidates normally are subjected for months to public scrutiny during the campaign and election in the usual political process. During those months the candidates' policy positions are made clear. That process is not now available. Therefore Congress must provide an effective substitute, recognizing that it is acting as surrogate for the electorate.

Congress should require a full investigation into the allegations of mishandling of the nominee's campaign funds. During

its interrogation of Mr. Ford Congress should fully satisfy itself on the following issues:

(a) The responsibility of a President to enforce civil rights legislation.

(b) The responsibility of a President to protect civil liberties, including protection against invasion of privacy and wiretapping.

(c) The responsibility of the President to fully inform the Congress and the American people and to limit claims of executive privilege and confidentiality.

(d) The responsibility of a President to secure congressional authorization to commit armed forces to hostilities.

(e) The responsibility of the President to faithfully execute the laws including expenditure of funds for the purposes appropriated by Congress.

(f) The responsibility of the President to obey decisions of the courts.

ADA LEGISLATIVE NEWSLETTER: GERALD FORD
SHOULD NOT BE CONFIRMED

Rep. Gerald Ford (R-Mich.) may be the next President of the United States. Richard Nixon could well leave office during the next three years, through death, resignation—or impeachment. The decision of the U.S. Appeals Court ordering the President to release the tapes makes his future uncertain, to say the least.

It is in this light that Gerald Ford should be judged. He is not simply a candidate for the vice presidency, a ceremonial job with few duties. He is not merely a stand-in for Spiro Agnew. His nomination should be considered in terms of his fitness to be President of the United States.

It is on this basis that Americans for Democratic Action opposes his confirmation. ADA urges consideration of Ford's record in office just as any candidate for President is so judged. Congress should confirm a nominee who is clearly fit to serve as President, and Gerald Ford is not such a man.

Its decision on Ford—selecting someone who may become President—will be Congress' first act under the 25th Amendment. Normally a candidate is subjected for months to public scrutiny during the campaign and election. That process is not now available. Each Member of Congress should treat Ford's nomination as he or she would treat it in a voting booth for in this case Congress is a surrogate for the electorate.

The apparent popularity of a nominee should not cause Congress to act quickly. This Administration's past record of appointments makes it clear that other candidates for high position merited more scrutiny. The Carswell, Haynsworth, Mitchell, Stans, Haldeman, Erlichman, Magruder, Dean and Colson selections—to say nothing of Agnew—highlight the need to consider Ford fully and deliberately. Speed is not essential; care is. Both the full House and Senate as well as their respective committees must regard this nomination with great concern.

GERALD FORD'S RECORD

If elevated to the Presidency, Gerald Ford will be called upon to make decisions on key national and international issues. His record hardly qualifies him for that position.

Ford's record, to say the least, places him squarely among the most reactionary elements of the House. This record dates back well before he became Minority Leader in coup in which he defeated Rep. Charles Halleck (R-Ind.) in 1965. His ADA rating over the last 24 years follows:

Year:	Percent
1949.....	15
1950.....	33
1951.....	38
1952.....	31
1953.....	36
1954.....	22
1955.....	60
1956.....	57

Year:	Percent
1957.....	67
1958.....	42
1959.....	22
1960.....	33
1961.....	10
1962.....	13
1963.....	0
1964.....	15
1965.....	11
1966.....	0
1967.....	13
1968.....	17
1969.....	7
1970.....	12
1971.....	8
1972.....	6

His cumulative rating is 24 percent and his record over the last decade averages nine percent.

Ford's labor rating is not much better. The AFL-CIO's COPE (Committee on Political Education) scores on Ford as compiled by Congressional Quarterly show Ford with a 33 percent rating in 1969, 0 percent in 1970, 25 percent in 1971 and 11 percent in 1972. He has a lifetime cumulative COPE rating of 14 percent.

Ford's environmental rating is just as bad. The League of Conservation Voters gave Ford 23 percent in 1972 and 17 percent in 1971. His record on ten key votes in the previous decade averaged 10 percent.

On specific issues:

Vietnam War—Rep. Ford was a consistent supporter of the war under Presidents Johnson and Nixon. He opposed every piece of legislation to end the war, including ten votes this year and eight last Congress.

Military Spending—Ford has consistently supported high military spending, always opposing even modest efforts to restrain defense spending. He voted for the ABM in 1969 and opposed the Aspin (D-Wis.) amendment earlier this year to cut \$950 million from military authorizations.

Domestic Spending—While a big spender for the military, Ford is very frugal in funding domestic programs. He has voted against public housing, rent subsidies, federal aid to elementary and secondary schools, public works in high employment areas, mass transit aid, Medicare, model cities, urban renewal and the 1967 poverty program. He is more generous on bills to help business interests, supporting the loan to Lockheed, the SST and subsidies to shipbuilders.

Labor—Ford has a poor labor record. He voted for "right-to-work" laws in 1965, opposed providing workmen's compensation to migrant workers in 1970, publicly opposed the Farm Worker's boycott in 1971, and this year voted to weaken the minimum wage bill.

Civil Rights—Ford has a record of voting for civil rights legislation on the final vote, but he supports crippling amendments while the bill is in progress. He voted to eliminate a provision for federal examiners in the 1965 Voting Rights Act which, if successful, would have emasculated the bill. He voted to recommend the 1966 Civil Rights Bill in order to delete the fair housing provision. He supports "freedom-of-choice" school desegregation plans and supports a constitutional amendment to ban school busing completely in civil rights cases.

Women's Rights—While Ford voted for the Equal Rights Amendment, he failed to vote for or against a weakening amendment. He supported an amendment to limit EEOC powers to enforce the law, and voted against the child care bill.

Environment—Besides voting for the SST, Ford has voted to increase logging in national forests, and against the 1965 Clean Air Act.

In sum, Gerald Ford on the issues has an extremely poor record. While he is a popular man throughout Congress, congressional "clubbiness" should not become an excuse to

overlook Ford's stands on issues. He should be judged as a potential President.

The Wall Street Journal, in an October 15 editorial, summed up the case on Gerald Ford: "The nomination of Mr. Ford caters to all the worst instincts on Capitol Hill—the clubbiness that made him the choice of Congress, the partisanship that threatened a bruising fight if a prominent Republican presidential contender were named, the small-mindedness that thinks in terms of who should be rewarded rather than who could best fill the job."

Gerald Ford cannot best fill the job. It is doubtful that he can fill the job at all.

STATEMENT ON NOBEL PRIZE AWARD TO LE DUC THO

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. CRANE. Mr. Speaker, the announcement that this year's Nobel Prize for Peace will be shared by Secretary of State Henry Kissinger and North Vietnam's Le Duc Tho has been greeted with enthusiasm by many, but with some serious questions as well.

The New York Times, for example, in its editorial of October 17, 1973, noted that:

The awarding of the Nobel Peace Prize to Henry A. Kissinger of the United States and Le Duc Tho of North Vietnam is, at the very least premature. The truce agreement they achieved in months of tortuous negotiation and mutual recrimination was promptly met by new combat.

The Times noted that:

The withdrawal of American troops from South Vietnam has not yet brought Southeast Asia to a state that can conceivably be called peace.

The reason why peace has not been brought to Southeast Asia is, in large measure, the same reason for believing that the award of the Nobel Prize for Peace to Le Duc Tho is seriously in error. It is the Communist regime in Hanoi which is determined to make the truce signed in Paris a mockery. Its goal of dominating South Vietnam is the same as it ever was, and its conduct since the signing of the truce is an indication that the rhetoric of peace has simply been a smokescreen for the actions of war.

The evidence of North Vietnamese violation of the Paris truce agreement is overwhelming. In April, for example, Henry Kissinger said that:

It is a brutal fact that North Vietnam has systematically . . . and cynically violated the "important clauses of the Vietnam peace settlement."

Dr. Kissinger told an Associated Press meeting that:

The United States was very disappointed in the compliance by the North Vietnamese with the agreement. We have believed, and have said so publicly, that the end of the war in Vietnam should start a process of normalization in the relations between Hanoi and the U.S.

He cited as the major North Vietnamese violations—

The commitment to withdraw from Cambodia and the commitment to withdraw from Laos—which was unconditional—the commitment not to introduce troops or supplies into South Vietnam—which was also unconditional except through authorized checkpoints—and respect for the Demilitarized Zone on which we spent four weeks in Paris.

At that same time the State Department declared that rebel forces fighting in Cambodia are "trained, supplied, and supported" by North Vietnamese regular army forces.

On July 19, 1973, Michel Gauvin, head of the Canadian delegation to the International Commission of Control and Supervision, left Saigon after having struggled for nearly 6 months to make the commission an effective peace-keeping organization.

At a news conference, Mr. Gauvin asserted that the Communists had created insurmountable obstacles to policing the cease-fire. He said that Poland and Hungary, which along with Canada and Indonesia made up the commission, had consistently refused to acknowledge publicly violations of the truce by the Vietcong and the North Vietnamese, and charged that the Vietnamese Communists generally had not cooperated with the commission.

Terror within South Vietnam has continued since the cease-fire. Officials of the Vietnamese Confederation of Labor—SVT, South Vietnam's trade union movement, told AFL-CIO leaders that,

The long struggle for control of the South Vietnamese people is entering a new and important phase, full of uncertainties and difficulties. The North Vietnamese and the Viet Cong are stepping up their terror activities, including the assassination of union officials, village and hamlet leaders.

CVT President Tran Quoc Buu points out that since the January 28 cease-fire went into effect, more than a dozen labor leaders, including Can Van Nang, a vice president of the strong national federation of tenant farmers, had been "brutally assassinated." Can Van Nang was killed in Communist terrorist action in Van Binh province.

Concerning Hanoi's record with regard to abiding by the truce agreement, columnist James Reston, writing in The New York Times of March 11, 1973, notes that,

. . . the plain fact seems to be, if U.S. intelligence reports are even close to the mark, that Hanoi has shipped as many as 300 tanks into the South—the evidence is that they are cheating.

We could take pages of the RECORD up with additional indications of North Vietnam's continued support of terrorism, and violation of almost every provision of the truce agreement.

All of this should make it clear that any Nobel Peace Prize based upon the January 28 cease-fire agreement is not only "premature" but also ill-advised. To give a peace award to Le Duc Tho, the representative of a government which is committed to imposing its will through the use of force, makes a mockery of the values the Nobel Prize was meant to advance.

LOSS OF A GREAT ECONOMIST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ASHBROOK. Mr. Speaker, a few days ago one of the few giants in the field of economics died. Of course, I am speaking of Ludwig von Mises who has been described as "the greatest analytical economist of his generation." I would add that he was one of the major free market economists of any generation.

Von Mises wrote 19 volumes during his lifetime as well as hundreds of articles. Among his works are "Theory of Money and Credit," the monumental "Human Action," "Omnipotent Government," "The Anti-Capitalist Mentality," "Socialism," and "Bureaucracy." At a time when some seem to be in a headlong flight from the free market system, it may do us all well to reread his works and remember his message.

At this point, I include in the RECORD "Salute to von Mises" by Henry Hazlitt which appeared in the October 1, 1973 issue of *Barron's*. This article commemorated von Mises' 92d birthday. His work will live on in his many books and articles.

SALUTE TO VON MISES—FOR 92 YEARS HE HAS FOUGHT THE GOOD FIGHT

Last Saturday marked the 92nd birthday of Ludwig von Mises, the greatest analytical economist of his generation. He has also been one of this century's ablest champions of private enterprise and the free market.

Those 92 years have been amazingly fruitful. In conferring its Distinguished Fellow award in 1969, the American Economic Association credited Mises as the author of 19 volumes if one counts only first editions, but of 46 if one counts all revised editions and foreign translations.

In his late years other honors have come to Mises. He was made an honorary doctor of laws at Grove City College in 1957, an honorary doctor of law at New York University in 1963, an honorary doctor of political science at the University of Freiburg in 1964. In addition, two *Festschriften* were devoted to him—*On Freedom and Free Enterprise* in 1956, containing essays in his honor from 19 writers, and *Toward Liberty*, a two-volume work published in 1971 on the occasion of his 90th birthday, with contributions from 66 writers.

But such honors, even taken as a whole, seem scarcely proportionate to his achievements. If ever a man deserved the Nobel Prize in economics, it is Mises. But in the few years of its existence, that award has gone to a handful of so-called "mathematical economists"—in large part, one suspects, because only a parade of unintelligible mathematical equations impresses the laymen responsible for finding laureates as being truly "scientific," and perhaps because granting it to economists primarily for their mathematical ability relieves the donors from seeming to take sides in the central political and economic issues of our time—the free market vs. government controls and "planning," capitalism versus socialism, human liberty versus dictatorship.

Ludwig von Mises was born on September 29, 1881, in Lemberg, then part of the Austro-Hungarian Empire. He entered the University of Vienna in 1900, studied under the great Eugen von Boehm-Bawerk, and

acquired his doctorate in law and economics in 1906. In 1909, he became economic adviser to the Austrian Chamber of Commerce, a post he held till 1934.

In 1913, following the publication of his *Theory of Money and Credit* the preceding year, he was appointed professor of economics at the University of Vienna, a prestigious but unpaid post that he also held for 20 years. His famous seminar in Vienna attracted and inspired, among others, such brilliant students as F. A. Hayek, Gottfried Haberler and Fritz Machlup.

In 1934, foreseeing the likelihood that Hitler would seize Austria, Mises left, advising his students to do the same. He first became professor of international economic relations at the Graduate Institute of International Studies in Geneva. In 1940, he came to the United States.

Mises was already the author of more than half a dozen books, including three masterpieces, but only one of these, *Socialism: An Economic and Sociological Analysis*, had been translated into English. So Mises was practically unknown here, and, as the fashionable economic ideology then was Keynesianism and its New Deal offspring, he was shrugged off as a reactionary.

Gaining an academic appointment proved difficult. Turning to books, he wrote *Omnipotent Government*, a history and analysis of the collapse of German liberalism and the rise of nationalism and Nazism. It was not until 1945 that he became a Visiting Professor at the Graduate School of Business Administration of New York University, a post he held until 1969.

His body of work is large and impressive. But we can confine ourselves here to considering two of his three masterpieces—*The Theory of Money and Credit*, which first appeared in German in 1912; *Socialism*, originally in German in 1922; and *Human Action*, which grew out of a first German version appearing in 1940.

Mises' contributions to monetary theory have been too numerous to list completely. For one thing, he succeeded in integrating the theory of money with the great body of general economic theory. Before him general economic theory and the theory of money were kept separate, almost as if they were unrelated.

Mises also saw the fallacies in the proposals of the so-called monetarists, that "the price level" could or should be stabilized by government managers who increased the quantity of money by a certain percentage every year. He saw that inflation cannot be automatically controlled—that because of its changing effects on expectations, an increase in the quantity of money, in its early stages, tends to increase prices less than proportionally; in its later stages, more than proportionally.

Mises also rejected the simplistic concept of "the price level." He pointed out that increases in the quantity of money do not raise all prices proportionately; the new money goes to specific persons or industries, raising their prices and incomes first. The effect of inflation is always to redistribute wealth and income in ways that distort incentives and production, create obvious injustices, and enkindle social discontent.

Moreover, Mises presented in this book, for the first time, at least the rudiments of a satisfactory explanation of the business cycle. He showed that boom and bust were by no means inherent in capitalism, as the Marxists insisted, but that they did tend to be inherent in the monetary and credit practices prevailing up to that time (and largely since). The fractional bank-reserve system, and the support furnished by central banks, tend to promote the over-expansion of money and credit. This raises prices and artificially lowers interest rates, thus

giving rise to unsound investment. Finally, for an assortment of reasons, the inverted pyramid of credit shrinks or collapses and brings on panic or depression.

Mises' *Socialism* is an economic classic written in our time. It is the most devastating analysis of the system ever penned. It examines that philosophy from almost every possible aspect—its doctrine of violence, as well as that of the collective ownership of the means of production; its ideal of equality; its proposed solution to the problem of production and distribution; its probable operation under both static and dynamic conditions; its national and international consequences.

This is by far the ablest and most damaging refutation of socialism since Eugen von Boehm-Bawerk published his memorable, *Karl Marx and the Close of His System*, in 1898. It is more. Boehm-Bawerk confined himself mainly to an examination of Marx's technical economics. Mises scrutinized socialism in all its ugly aspects.

His outstanding contribution was to point out that socialism must fail because it is incapable by its very nature of solving "the problem of economic calculation." A socialist government does not know how to distribute its labor, capital, land and other factors of production to the best advantage. Since it does not know which commodities are being produced at a social profit and which at a social loss, it does not know how much of each commodity or service to plan for.

In short, the greatest difficulty to the realization of socialism, in Mises' view, is intellectual. It is not a mere matter of goodwill, or of willingness to cooperate energetically without personal reward. "Even angels, if they were endowed only with human reason, could not form a socialist community." Capitalism solves this problem of economic calculation through money prices and money costs of both consumers' and producers' goods, which are fixed by competition in the open market.

On the basis of this single achievement, the late Oscar Lange, a Marxist economist who later became a member of the Polish Politburo, once proposed that future socialists erect a statue to Ludwig von Mises. Said Lange: "It was his powerful challenge that forced the socialists to recognize the importance of an adequate system of economic accounting to guide the allocation of resources in a socialist economy." Lange was at least brought to recognize the problem and thought he had solved it. In fact, the only way that socialists can solve it is by adopting capitalism.

Because it illustrates not only the cogency of his logic, but also the depth of his feeling, the power of his intellectual leadership, and the uncanny foresight with which he judged the course of events more than 40 years ago, I cannot forbear from quoting a passage from the last page of Mises' *Socialism*:

"Everyone carries a part of society on his shoulders; no one is relieved of his share of responsibility by others. And no one can find a safe way out for himself if society is sweeping towards destruction. Therefore everyone, in his own interests, must thrust himself vigorously into the intellectual battle. None can stand aside with unconcern; the interests of everyone hang on the result. Whether he chooses or not, every man is drawn into the great historic struggle, the decisive battle into which our epoch has plunged us."

As the eminent French economist Jacques Rueff once put it: "Those who have heard him have often been astonished at being led by his cogency of reasoning to places whither they, in their all-too-human timorosity, had never dared to go."

RUSSIA'S SUCCESSFUL HAMSTRINGING OF DÉTENTE

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. BRASCO. Mr. Speaker, I have long hoped that some agreements might at last emerge to ease the long years of tension between the United States and the Soviet Union. In recent months, it looked as if such a possibility was very real. Regrettably, the events of the past week have changed my thinking.

When the Syrians and Egyptians launched their surprise attack upon Israel, it had to be with the full knowledge of the Russians, otherwise why else would they have evacuated their dependent personnel in the affected countries? Certainly they had advance knowledge of what was contemplated by the Syrians and Egyptians, especially in light of the fact that Russia is the only important supplier of armaments for the combatant Arab States, and has been the sole supplier for some years now.

When President Nixon and Brezhnev met last year in Moscow, a number of communiques were issued, pledging both sides to an easing of tensions. Russia's leader poured out soothing words like oil upon the waters, and everyone congratulated themselves on all the progress we were making toward détente with the Soviets.

Today, that entire scenario emerges as a vast sham, although, to his credit in this, President Nixon cannot be accused of bad faith. When the fighting broke out in the Middle East, the United States asked for great power cooperation to end it, and was rebuffed. Nor was this all. Rather, it turned out to be merely the commencement of a calculated policy of Soviet deceit, warmongering and betrayal. In the process, the Russians played with the very essence and balance of world peace.

While the fighting grew in intensity, the Russians were engaged in a careful, methodical campaign throughout the entire Arab world to draw every nation possible into the growing combat. How callously and cold-bloodedly the Russians acted. Tunisia, Algeria, Lebanon, and Jordan were all actively encouraged by the Russians to join in ganging up on Israel, once the hostilities were well underway. Here was an invitation to holocaust across the globe. Here was the true face of the Soviet Union. Each of the letters delivered by every Russian ambassador repeated the same message. In effect, Russia was saying, "Jump in now, boys, and kill Israel while you have the chance."

Détente cannot survive such irresponsibility. One can only term the Russian behavior a calculated policy designed to insure Israel's destruction. In the process, she acted with incredible cynicism toward the United States. While putting on the face of reconciliation, the Soviet regime was busily engaged in going about its old business of seeking world domination and hegemony at the expense of the

West. No matter how it is bent to and fro, the final result still emerges the same.

To compound the bloody, chancy business, the Russians have emerged with a massive airlift of modern weapons to the irresponsible aggressor states in the Middle East who staged the Pearl Harbor-style sneak attack, Syria and Egypt. Once again, here is the true face of Soviet thinking and diplomacy.

Brezhnev is revealed as the same kind of cynical Communist dictator as his predecessors. He may wear a business suit, smile, pat children on the head, and make little jokes to the television camera. However, in the past few days he and the regime he heads emerge as purveyors of weapons to desperate gamblers who would plunge mankind into the ultimate and final battle. It is bad enough to place a loaded pistol with a hair trigger into the hands of an irresponsible child. But what does one think of the person who deliberately does so, and seeks to gain at your expense by it? Does one then proceed to trust that calculating, cynical opportunist with one's life savings, virtue, and future? Hardly.

The Soviets are like a drunkard who can never stop. They cannot resist the opportunity to conquer a part of the world on the sly and on the cheap. Having been burned by Arab irrationality again and again, they seek to maintain control over the uncontrollable, even though it is like running through a powder magazine with a lighted torch.

The United States must carefully reconsider any and all agreements, formal and otherwise, with the Soviet Union. If they were willing to act in this thrice deceitful manner in the Middle East, how will they act in a crisis with us. Suppose in some three-cornered disagreement with China, we suddenly find ourselves confronted with a unified Russia and China arrayed against us. Are we not fools to believe these people, when the recent Middle East actions on their part are piled upon the chicanery of other similar actions?

Previous to this, only those on the most conservative edge of the American political spectrum took such a stance. While I have not converted to that philosophy, however, it is my feeling that numbers of Americans who are of the liberal philosophical persuasion share my feelings. This by itself does not augur well for the so-called "détente" promoted so assiduously by many among us. Perhaps Senator HENRY JACKSON is right when he states that the Russians are more like a burglar walking down a hotel corridor, stating aloud that he has reformed while he simultaneously turns the handle of every doorknob he happens to pass.

BEYOND DESEGREGATION—WHAT OUGHT TO BE DONE?

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. PREYER. Mr. Speaker, a main concern of American public life in the

last century has been to bring the black man from slavery into the mainstream of American society. In the long view of history, our country will be judged to have made a great effort, unprecedented in the history of mankind, to achieve this goal.

The capstone of this effort was to have been the integrated school system. It was thought that the integration of schools would work out very much like the integration of athletic teams and of restaurants, motels, movie houses and other public facilities. Once the discriminatory laws and customs were broken down and blacks, even if only a few, were admitted to formerly all white schools, integration would follow naturally and relatively painlessly. Everyone would realize how unfair the past practices had been and would welcome the new dispensation as lifting a great load of guilt from the national conscience. It has not worked out that way, because the desegregation of schools, unlike the desegregation of sports and lunch counters, involves the restructuring of educational institutions and conflicts with other important values.

It is difficult for liberal and progressive people to admit that integration is not working, for they have invested an enormous amount of emotional capital in the ideal of integrated schools, and they continue to see the difficulties as being caused primarily by white racism. While a small number of parents may be die-hard segregationists, I submit that the majority of them are conscientious and sincere and are concerned for the welfare of their children. They are good citizens, who by and large, have faithfully supported public education and who have provided the resources to nourish it. They have also accepted integration as right and just. But they are heartsick to see the deterioration in discipline and in the quality of education in our schools and what this means for the future of their children. They see the education and life chances of their children being jeopardized in the interest of improving others. They do not object to leveling up, but violently resist leveling down.

Actually, the effort to bring the black man into the mainstream of society through school desegregation has been both a success and a failure. It has been a success in that the principle of legal, official segregation has been denied everywhere. The legal structure of segregated schools has been destroyed and the idea repudiated. For moral as well as historical reasons, all of the United States stand firmly for the principles of racial equality. This has been a considerable achievement. But it has been a failure in that dismantling the legal, official structure of segregation has not automatically integrated schools.

The extent of the failure can be illustrated by two points on which there is a reasonable degree of consensus: First, there is a high degree of racial segregation in the Nation's public schools despite *Brown v. Board of Education*; and, second, there is a substantial gap between Negro and white educational achievement levels.

The exclusive response of courts to these two problems has been to order

more actual integration of schools. To the question of how much further we should push beyond the abolition of official segregation—and thereby increase actual integration in schools—the courts have answered that the objective is “the greatest possible degree of actual racial balance as closely as possible through the use of cross-busing. This is where the trouble begins.

Racial balance as a remedy for illegal segregation derives a logical and idealistic appeal from being the opposite of official segregation. The black columnist for the Washington Post, William Raspberry, has said:

Racial segregation in public schools is both foolish and wrong, which has led a lot of us to suppose that school integration must, therefore, be wise and just. It ain't necessarily so.

The courts have been unable to achieve the best educational results using this racial balance approach because courts cannot control all the conditions necessary to bring about educationally effective integration. We do not have much evidence on what makes for educationally effective integration, but the evidence we do have, primarily the Coleman Report, indicates that improving the education of low-income students requires integration with middle-income students in a proportion that assures a majority of middle-income students. There is no benefit derived from mixing low-income students with other low-income students, and if low-income students constitute a majority when mixed with middle-income students, the education of both groups suffers. This means that educationally effective integration requires a delicate balancing of low-income and middle-income students.

The courts, however, are unable to control this balance because people are free to live wherever they choose and are free to send their children to private schools. As a result, we get the phenomenon of “white flight” from the public schools and “resegregation,” and the educationally effective balance is continually disturbed.

It is difficult to condemn any parent, rich or poor, for seeking the best schooling for his child that he can find and afford. But parents with lower incomes have much less choice, and this has an invidious consequence, because where the integration of schools is possible, the burden of bringing it about falls heaviest on low-income whites. Many low-income parents have chosen their place of residence largely on the basis of the schools available, exercising almost the only degree of choice they have. It is small wonder that they explode emotionally when they are told that their children must be sent elsewhere to further what they consider a vague sociological goal rather than the interests of their children. They resent this as an unfair restriction on their freedom of choice, rather than being concerned with busing as such.

In some areas of the country, especially the large cities of the North and East, integration by racial balance seems a practical impossibility. For example, it is hard to see how the 20-square-mile black area of Chicago can be integrated in any

practical way. This situation creates two consequences. It leads to a discriminatory legal double standard whereby law and school policy are applied differently in different areas of the country. Furthermore, it begs the question of what is to be done about the black inner-city schools of our large cities, for they should not be left in isolation while we turn our attention to integrating those schools in which integration is possible.

The controversy over school integration has, of course, led to demands on Congress to “do something.” Congressional response has been uncertain. Only in the past 2 years has Congress considered comprehensive legislation to deal with the problems as a whole or attempted to express a national policy on the subject. The objective of these comprehensive bills, with different degrees of emphasis, is to formulate a national policy designed to encourage a reduction of de facto—unofficial—school segregation and to deal constructively with the problem of achievement disparities in those situations in which racial concentration remains. The comprehensive bills fall into three major categories.

The first category of proposed legislation is based on “improving the schools where they are.” The instrument for doing this is compensatory spending. The difficulty with this approach, apart from its overtones of a return to the “separate but equal” doctrine, is that there is a great deal of evidence to indicate that compensatory spending has no measurable effect in improving the educational achievements of the recipients.

Educational achievement appears to depend, as Christopher Jencks has written, not on the quality of the school itself but “largely on a single input, the characteristics of the entering children.” These characteristics are determined by a number of factors, including genetics, environment—especially the first 4 years—family background—including the nutrition of the mother when pregnant with the child—and the influence of television. Compensatory spending on schools touches none of these factors.

Compensatory spending as the sole answer to our school problem is no answer. But despite the findings that compensatory programs have little effect on achievement, compensatory spending should not be ruled out as a part of the answer.

The second category of comprehensive legislation is addressed to court remedies. An example is H.R. 13915, passed last year by the House of Representatives. This bill also includes compensatory spending features, but its main thrust is directed at limiting the remedies courts may apply when discrimination has been found.

Such bills endorse the principle of an integrated school system, but would limit the remedies the courts can apply to bring an integrated system into existence. They do not ban all busing, but tightly circumscribe busing remedies that may be ordered in de jure cases, that is, cases in which officially sanctioned segregation exists. H.R. 13915, for example, directs that a court may not resort to busing until it has first sought to bring about

an integrated school system by attempting other specified remedies. If the goal of a unitary school system is not achieved in this fashion and if it then becomes necessary to bus, such busing is limited to the school nearest or next nearest to the student's residence.

There are several problems with this category of legislation. In addressing itself primarily to the question of excessive busing remedies, it is largely silent on the question of reducing racial concentration in unitary school systems. Its positive legislative policy toward de facto school segregation is weak, putting all its eggs in the basket of compensatory education. The inner-city school is left largely untouched.

There is also a practical difficulty with the “next nearest school” provision of H.R. 13915. In most cities of 50,000 or above in population, blacks tend to live together in one or more sections of the city. These sections are often bordered by low-income white areas. As a result, busing to the next nearest school will usually result in mixing two low-income groups, since middle-income sections are often further removed geographically from black sections. The educationally effective mix of middle-income students with low-income students, as recommended by the Coleman Report, is not achieved, and the low-income white is further embittered.

These problems can be avoided. Congress unquestionably has the authority to deal at large with the problems of education, although it is treading on dangerous ground whenever it attempts to control judicial decrees in an area in which the courts are applying the Constitution. H.R. 13915, and other bills in the second category of legislation, seek to stop the courts from granting certain remedies but do not attack the problems at which these remedies are directed. Congress goal should be to use its legislative power to reduce the need for busing in achieving a unitary school system. This is much better than creating false hopes by attempting to foreclose the remedies of the courts.

The third category of pending legislation before Congress attempts to address the problems rather than the courts. An example of this type of legislation is the Preyer-Udall bill which was first introduced last year. The principal draftsman of this bill is Prof. Alexander Bickel, Chancellor Kent Professor of Law and Legal History at Yale Law School. The bill does not seek to give a categorical answer to the problems of schools, because in our judgment, the problems of unequal and inadequate educational results and of racial concentration in some schools are not susceptible of resolution by a categorical national policy.

The bill also recognizes that the courts are poor instruments for bringing about specific reforms in education. When confronted with racial isolation in a school district that is doing little on its own to attack the problem, a court will order busing because there is little else it can do that will have much impact. A court may well decide that it is foolhardy to insist on racial balance, which busing promises but all too often fails to achieve,

as the sole or even the principal means of solving the problem of racial isolation in a particular school district. But what else is the court to do? We need to assist the courts by offering them alternatives to busing rather than just prohibiting the use of busing.

How can we bring about this new educational reality and develop constructive alternatives for the courts' consideration? Such alternatives will appear only when the reins of education control are handed back to local officials. Otherwise, embittered communities will continue to watch from the sidelines as the courts administer clumsy and drastic remedies to their educational ailments. Community involvement and community control might become a reality if local school districts were required to take a hard, organized look at their problems and then to devise a comprehensive 10-year plan for improvement. Such a plan would be more than a simple desegregation scheme. It would necessarily include methods to reduce racial concentrations, but it would also include any number of innovative techniques to improve the educational process, as a whole. Significantly, there is every reason to believe that school districts in the process of charting their own educational course might be viewed differently by Federal judges who so often in the past have had only a choice of either issuing a busing decree or seeing nothing done.

The Preyer-Udall bill carries out this suggestion. It would require that each State within 2 years of enactment submit a plan to carry out the objectives of the act, that is, to improve and equalize educational results throughout the Nation and to alleviate racial isolation. Federal financial assistance would vary not only in accordance with the population of a State, but also in accordance with the number of minority families. Plans would be reviewable annually and would be geared to achieve their objectives in 10 years. Acceptable plans would include one or more of such features as magnet schools, educational parks, cooperative exchanges, and joint participation programs for minority-group and nonminority-group children who attend different schools, whether public or private. The list contained in the bill is not exclusive. Its purpose is to give examples of techniques that might be included in a State plan.

Each plan would be developed in consultation with local educational agencies, a local advisory committee, including parents of students, and a State advisory council. A National Advisory Council, appointed by the President, would work with the Secretary of Health, Education, and Welfare in developing criteria for the approval of plans and in reviewing the operation of the plans.

The bill also includes a "majority transfer" provision which gives a student a right at the beginning of the school year to transfer from a school in which his race is in a majority to a school in which his race is in a minority, with transportation furnished. This is a first step and would result in siphoning off some students from inner-city schools to the suburbs, thus relieving racial isolation.

tion. Experience indicates, however, that it would not result in any mass exodus.

Another feature of the bill is an "equalization of resources" provision which directs local educational agencies to eliminate disparities in educational practices between schools that result in unequal educational opportunities. Eight examples of such disparities are listed, such as comparative overcrowding of facilities, higher pupil-teacher ratios, provision for fewer student services and inadequate buildings. This provision could be easily coordinated with new tax law to provide a structure through which new financing plans for schools could be channeled. Rather than the hit-or-miss system of each school district applying for grants, it would provide for a coordinated statewide program for the use of such funds.

It should be pointed out that the Preyer-Udall bill does not require busing. Our real range of action probably involves modest and limited busing, together with the use of other techniques, such as redrawing of neighborhood attendance zones, magnet schools and majority-minority transfers. The recent Lambda study indicates that we can revise the more extensive busing plans and still carry forward desegregation.

It could be argued that the Preyer-Udall approach is utopian and will only provide an excuse for more delay and foot dragging. However, there are two powerful inducements for the States to submit plans for approval. The first inducement is Federal financial support for needed educational programs. The second is the threat of a court takeover, with the probable imposition of a mathematical racial balance decree if no good faith effort is made to achieve the objectives of reducing racial concentrations and reducing the disparities of educational achievements among schools.

All three branches of the Federal Government can share the blame for the emotional controversy over busing. Clearly, something must be done. But it is important that the balance to be struck be morally and intellectually right. Congress should act in cooperation with the courts and not in conflict with them.

The question is one not of goals but of the wisest choice of means to achieve racial desegregation in the schools. The courts have adjudged proportional racial balancing, achieved by busing, as the best temporary answer. But this is a bad long-term answer. It is disruptive to society. It damages our educational system. It results in resegregation and therefore is futile by its own terms. Proportional racial balance, as ordered by the courts, is not the best and only way to reach the goals of improving our schools, providing equal educational opportunity and overcoming racial concentration. Rather, we should put our funds and energies into developing new educational plans, locally evolved and locally administered.

Mr. Speaker, yesterday the gentleman from Arizona (Mr. UDALL) and I are reintroducing our legislation of last year in substantially identical form. I commend this bill to our colleagues and hope

it will receive the serious consideration that we believe it deserves.

VETERANS DAY—1973

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. PRICE of Texas. Mr. Speaker, the history of Veterans Day itself reflects the military history of our troubled times. It has evolved from an observance commemorating the termination of hostilities of World War I to a day of solemn recollection and acknowledgement of the debt we owe to all of the brave men who gave their lives in our country's defense. On Veterans Day we now also honor the veterans among us who bore the brunt of battle and served their country well in its times of peril and need.

On November 4, 1921, Congress, by joint resolution, authorized the President to proclaim November 11—of that year only—a Federal legal public holiday in honor of the burial of the Unknown Soldier at the Arlington National Cemetery. During the years that passed immediately thereafter, the observance, held each November 11 at 11 a.m., the month, day, and hour of the cessation of World War I hostilities, became known throughout the country as Armistice Day.

In 1938, Congress declared the day to be a permanent Federal legal public holiday. The statutory language of the act of Congress by which this was achieved was brief and businesslike for a day that carried such a heavy burden of emotion, especially for those who had lost a loved one in the First World War:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled; that the 11th day of November in each year, a day to be dedicated to the cause of world peace and to be hereafter celebrated and known as Armistice Day, is hereby made a legal public holiday to all intents and purposes and in the same manner as (other legal public holidays).

After World War II and the Korean conflict, the inappropriateness of confining a holiday to the commemoration of the ending of the First World War was apparent; Congress, therefore, by an act approved on June 1, 1954, changed the name of the day from Armistice Day to Veterans Day. Thus the designation was made all-inclusive, and November 11 was thereafter observed in honor of both the dead and the living members of the Armed Forces of the United States.

This year, under the provisions of the Monday Holiday Act, we observe Veterans Day on the fourth Monday in October. I would like to say that I am very much opposed to the moving of Veterans Day from its traditional day of observance—November 11—to its present date. I have sponsored legislation to return Veterans Day to its rightful historical place, and I trust that the Congress and the President will join in making the 11th day of the 11th month once again our national and honored Veterans Day.

In honoring Veterans Day, let us remember that each man answered his

country's call according to the dictates of his own conscience. One of the most moving expressions of this individual sense of responsibility was made by Washington during the first year of his Presidency when he addressed the Legislature of the State of Connecticut in these words:

I have obeyed a summons to which I can never be insensible . . . When my country demands the sacrifice, personal ease must always be a secondary consideration.

For those veterans who were fortunate enough to have returned unscathed, we must remember the war-caused disruption of their lives, their willingness to risk the desperate hazards of combat, and the agonizing separation from their loved ones which they endured.

We are also well aware that the contribution of our veterans to the national welfare is not limited only to wartime. The evidence of their leadership is all about us, in business, in public life, and in the professions. Our last five Presidents have been veterans, and today veterans are contributing to a stronger and better America through their efforts in every form of human endeavor.

But we are all tragically aware that all the Veterans Days that have been observed, and all these that will be observed, can never bring back those who have died, or fully compensate the maimed and ill among our veterans. Yet we must do something to express our devotion and thanks, and our Veterans Day observance are one of the ways that we have adopted. Let us therefore observe Veterans Day in the proper spirit of humble thanksgiving for the gift of freedom bestowed upon us by our American fighting men, and pray that we shall not again be forced to ask our young men to take personal risk in our defense.

KEEP ST. ALBANS NAVAL HOSPITAL OPEN

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. WOLFF. Mr. Speaker, evidence of community support for keeping St. Albans Naval Hospital open continues to mount. This support is not for turning this facility into an animal quarantine center, as the Department of Agriculture has proposed, but rather to keep the hospital operating to serve the half a million veterans of Queens, Nassau, and Suffolk Counties. These veterans, many of whom became disabled in an unpopular war, deserve the best attention that this country can provide. I would like to insert the following statements of the Jamaica Hospital and the Podiatry Society of New York in the RECORD:

THE JAMAICA HOSPITAL,
Jamaica, N.Y., October 11, 1973.

Congressman LESTER WOLFF,
Great Neck, N.Y.

DEAR CONGRESSMAN WOLFF: The Ambulatory Care Advisory Committee of Jamaica Hospital consists of consumers and providers of health care, and has a consumer major-

ity. The Ambulatory Care Advisory Committee is deeply concerned with health services in the entire borough of Queens as well as in our own hospital. We wish to go on record that we oppose the closing of St. Albans Hospital.

There is a serious shortage of hospital beds and ambulatory care facilities in the borough of Queens. We suggest that the hospital be converted to a Veterans Administration hospital which will also include community health facilities and thus provide needed health care to veterans, their families, and to the Queens community.

Very sincerely yours,

GEORGE MCCOY,
Ambulatory Care Advisory Committee
of Jamaica Hospital.

THE PODIATRY SOCIETY OF
THE STATE OF NEW YORK,
October 9, 1973.

HON. LESTER WOLFF,
Great Neck, N.Y.

DEAR MR. WOLFF: As president of the Queens Podiatry Society of the State of New York, I would like to inform you that our Executive Board and Board of Trustees in Queens County has gone on record to oppose the discontinuance of the present program at the St. Albans Naval Hospital. It is our firm conviction that this facility be reorganized to service the surrounding community as a public health center.

Yours very truly,

DR. LESTER S. KELLER,
President.

NEW YORK STATE LOSES A DISTINGUISHED CITIZEN

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. McEWEN. Mr. Speaker, the death of the Honorable Fred A. Young took from my constituency one of its most outstanding and respected citizens. Judge Fred A. Young, who died on October 16, was an able lawyer who had distinguished himself as a legislator, jurist, and, above all, as a politician in the very best sense of the term. Beginning as a justice of the peace in his village, he went on to serve as a member of the New York Assembly, a State senator, judge of the New York State Court of Claims and, finally, as presiding judge of that court. A former county chairman, he was elected in 1963 as chairman of the New York Republican State Committee. Most of my New York colleagues on both sides of the aisle knew Fred Young as a friend.

I include the following statement by Gov. Nelson A. Rockefeller on the death of Judge Young:

STATEMENT BY GOV. NELSON A. ROCKEFELLER

The death of Judge Fred A. Young takes from New York State a man respected for his abilities as legislator, political leader and judge—beloved for his kindness to his fellow man.

Fred Young served the people of New York with distinction and energy. He won acclaim as a practicing attorney and county chairman in Lewis County. He rose through the ranks of public life to become successively a State Assemblyman, a State Senator and Judge of the Court of Claims.

A lifelong Republican, Fred served as a county chairman for more than 15 years. His popularity among the men and women of his

party was underscored in 1963 when he was elected head of the Republican State Committee—a post in which he served with characteristic vitality and effectiveness. Known to fellow Republicans throughout the nation, Fred was also vice chairman of the New York delegation to the GOP National Convention in 1964.

His accomplishments as Presiding Judge of the Court of Claims are a matter of record. He took justifiable pride in the reduction of a large backlog of cases before the Court during his last term as Presiding Judge.

Fred Young's generosity and humanity will always be legendary. It is virtually impossible to chart the number of worthy causes to which he dedicated himself. He was my friend and I valued that friendship. Mrs. Rockefeller and I extend our deepest sympathies to Mrs. Young, their two children and all other members of the family.

GLYPTOTHECA, PINACOTHECA, AND THE NEED FOR THE MUSEUM SERVICES BILL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. BINGHAM. Mr. Speaker, the strike by the Museum of Modern Art's employees in New York City is but one indication of a growing need for Federal financial assistance to insure the well-being of the Nation's museums. H.R. 10596, the Museum Services Act, would establish a program of grants and technical assistance to ease the financial strains affecting many, if not all, of the country's museums.

The purpose of the Museum Services Act is to enable institutions with small endowments, such as the Museum of Modern Art, to absorb increased labor, material, acquisition, and exhibition costs without sacrificing their hard-earned reputations that are so important in drawing the viewing public, and hence, local fiscal support. The bill would not place the entire burden on the Federal Government as the only source of money, but would provide the support needed to insure that the educational and cultural benefits provided the public through this medium are not lost.

I commend to my colleagues an article that appeared in the October 16, 1973, edition of the New York Post detailing the situation facing the Museum of Modern Art:

IT IS THE BOTTOM LINE IN A PAY PROTEST
(By Jane Perlez)

There were several prints of Picasso's "Boy Leading the Horse," stuck on cardboard and strung around the neck of strikers parading outside the Museum of Modern Art on E. 53d St. The boy had a sign scrawled across the lower part of his torso. It reads: "We're Down to the Bare Minimum."

The museum's 135 professional and administrative employees who walked out a week ago begin a new round of negotiations today. They feel they are down to the bare minimum in dollars.

More than 40 earn less than \$7000 a year. Many earn the minimum \$6100. Some of them, like the 26-year-old chairman of the union negotiating team, Susan Bertram, earn \$9750.

A senior program assistant responsible for exhibitions sent to South America, Miss Bertram says her salary jumped \$3000 in the last year. She credits the rise to the formation of the Professional and Administrative Staff Assn., the first union of professional museum staff in the country.

SOME QUESTIONS

"Eighty per cent of the negotiating unit are women, 75 per cent of the staff are women but 75 per cent of the management are men," says the vigorous, lanky blond. "Why," she asked, "do the salaries of the 40 management staff total more than \$1 million, and the total for the 170 people in the bargaining unit only \$1.2 million?"

Inside the main doors, film department director Willard Van Dykes, a gray-haired man with a striped bow tie and gray flannel suit, was answering questions at the information desk. Film screenings stopped last week after the projectionists refused to cross the picket line.

"If they stuck to the questions of wages I could listen with more equanimity," he said, looking at the strikers on the sidewalk. "But there's an attempt to take over some of the prerogatives of the management."

And that, according to the museum's labor counsel, Robert Batterman, is the key to the talks. The union wants 16 people in supervisory positions—curators and assistant curators included—given union status. "We've discussed this at great length," Batterman said last night. "But we're at an impasse on it."

Today's meeting with state mediator Solomon Kreitman is the first since the strike began last week. The museum offered a 5½ per cent across-the-board increase over two years.

The union wants a rise in the minimum from \$6100 to \$7200. As well, it has asked for a nine per cent increase on all salaries for the first year. And it wants a representative on the board of trustees.

Elizabeth Shaw, director for public information, sat in her fifth floor office yesterday afternoon with the chance of the youthful picketers drifting through the windows.

"IT'S VERY DIFFICULT"

"We all know that museum work is not paid as well as any institution that makes money," she said. "This museum has a tiny endowment and it's very difficult. I think we'd like to do better in times of inflation."

How long can the museum tolerate the strike? "We're not hurting," she said.

But some vocal picketers were confident. "Attendance is down 50 per cent. Book sales are right down," said one, citing "friends on the inside."

Al Evanoff, vice president of District 65 of the parent Distributive Workers of America, looked over the picket line and said his 30,000 members were prepared to back the strike. Already, he said, food for the restaurant was not being delivered and garbage not being collected.

JAMES S. COPLEY

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mrs. BURKE of California. Mr. Speaker, a great California newspaper publisher, Mr. James S. Copley, died on October 6. His death was not only a great loss to the newspaper publishing enterprise he headed, but to all Californians.

He was a man with a steadfast belief in American ideals and principles, and

refused to compromise those beliefs for expediency or profit. He opposed totalitarianism in any form. He maintained an independent stance throughout his entire career.

Mr. Copley believed that the press had an obligation to present the news fairly and completely. He epitomized the kind of responsibility we expect and deserve in our daily newspapers. His newspapers reflected the professionalism that is a hallmark of good journalism.

When I served in the California State Assembly in Sacramento, I had occasion to deal frequently with the Copley Press and the Sacramento Union, his local paper, on many issues. Although we sometimes did not see eye to eye on a particular issue, my side was always represented factually and fairly. I can say that I always got proper coverage.

Mr. Copley defended our institutions and our heritage with vigor and courage. We are all somewhat the less for the passing of Mr. Copley.

However, I understand that his widow, Mrs. Helen Copley, has pledged to carry on in the same tradition. For that, we are grateful and wish the Copley Press continued life and success.

ADMINISTRATION CONTINUES TO LOSE IMPOUNDMENT BATTLES IN COURT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the administration is continuing to lose court battles contesting the massive and excessive impoundment of funds appropriated by the Congress.

The latest development is a recent refusal by the U.S. Supreme Court to hear a case directly from the State of Georgia which was not channeled through normal appeal procedures. The administration had requested that the case be heard.

States who resisted the effort for a direct trial of the suit in the Supreme Court pointed out that this might delay other cases which will reach the court through the normal appeals process.

Congressional Quarterly reported recently that the administration has lost 25 of 30 impoundment cases in lower courts.

Because of the interest of my colleagues and the American people in this most important matter, I place in the RECORD excerpts from an article in the Washington Post concerning the recent ruling by the U.S. Supreme Court and an article from Congressional Quarterly summarizing legal developments in impoundment cases.

The articles follow:

HIGH COURT DECLINES IMPOUNDMENT TRIAL

(By John P. MacKenzie)

The Supreme Court, rejecting pleas by the state of Georgia and the Nixon administration, refused yesterday to conduct a full-scale trial over the administration's power to impound funds appropriated for Georgia and other states.

In a brief order the court dealt a strategic setback to the administration, which now must continue to fight impoundment battles in lower courts, where it has lost nearly every case.

The court's refusal to entertain the Georgia case was among 900 actions taken as the justices disposed of cases accumulated during the summer.

The bid for a Supreme Court trial over impoundment came in a suit by Georgia demanding appropriated funds for highway, education and anti-pollution projects. Georgia invoked the high court's power to hear lawsuits in which states are a party, but the justices adhered to their practice of avoiding such suits where possible.

Both the state and Solicitor General Robert H. Bork conceded that lower courts also had jurisdiction over the controversy. But they said the fight could be settled sooner by bypassing the lower tribunals.

Ten states and New York City, also locked in impoundment litigation, urged the court to ignore the suit and wait for cases to come up in the regular appellate process. They argued that the court might actually slow the development of other cases if it took charge of the entire problem in prolonged proceedings here in Washington.

"It cannot be overlooked that the government's interests in an impoundment case are served by any delay," the states argued.

IMPOUNDMENT: ADMINISTRATION LOSES MOST COURT TESTS

As Congress nears final agreement on legislation to prohibit executive impoundment of appropriated funds, the Nixon Administration's impoundment policies are taking a solid drubbing in the courts as well. (*Legislation, Weekly, Report p. 2359*)

According to a study being prepared by the Library of Congress, about 30 cases dealing with the impoundment issue have been decided, primarily at the federal district court level. The government was on the losing side in all but five, according to a Library of Congress expert, but will appeal at least 10 of the adverse decisions.

Several suits are aimed at prying loose almost one-third of the \$1.8-billion the Department of Health, Education and Welfare (HEW) impounded in fiscal 1973 under a self-imposed spending plan. Because of the pending cases, according to an HEW official, about \$559-million was earmarked as "contingent obligations" before July 1, when the funds would have reverted to the Treasury.

Most courts have swept aside the administration's contention that in order to "faithfully execute" the laws, the President may impound funds to control inflation or prevent a tax increase. In most cases, specific anti-impoundment language covering certain programs supersedes the President's discretionary authority to withhold funds, the courts have ruled.

Typical was a decision handed down Aug. 3 by Federal District Court Judge Gerhard A. Gesell ordering HEW to process grant awards totaling \$52.1-million for community mental health centers. He termed the President's economic concerns "pertinent," but cited clear statutory obligation to spend the funds.

Because of the special anti-impoundment provision of a 1970 act covering the program, Gesell wrote, the President "does not have complete discretion to pick and choose between programs when some of them are made mandatory by conscious, deliberate congressional action."

SPENDING PLAN CONTROVERSY

The dispute between HEW and Congress over how much was appropriated for HEW programs in fiscal 1973 is a complicated one,

stemming from the fact that two regular appropriations bills for HEW in fiscal 1973 were vetoed. Funding was covered by a continuing resolution; its requirements are at the core of the initial controversy. (1972 *Almanac* p. 865)

Congress cleared the resolution June 30, 1972, before the first HEW appropriations bill had emerged from conference. Under the congressional interpretation, the resolution required spending at the lower of the House-passed or Senate-passed figures contained in the first bill. The fact that this bill was vetoed would not alter the resolution's requirements, according to the congressional viewpoint.

Another section of the resolution allowed spending at the lower of the administration's 1973 budget request or fiscal 1972 appropriations, if neither the House nor Senate had passed a fiscal 1973 appropriations bill for HEW. The administration, citing the two vetoed bills, has contended that this provision governed required spending.

The deadlock was complicated further by the administration's decision in January to submit revised fiscal 1973 budget requests for many health programs it proposed to kill or phase out in fiscal 1974. Because these requests were the lowest available funding levels for the disputed programs, HEW has used them as its fiscal 1973 spending plan.

These interpretations have caused both confusion and anger in Congress. "... The administration's spending plan changes from day to day and from hour to hour," complained Rep. Daniel J. Flood (D Pa.), chairman of the House Labor-HEW Appropriations Subcommittee, on June 26. "It is like a railroad timetable."

But at the request of House Interstate and Foreign Commerce Committee Chairman Harley O. Staggers (D W. Va.), HEW June 20 submitted figures detailing HEW's impoundment of \$1.1-billion Congress claims it appropriated for health programs in fiscal 1973. Staggers termed the impoundments a "sad failure of our government's commitment to serve its people." On July 12, he asked HEW Secretary Caspar W. Weinberger to submit a detailed justification for the impoundments. (*Programs affected, box, next page*)

In addition to the \$1.1-billion withheld for health programs, an HEW budget official told Congressional Quarterly that \$642-million was impounded for education programs. An additional \$70-million was not spent for the Social Security program, he said, because the funds were not needed.

COURT SUITS

Angered by the loss of funds required under the congressional interpretation of the resolution, states and groups representing recipients of HEW funds turned to the courts for relief. Their arguments have centered not so much on the general authority of the President to impound funds, but on the requirements of special congressional directives, written into law, to spend funds appropriated for the programs.

Some key cases were:

The National Council of Community Mental Health Centers won a final injunction Aug. 3 when Judge Gesell ordered HEW to award \$52.1-million in mental health center staffing grants. Gesell refused to delay the order pending a likely appeal of the decision.

The National League for Nursing has filed a suit aimed at the release of \$21.7-million in nurse training funds. On July 10, the group obtained a preliminary injunction from Gesell requiring HEW to carry over the funds until the case is settled.

Associations representing schools of optometry, pharmacy and podiatry obtained a similar injunction June 26 from a federal district judge in Washington, D.C.

Funds totaling \$13.7-million, or 50 percent of the congressionally required appro-

priation, were withheld from the schools. A ruling on a final injunction is expected in September.

Suits aimed at the release of about \$480-million in education funds have been brought by several states. Pennsylvania, joined by some other states, won a ruling June 28 from Federal District Court Judge Joseph C. Waddy requiring HEW to set aside \$380-million in elementary and secondary education funds. A final ruling is expected in early September. Other suits deal with library services and construction funds and special equipment programs.

MANDATORY LANGUAGE

Key to the outcome in the HEW cases is the existence of provisions of law specifically requiring expenditure of health and education funds. A provision (Section 601) of the 1970 extension of the Hill-Burton hospital construction act, passed over a presidential veto, required spending in major health programs. The provision was extended through fiscal 1974 as part of the omnibus health extension bill (PL 93-45). (1970 act, 1970 *Almanac* p. 221; 1973 extension, *Weekly Report* p. 1465)

Section 601 is identical to a 1970 amendment to the General Education Provisions Act, covering most education programs. Both provisions provide that funds appropriated before July 1, 1973, for the programs covered "shall remain available for obligation and expenditure until the end of such fiscal year."

In his ruling, Gesell admitted that the meaning of this language was not "readily apparent on its face nor free from doubt," but decided that the legislative history of Section 601 mandated spending of the mental health funds, regardless of the President's general impoundment authority.

Moreover, Gesell said, the President implicitly recognized this requirement by stating in his veto message on the 1970 act that Section 601 amounted to congressional insistence that funds "to carry out the programs involved must be spent." Passage of the act over the veto reaffirmed this intent, Gesell ruled.

ADMINISTRATION ARGUMENTS

Government attorneys arguing the HEW impoundment cases have preferred to ignore the special anti-impoundment provisions and stress the administration's general justifications for executive impoundment. According to Pennsylvania Deputy Attorney General James R. Adams, who argued the education suit, government attorneys "effectively conceded that it (the education provision) was not discretionary."

Weinberger wrote Staggers in June that the meaning of the special provisions "remains unclear and most debatable." But reacting to HEW's impoundment of \$1.1-billion for health programs, Sen. Jacob K. Javits (R-N.Y.) and 10 other Republican senators wrote Weinberger Aug. 2 to question his interpretation of the provisions.

At Jan. 17 confirmation hearings by the Senate Labor and Public Welfare Committee, the senators wrote, Weinberger said of the mandatory spending requirement for education programs: "... I know the mandatory clause requires the spending. That is my interpretation of it."

Arguments over special provisions aside, the government has relied on legal justifications for impoundment outlined Feb. 6 by Deputy Attorney General Joseph T. Sneed before a joint hearing of two Senate committees. (*Weekly Report* p. 291)

Sneed said the President had "an implied constitutional right" to impound funds if spending would aggravate shaky economic conditions or require a tax increase. Laws requiring the President to control the economy, he said, include the Anti-Deficiency Act of 1905, the Full Employment Act of 1946, the

Economic Stabilization Act Amendments of 1971 and the debt limit imposed by Congress in 1972.

WEINBERGER DEFENSE

Weinberger's defense of the impoundments has centered on the requirements of his interpretation of the continuing resolution.

"... It would be quite unrealistic, quite absurd, really," he said in an Aug. 6 television interview, "for the President to say, well, I must pick the interpretation that requires me to spend at the level I vetoed twice, when clearly, from my point of view, from the point of view that the Department of Justice advised me, it doesn't require that."

He also maintained that more spending, especially for programs which the administration believes have outlived their usefulness, would not guarantee improved health programs.

ROGERS REPLY

Appearing on the same television program, Rep. Paul G. Rogers (D Fla.), chairman of the House Interstate Commerce Subcommittee on Public Health and Environment, hotly contested Weinberger's interpretation of the continuing resolution. Earlier, Rogers had threatened subcommittee hearings aimed at seeking the resignation of the HEW officials "who failed to carry out the law" by impounding health funds.

Even in the HEW documents on health impoundments delivered to the Commerce Committee, Rogers said, the department had recognized that congressionally approved health spending was \$1.1-billion more than what HEW spent. It "is a little ludicrous, that people who are supposed to receive health funds have to go to court to get the secretary of HEW to carry out the laws that the Congress passed," Rogers complained.

SUPREME COURT FIGHT?

Although the administration has decided not to appeal several adverse rulings in impoundment suits, including the first decision in a Missouri highway fund case handed down April 2, Weinberger has pledged to appeal all HEW cases to the Supreme Court if necessary. (Highway case appeal, *Weekly Report* p. 2284)

Weinberger dismissed adverse decisions to date as the rulings of lower courts without the force of a "definitive Supreme Court decision." He and Rogers clashed again Aug. 6 on the requirements of the lower court rulings.

Weinberger: "You practiced law and you know perfectly well that if you have an adverse—"

Rogers: "That I am bound by the court order until it is overturned, right?"

Weinberger: "But you certainly have every right to appeal it and not to carry (it) out while it's under appeal."

Rogers: "That's not true."

Weinberger: "Well, that is true."

Georgia Case. Because the impoundment suits deal with funds appropriated before final passage of any general anti-impoundment bill, some Supreme Court test of the President's impoundment authority, in the face of special congressional directives to spend funds, is considered likely. Failure by Congress to override a probable veto of an impoundment bill could magnify the immediate importance of any Supreme Court decision.

Georgia, which has brought suit challenging impoundment of highway, water pollution and education funds, is seeking to have the Supreme Court hear its case directly without lower court action. The Justice Department is believed sympathetic to the request because its current approach—fighting impoundment cases all over the country—is proving costly and time-consuming.

IMPACT OF DELAY

The time required to mount even a successful court challenge to HEW impound-

ments is discouraging also to groups fighting the suits. They are fighting for the release of funds they contend were needed last year and are needed even more desperately now.

Impoundment of \$21.7-million of the \$38.5-million Congress maintained it appropriated for grants to nursing schools in 1973 will force nursing schools to open their doors in September without enough funds to keep accepted students in school, according to nursing association representatives.

FISCAL 1973 HOLDING PATTERN

In addition, according to an HEW internal memo made public Aug. 26, the department plans to continue to withhold health and education funds in fiscal 1974, pending enactment of an HEW appropriations bill for fiscal 1974.

Until Sept. 30, fiscal 1974 HEW appropriations are covered by a new continuing resolution which specified that programs were to be funded under the congressionally approved terms of the fiscal 1973 continuing resolution. The dispute over the fiscal 1973 resolution thus has been continued. (*Fiscal 1974 resolution, Weekly Report p. 1855.*)

The controversy could last even longer if Congress does not override an expected presidential veto of the fiscal 1974 bill, which passed the House June 26. The House-passed version exceeded the President's budget requests by \$1.3-billion. Presidential Counselor Melvin R. Laird has said he would recommend a veto of a bill with that funding level. The Senate version of the legislation is expected to contain even higher funding. (*Weekly Report p. 2361.*)

HEALTH IMPOUNDMENTS

Documents submitted to the House Interstate and Foreign Commerce Committee June 20 by the Department of Health, Education and Welfare and released by the committee July 25 listed the following amounts unspent for major health programs in fiscal 1973:

Mental Health.....	\$199,209,000
Health Services Planning and Development:	
Research and development.....	13,001,000
Comprehensive health planning.....	6,886,000
Regional medical programs.....	89,900,000
Hill-Burton hospital construction.....	195,254,000
Health Services Delivery:	
Comprehensive health services.....	5,283,000
Maternal and child health.....	12,697,000
Family planning.....	32,442,000
Preventive Health Services.....	15,982,000
National Institutes of Health:	
National Cancer Institute.....	58,859,000
National Heart and Lung Institute.....	44,217,000
National Institute of Dental Research.....	6,112,000
National Institute of Arthritis, Metabolism and Digestive Diseases.....	24,043,000
National Institute of Neurological Diseases and Stroke.....	22,741,000
National Institute of Allergy and Infectious Diseases.....	10,392,000
National Institute of General Medical Sciences.....	28,966,000
National Institute of Child Health and Human Development.....	19,033,000
National Eye Institute.....	4,120,000
National Institute of Environmental Health Sciences.....	4,736,000
Research Resources.....	2,155,000

John E. Fogarty International Center.....	709,000
Health manpower.....	297,562,000

*Total 1,095,431,000

* Does not equal the total of listed amounts because of omission of some unspent funds and some spending in excess of amounts included in the continuing resolution, as interpreted by Congress.

MANPOWER LEGISLATION

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ESCH. Mr. Speaker, today, I join with Chairman DOMINICK DANIELS of the Select Labor Subcommittee introducing comprehensive manpower reform legislation. I believe that this represents a truly significant step in our current efforts to reform our job training programs.

The chairman and other members of the majority have worked long and hard to make this possible and I commend them for their actions. I also thank our ranking Republican member, Mr. QUIE, and Mr. STEIGER of Wisconsin for their efforts.

It should be emphasized that our agreement today was to disagree. In both bills there is language which specifically includes public employment programs to be utilized at the discretion of the local prime sponsors. In both bills there is a special public employment program. Title II is targeted into the areas of prime unemployment and, more importantly, targeted to the individuals who are in most need of job training and employment.

The specific disagreement is this: Should we mandate from an authorized committee or is this the responsibility of the Appropriations Committee. We would be remiss if we did not give credit where credit is due; that is, to the cooperative efforts not only of the interested parties involved but also the Office of Management and Budget and those in the administration who have worked diligently toward a compromise position.

The specific offer to request \$250 million for the remainder of fiscal year 1974 was a most significant contribution by the White House. It is imperative that we move forward on this legislation to utilize the \$250 million this year.

The majority believes that they must mandate in the legislation specific amount for fiscal year 1975. The minority view is that that is the responsibility and the prerogative of the Appropriations Committee. It is unreasonable to suggest that the White House can at this time concur with a specific dollar amount prior to the preparation of the fiscal year 1975 budget. What they have emphasized, I believe, is their good faith in recognizing the value of public employment programs and in the immediate allocation of \$250 million for this fiscal year. It is obvious that this good faith act will be

followed by a continued support of the public employment programs during 1975.

UNITED STATES NEEDS THE "BRICKER AMENDMENT"

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ARCHER. Mr. Speaker, the proposed constitutional amendment I introduce today would better define the treaty-making power of the United States.

This amendment has been known over the years as the Bricker amendment, named for Senator John Bricker who introduced it in 1952. Unfortunately, the proposed legislation failed to receive the two-thirds vote necessary to pass the Senate. The Bricker amendment was a worthwhile idea then and it is especially a worthwhile idea today. It is time we give serious consideration to the content of this amendment.

The participation of the United States in World War II and the aftermath of that war extensively involved our country in world affairs through treaties which required the advice and consent of the Senate and executive agreements, international agreements made by the President without the advice and consent of the Senate. These international agreements have resulted in a whole series of major foreign commitments for the United States.

Article VI, section 2, of the Constitution declares that the Constitution, laws made in pursuance of the Constitution, and all treaties made under the authority of the United States are considered the supreme law of the land. The courts have declared that Presidential power in the domestic field is limited by the Constitution but this limitation does not apply to the matter of foreign affairs. Treaties are not made under the authority of the Constitution but "under the authority of the United States." Treaties and executive agreements stand outside the limits of the Constitution.

This "loophole" in the Constitution has never become a serious problem until recent years. However, with a large number of proposed international treaties which could affect the basic rights of American citizens like the genocide convention, it has become necessary to make sure that treaties are not brought into effect which could adversely affect the rights and procedural guarantees of American citizens protected by the U.S. Constitution. According to article VI, section 2, treaties may be held valid even though they might achieve a result which would be unconstitutional if contained in other legislation. A treaty has never been declared unconstitutional by the U.S. Supreme Court. A treaty could grant extensive new authority to the Federal Government or some international agency. We need to close this "loophole."

We have seen the expanding role of

the President in foreign affairs and the erosion of the power of Congress in this field. The conflicts in Korea and Indochina merely emphasize this development.

This Congress has been concerned with a war powers bill which would restore to Congress the power to join the President in deciding whether to commit the Nation to a long term war by limiting the time a President could commit U.S. troops in an undeclared war without congressional authorization.

The proper time to assert congressional control is before a commitment is made in a treaty or executive agreement, not after U.S. troops are committed under some international agreement. We need to prevent the problem rather than merely reacting to it. This amendment I propose would also discourage a president from entering into an executive agreement because approval of a treaty on a controversial matter appeared doubtful.

This amendment would prevent a treaty or other international agreement from abridging our constitutional rights and no treaty could become effective as internal law but only through appropriate legislation adopted by the Congress. This amendment would also protect the rights of United States citizens and limit the overwhelming potential power of treaties and executive agreements.

We must deal with closing this "loop-hole" now. This amendment would not only protect our constitutional rights but would give the Congress a more responsible and more effective role in foreign affairs.

The amendment follows:

TEXT OF THE "BRICKER AMENDMENT"
JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to force and effect of treaties.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress.

"ARTICLE —

"SECTION 1. A provision of a treaty which denies or abridges any right enumerated in this Constitution shall not be of any force or effect.

"SEC. 2. No treaty shall authorize or permit any foreign power or any international organization to supervise, control, or adjudicate rights of citizens of the United States within the United States enumerated in this Constitution or any other matter essentially within the domestic jurisdiction of the United States.

"SEC. 3. A treaty shall become effective as internal law in the United States only through the enactment of appropriate legislation by the Congress.

"SEC. 4. All executive or other agreements, between the President or any international organization, foreign power, or official thereof shall be made only in the manner and to the extent to be prescribed by law. Such agreements shall be subject to the limita-

tions imposed on treaties, or the making of treaties, by this article.

"SEC. 5. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

CONFIRMATION OF THE VICE
PRESIDENT

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. RHODES. Mr. Speaker, because the 25th amendment provides that the House, as well as the Senate, will confirm a nominee for Vice President, the House finds itself with an unaccustomed task to perform. To the Senate, this is old hat. They have confirmed appointments ever since the founding of the Republic. The House does not even have an established procedure for this job.

It is my hope that the Committee on Rules will provide a procedure to insure that a resolution on the confirmation of a designee, filed by the Committee on the Judiciary, will be brought expeditiously to the floor of the House and that a roll call vote will be made mandatory. This is certainly a matter of great importance, and each Member should cast his vote on the record, with no delay.

It is my hope that the Committee on the Judiciary will conduct an adequate inquiry into the qualifications of the designee. The American people need to have confidence that the new Vice President is completely qualified in every way to hold that office, and, if necessary, to hold the office of the President.

It is also my hope that the temptation, which I am sure exists, to try to obtain some partisan advantage will be forewarned. This is not a matter for partisan politics. There is a constitutional crisis, and the people of the country expect it to be resolved expeditiously. I feel certain that the people would be angered with the Congress if undue delay were to cause this constitutional crisis to exist longer than absolutely necessary.

I am particularly certain that were the confirmation of the Vice-President-designate to be held hostage for some peripheral reason, such as production of the Watergate tapes, the people of our country would be particularly incensed. They should be. The matter of the tapes is in the courts, where it belongs. I am sure the good sense of the majority of the Democratic Members will prevail, and that nothing as reprehensible as this type of blackmail will be attempted. To prolong our constitutional crisis for such an unworthy purpose would be an act of irresponsibility unworthy of the great Democratic Party and its fine Members serving in the Congress of the United States.

We have a job to do. Let us do it well—and expeditiously.

ACCOLADES FOR "THE STAR-
SPANGLED HUSTLE"

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DELLUMS. Mr. Speaker, last year, I was delighted to be able to contribute the foreword to an important new book, "The Star-Spangled Hustle," written by Arthur Blaustein and Geoffrey Faux, and dealing with the relationship between the Nixon administration and the minority business community.

Since its release, the book has received numerous accolades from leaders throughout the Nation and, at this time, I would like to place a number of these comments in the RECORD:

ACCOLADES FOR "THE STAR-SPANGLED HUSTLE"

Edward M. Kennedy, United States Senator: "In a first rate book that mixes the research of academic scholars and the plain writing of old-time reporters Arthur Blaustein and Geoffrey Faux have taken a sharply critical look at the Nixon Administration's policies toward the disadvantaged—policies that comprise 'The Star-Spangled Hustle' for poor Americans. This is a book that should be read by all who are concerned with America's pressing social issues."

Senator George S. McGovern: "The Star-Spangled Hustle is a hard hitting and fascinating book. It reveals how the Nixon Administration has been fooling the American public for four years. Blaustein and Faux have done a fine service to those who are genuinely concerned with this country's major domestic problems."

Representative Shirley Chisholm: "There may be debate in some quarters about the real purpose of the highly touted 'Black Capitalism' drive by the Nixon Administration, but there can be little discussion about the results. In *The Star Spangled Hustle*, Arthur Blaustein and Geoffrey Faux have produced a highly readable critical analysis of the sort of thinking which first conceived of the Administration's programs for minority enterprise, and the often cynical exploitation of people's dreams. Society needs to know about the desperation of a people allowed to hope—for a moment, only to see those hopes disappear even more rapidly than the small businesses they had mortgaged their lives for."

"The figures and the facts are there, but Blaustein and Faux have not forgotten about the 'people' who are the victims of the 'Hustle,' and they have let us know, in their compelling book, also who the 'Hustlers' and their leaders are."

"There were many of us who wondered why so many of the Government's plans to help develop healthy economic growth in minority communities were so poorly planned, and so tragically underfinanced, so lacking in potential that the outcome was entirely predictable. Who among us was willing, at first, to believe that the tragic failures were a price that the Administration in collusion with big business was willing to pay, 'because the corporations were interested in image not performance.'"

"*The Star-Spangled Hustle* has shredded the veil of benevolent concern with which these programs have been surrounded. Mr. Blaustein and Mr. Faux point out that the total amount of the loans made to minority businesses by the Federal Government in 1971, for example, was less than that which the same Federal Government guaranteed one white-owned firm—the Lockheed Aircraft Corporation—to save it from bankruptcy."

"This great nation and its incredible technology brought us from horse-and-buggy days to a walk-on-the-moon within the space of less than three-fourths of a century surely we possess the talent and the knowledge to solve the problems faced by Black people, Spanish-speaking people, women and others who want to become part of the system of Democratic capitalism. We must not tolerate any further tampering with the aspirations of these people.

"Arthur Blaustein and Jeff Faux have produced an outstanding investigative report which will prove not only an accurate guide to clinical observers and potential victims of this Administration version of the old 'shell-game,' but a starting point for the future planning—needed to avoid recurrence of this nightmare.

"John Kennedy once said, 'A journey of a thousand miles must begin with one step.' I believe that *The Star-Spangled Hustle* will help society take that first step."

Reverend Jesse L. Jackson, President, People United to Save Humanity, Operation P.U.S.H.: "Many of the books now written by literary 'hustlers' contribute to pollution, this book, if read, understood and action ensues, is part of the solution.

"The scholarship as reflected in the research and clarity by Blaustein and Faux is a major contribution to contemporary, political analysis."

Congressman Louis Stokes (Chairman, Black Caucus): "The Star Spangled Hustle shows how the promise of black capitalism grew dim and finally disappeared under the Nixon Administration. It carefully proves that the concerns of this Administration—for minority poor and disadvantaged Americans—went no further than former Attorney General John Mitchell's statement, 'As far as we're concerned, blacks don't exist.' It is this attitude that black and poor citizens will have to combat in the fight for economic equality. Blaustein and Faux have written an important book."

Ernesto Cortez, Jr., Mexican-American Unity Council: "The Star Spangled Hustle is an important and thoughtful book that should be read by every Chicano leader."

DeForest Brown, Executive Director, National Congress for Community Economic Development: "The Star Spangled Hustle is a highly readable and important book. Particularly for elected officials and community leaders, i.e. those who are working with Community Action Agencies, Model Cities Programs, Community Development Corporations, co-ops and Legal Services Programs—across the nation. The practical problems and solutions that the book deals with focus directly on the problems of blacks, Chicanos, Indians, Puerto Ricans and white poor (rural and urban ethnic) . . . and in a very practical and real sense the subject matter is not very far removed from the problems of mid-America."

Samuel S. Beard, President, the Development Council: "Blaustein and Faux have written and excellent and incisive book. It is by far the most thoughtful on one of America's most vital domestic issues. It is especially important that this book be read by the leaders of corporate America—bankers, businessmen and other corporate executives who have spoken so often about the private sector having the capacity, the will and the 'social conscience' to deal with the problems of race and poverty."

Robert Browne, Director, Black Economic Research Center: "A hard hitting and effective book on a subject of vital importance to the black community and indeed to all of America. The authors have amassed a wealth of informative detail and woven them into a highly readable narrative that tells the black capitalism story as it is!! What is most distinguishing about the Star Spangled Hustle is that in a very direct and cogent manner it interrelates various fields and disciplines.

Therefore, it should be compelling to those who are concerned with political science, economics, sociology, history, business administration and community planning."

CALIFORNIA LITTLE LEAGUE SUP- PORTER RETIRES

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. GUBSER. Mr. Speaker, as an enthusiastic supporter of Little League, it is with regret that I take note of the retirement of Mr. Joseph Kuczler, who has dedicated over 20 years of hard work to Little League baseball. I am honored to have several Little League teams in my congressional district under Mr. Kuczler's leadership, and am proud of the recognition which he has brought to the west coast. I applaud Mr. Kuczler's fine efforts, and recognize what his dedication in carrying out the principles of Little League has meant to our youth.

Some comments about Joe's background follow:

BIOGRAPHY

Joseph Kuczler was born on April 22, 1920, in Wallenburg, Colorado. His family moved to McKeesport, Pennsylvania, where they resided until 1943 before coming to California.

Joe first became involved in Little League in 1952 as a Coach at Sunnyvale Southern Little League and later became a Manager and League President. By 1958 he had risen to Assistant District Administrator and the following year became Administrator of California District No. 44 which encompasses Campbell, Cupertino, Santa Clara, Sunnyvale and West San Jose, providing recreation for approximately 7000 boys ranging in age from 8 through 18.

Joe is a true volunteer. He has received no salary whatsoever for his 20 years of service to our youth. At his own expense he has attended several Administrator seminars in Williamsport, Pennsylvania, and has attended the semi-annual Little League Congresses in Los Angeles, New York, Washington, Detroit, Houston, Portland and Tampa.

Four of Joe's teams from Congressional District No. 10, represented by Congressman Charles S. Gubser, have competed in Little League World Series play during the past 11 years. Moreland LL won the world title in 1962; Briarwood LL became the 1969 National Champion; Campbell LL was the 1970 runner-up and in 1971 his Big League team (16-18) won the World Championship.

No other District in the United States can match this record.

This year, in recognition of Joe's administrative ability, the Western Regional Director, Al Houghton, awarded the State Championship Tournament to his District—the first time ever to be held outside Southern California.

Recently Joe was honored by the Santa Clara Valley Sportswriters and Broadcasters Association for his contribution to Little League Baseball.

Friday, August 10, a Joe Kuczler Testimonial Dinner was held by the District No. 44 Executive Board at which time State Assemblyman Richard Hayden presented Joe with a commendation; Santa Clara Mayor Gary Gillman gave a plaque and commendation and Chairman Ralph Mehrkens of the Santa Clara Board of Supervisors presented a Resolution concerning Joe's untiring efforts in behalf of the youth of this area.

The following day, the San Jose Bees (K.C. Royal Farm team) honored Joe and his entire Executive Board with a plaque presented at home plate before the game.

AIRLINES OVERSELL TICKETS

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ASHLEY. Mr. Speaker, on October 9 my secretary telephoned the American Airlines ticket office and received a confirmed reservation for October 11 on their flight 377 to Chicago, first class. The ticket was subsequently issued and picked up and I arrived at the American Airlines check-in counter at the airport some 15 minutes prior to scheduled departure.

There I was told that my reserved seat was not available because the flight had been oversold. I was further told that this was a common practice which the airline engaged in to offset customers who might not show up after booking a reservation. The American Airlines employee acknowledged that when all passengers with confirmed reservations in fact do show up, their policy is one of first come, first served.

What this means, of course, is that a confirmed reservation, whether first or second class, does not mean a thing as far as American Airlines is concerned. It means, to cite my own example, that when 20 "confirmed" first-class passengers show up for a flight that can accommodate only 18 such passengers, then none of the 18 have a confirmed reservation. They may get on or they may not. It all depends on when they arrive. In my case, obviously, it meant that arriving 15 minutes before flight time was too late, and instead of me a person was seated who bought his ticket after the flight was sold out.

The customer's recourse in this kind of situation is interesting. If a person is actually denied passage on a given flight and the airline cannot get him to his destination on another flight within 2 hours of the originally scheduled time, the airline has to pay "denied boarding compensation"—under title 14, CFR 250, Civil Aeronautics Board of Regulations—with a minimum of \$25 and a maximum of \$200.

When no other flights are available and the purpose of the travel is to arrive at a destination by a specific time, then the only recourse of the consumer is to abandon the trip entirely and file for a refund.

Obviously this customer-be-damned attitude and practice on the part of American Airlines and other carriers is condoned with an understanding wink from the CAB. I can only conclude, Mr. Speaker, that if this is the extent of the responsibility that air carriers and their regulatory agency feel the traveling public is entitled to, then it is the obligation of Congress to propose and adopt specific legislation. This I will offer shortly.

FEDERAL ENERGY REGULATION STUDY

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. HOLIFIELD. Mr. Speaker, for several decades the Federal Government's role in regulating all forms of energy has continued to grow. This role has sometimes been expanded to achieve short-term and narrow regulatory goals with little attention to the overall coordination of the energy regulation system.

One consequence of this growth in Federal energy regulation has been the creation of a complex network of regulatory agencies, departments, and bureaus. At times, these regulatory units overlap, and occasionally even compete with each other. There are no doubt many inefficiencies in this network, some of which affect not only the interrelationships among the agencies but their inherent capacity to act expeditiously in protecting the public interest.

On June 29 of this year the President directed that a comprehensive study be undertaken of all energy-related regulatory activities of the Federal Government with a view toward determining how these activities could be better organized. This study—the Federal energy regulation study—is now being conducted under the chairmanship of William O. Doub, a Commissioner of the Atomic Energy Commission.

The Federal energy regulation study is about to begin a phase of public participation by inviting interested individuals and groups to submit written statements to the study team and to meet with it in Washington, D.C. This invitation was made in a press release issued by Commissioner Doub on October 15, 1973. Owing to the importance of this matter, I include Mr. Doub's release in the RECORD following my remarks:

FEDERAL STUDY GROUP SEEKS VIEWS ON ENERGY REGULATION ORGANIZATIONAL PROBLEMS

Comments from individuals and groups representing a wide variety of interests are being requested by the Federal Energy Regulation Study Team in connection with its study of alternative ways to organize all energy-related regulatory activities of the Government.

A call for statements on this subject was issued today by William O. Doub, Chairman of the study group.

Mr. Doub said:

"We are seeking written statements reflecting a wide spectrum of viewpoints concerning problems in the organization of Federal energy-related regulatory activities. When we have received these statements, we will arrange public meetings in Washington during the mid-November-December period. Our goal is to provide the opportunity for all interested individuals and organizations to comment on these increasingly important matters."

The Federal Energy Regulation Study was established by President Nixon in his June 29 Energy Statement. The President set forth the following scope of the Study:

"I have asked that a comprehensive study be undertaken, in full consultation with the Congress, to determine the best way to organize all energy-related regulatory activities of the Government."

The White House Fact Sheet accompanying the President's Statement further stated: "A wide variety of interests and objectives are involved, including economic, public health and safety, environment, and adequacy and conservation of energy (demand). The interface with state and local regulatory activities will also be considered and opportunity for Congressional and public participation in the study will be provided."

Mr. Doub, a Commissioner of the Atomic Energy Commission, was asked to head the study, which is focused on ways in which Federal energy-related regulatory activities might be improved. He emphasized that the study will identify alternatives for improving the existing regulatory organization. Mr. Doub has invited comments, criticisms, and suggestions concerning (1) inadequacies of existing organization of Federal energy-related regulatory activities; (2) current or foreseeable energy problems that stem from this regulatory organization; and, (3) ways in which these problems could be alleviated or resolved by changes in such organization.

Written statements should address the following points:

(1) A brief description of the interested individual or group responding to this notice.

(2) Identification of the Federal energy-related regulatory activities, and the Federal agencies performing those activities that affect the interests of the individual or group.

(3) Enumeration of problems in the relations between the individual or group and the Federal agencies identified above. This should be limited only to problems that stem from the existing organization of Federal energy-related regulatory activities: e.g., duplication of regulatory authority, inefficiencies in coordination among several agencies, inadequate coordination among several agencies, inadequate coordination between Federal and state agencies, undesirable administrative redundancies among several agencies, conflicting regulatory goals and/or practices that discourage or bias energy research and development programs, and inabilities of agencies to embrace and implement promising new technologies. This list is not intended to be all-inclusive. The Study Team invites any information pertinent to energy regulatory organization, including the views of those who are aware of problems even though they may not be directly involved.

(4) Suggestions as to how the problems identified could be eliminated or mitigated by a modification or reorganization of Federal energy-related regulatory activities or the overall energy regulation system. The Study Team would also welcome comments on the strong points and desirable features of the existing energy regulation system. Responding individuals or groups should discuss these suggestions with as much specificity and detail as necessary.

All statements should be as brief as possible. In addition, to assure orderly procedures and full consideration of all submittals, responding individuals or groups are invited to:

(1) Submit written statements by November 9, 1973.

(2) Request to meet with the Study Team in Washington, D.C., if such a meeting is desired. This request should be received by the Study Team no later than November 2, 1973. A prerequisite to such a meeting is the submittal of the written statement described above. The format of the meetings will be informal round-table discussions and will be open to interested observers and the news media.

Both the request for a meeting and the written statement should be addressed to: Herbert Brown, Director, Federal Energy Regulation Study, New Executive Office Building, Washington, D.C. 20503. Telephone inquiries should be made to area code 202 395-3686.

Mr. Doub will announce the schedule for the meetings as soon as possible after November 2.

A BILL REQUIRING FEDERAL COMPREHENSIVE SCHOOLBUS SAFETY REGULATIONS INTRODUCED

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ASPIN. Mr. Speaker, 100 Members of the House have cosponsored a bill introduced by the distinguished gentleman from California (Mr. Moss) and myself to require Federal comprehensive schoolbus safety regulations.

On September 23, NBC News devoted a portion of a special report to the problem of schoolbus safety. While schoolbuses rarely have accidents, when they do, the results are often catastrophic. Example after example outlined in a recent report indicate the need for Federal comprehensive schoolbus safety regulations.

Last May, the Subcommittee on Commerce and Finance of the Interstate and Foreign Commerce Committee, chaired by the distinguished gentleman from California (Mr. Moss) held 2 days of hearings on this proposed legislation. It is my hope that sometime within the near future, the subcommittee and full committee will consider this bill and that it may reach the House floor.

The need for schoolbus safety is real and urgent. A transcript of the NBC program follows:

NBC NEWS REPORT, SEPTEMBER 23, 1973

FLOYD KALBER. Tomorrow morning twenty million American children will board the familiar yellow school bus. These buses are so common now that most of us don't even pay any attention to them. We do know that sometimes school buses are used for controversial purposes, school consolidation and busing for integration, but there is another school bus controversy that's starting to get some attention. People are asking just how safe is the school bus vehicle, and how are the people who drive the school buses hired and trained? There are now some people both in and out of government who have been looking into these things.

MAN. Last year there were forty thousand school bus accidents. We had five thousand youngsters who were injured. We had roughly seventeen youngsters killed inside of the buses.

WOMAN. Some of the bus drivers, you know, they stall the buses out and they really don't know how to shift the gears and...

MAN. The school bus is nothing more than a modified truck, built on a truck chassis they put thin sheet metal around it and attach hard, bench-like seats to the floor.

MAN. The bus, when it is involved in an accident, it literally disintegrates.

MAN. We have found in a number of accidents, people driving buses who, I'm sure, you would not want your children to be riding with and I wouldn't want my children to be riding with.

KALBER. A lot of questions about school bus safety have been raised in Congers, New York. High school students from Congers are bused to Nyack, a town on the other side of the Penn Central railroad tracks. On the morning of March nine, 1972, the school bus number 595 began picking up high school youngsters in this comfortable, new section of Congers. An unexpected detour had delayed the bus, and forced driver Joseph Larkin to change his normal route. After picking up forty-nine students, bus 595 started up this road.

On the other side of the hill a slow-moving freight train was headed towards the cross-

ing. At that time there were no gates at this spot. Some of the students who were on the bus that morning describe what happened next.

Boy. Well, everybody was just sitting down like normal, then I heard someone mention up at the top of the hill that there was a train coming.

GIRL. We were coming down the hill. A lot of the kids, you know, looked out the window and they saw the train and all of a sudden, you know, they started screaming.

Boy. Bus guy didn't even slow down. You know, then somebody started screaming "stop". The train was right there.

GIRL. We just saw the train coming and that's it.

KALBER. Although the train was only going twenty-five miles an hour, the bus was demolished.

(Sirens in background.)

Boy. The train cut through the bus like it was just a piece of paper and I—the roof came off, the sides, totally demolished it.

GIRL. The back of the bus, just broke away, turned around with the train for a while and then just broke off. Just got ripped off.

Boy. Couldn't recognize it after the accident. Just was kind of in pieces, you know, like a jigsaw puzzle.

MAN. Now, what we saw here was a massive failing in the structure of the bus. In this section of the bus, above the part that was carried down the track, the structure failed almost completely. The rivets were insufficient and the bus literally peeled apart, and when I arrived there about an hour later, examining the seams of the school bus itself, that the metal was hardly bent in most areas, but the metal parted at its joint.

MAN. The panels become separated, exposing sharp edges, and children are being thrown about in the bus, and not being contained, and they come in contact with the sharp edges. They call school buses "cookie cutters". We send our kids to school in cookie cutters.

KALBER. This is what happens when a cookie cutter gets into an accident. Five teenagers were killed; two died after falling through the separated floor panels of the bus; all others aboard were injured.

Some in Congress blame driver Larkin, he was convicted of negligent homicide although he insisted he had stopped before crossing the tracks. But a National Transportation Safety Board report put much of the blame on the construction of the bus. The board said there would have been fewer deaths and injuries if the bus had been properly built. The results of this UCLA school bus test, and its own studies of real accidents have caused the Safety Board to demand safer buses.

In this test UCLA placed life-like dummies in a conventional school bus. Most were put in the low-backed seats commonly used today. A number of improved safety seats also were tested.

(Crash.)

If these dummies were real children, many of them would not have survived. Almost five years after the UCLA test the federal government proposed a safety standard on school bus seats; another rule on body strength may be proposed soon.

Doctor Charles Warner of the Highway Traffic Safety Administration explained what his office is trying to do:

DOCTOR CHARLES WARNER: . . . I'm not happy with it today. I think there needs to be a substantial improvement in the form of padding and anchorage and restraint of seats and children, and I mean to restrain children by improving seats and their anchorages.

KALBER. Why do you want to revise the seats, first?

WARNER. Well, there are several things that are wrong with the seats. I think if you were to imagine yourself sitting in a school bus seat, as you probably remember it, there's

a, maybe, an inch or an inch and a half diameter steel pipe around many of them. They're not all this way, but many of them have this as the major structure of the seat, around the top of the seat back, that's correct. And that type constitutes a rather significant injury hazard to one who is thrown forward in an impact, if the bus either suddenly stops to avoid an accident or is involved in a crash.

KALBER. Now, why is it there, the pipe?

WARNER. Well, the pipe is there because that is a rather inexpensive way to build a seat, and the economics of the competitive school bus procurement process that we have throughout the country today has led us to that kind of seat.

KALBER. There are ten major firms making school buses today. They claim that competitive bidding keeps profit margins low. The manufacturer who can produce a seat or a whole bus a little cheaper gains a big advantage over the rest.

This is the cheapest way to build a bus; a series of metal panels is riveted on to a framework of heavier metal. These buses are being built in one of the country's largest school bus factories, the main plant of the Ward Company in Conway, Arkansas.

MAN. Most people are very surprised to learn that the average school bus costs less than a Cadillac or Lincoln Continental. It runs about nine thousand dollars for a sixty-six passenger bus.

KALBER. Every rivet in the bus increases the cost a little more, so the rivets are usually placed as far apart as possible, up to four or five inches. That causes a problem that engineers call "poor joint efficiency". This is another way of saying the joints can pull apart easily on impact.

Charles Ward says he has licked that problem by riveting school buses this way, for any purchaser willing to pay extra money.

CHARLES WARD. To put in these additional rivets it requires no great advance in the state of our building school buses, you merely drill more holes and put more rivets in the bus and it's something that's not that expensive. To increase the joint efficiency in that bus, the levels that I recommend on a nationwide basis, would cost about two hundred dollars per bus. I think that's a very low figure, and something that school districts could easily afford.

KALBER. A few communities have bought safer buses without prodding from the federal government. This is one of a fleet of Ward's Safety Buses just put into service in Newton, Massachusetts. Eventually all school buses may look like this. Newton school officials seem satisfied with the new, safer buses, although some aren't sure how the safety seat backs will affect student behavior.

The Newton buses are leased from a private contractor. The safety features cost Newton a total of one hundred nine dollars more a day for the twenty-seven bus fleet. So far, it's been a popular investment.

MAN. We recognize our responsibility to take them from home to school and back to home in a fashion that each parent would want.

MAN. What we looked to was what we were receiving for the additional costs. The fact that the School Committee, in its judgment could feel that they had provided the safest vehicle for children that they were responsible for. These young people are our most expensive and most valuable commodity.

KALBER. A lot of manufacturers of school buses and school bus equipment apparently have decided that safety has become a selling point. At this trade show in Chicago a new safety bus and a safety seat conversion kit got a lot of attention.

DEMONSTRATOR. . . along the outside and the inside of the bus. . .

MAN. We have taken the old seat and have

made an energy absorption system adaptable for the current buses.

MAN. We have three of the strainer members running the length of the vehicle, and we're installing an energy absorption system.

KALBER. But there's also a counter offensive. It is indisputable that whatever happens to a school bus in an accident, school bus accidents don't happen often. That fact is often cited by the defenders of the school buses now in use.

MAN: Our accident record speaks pretty well for itself. There's no question but what we could do a great deal more in terms of putting in airline seats, well, I don't want to say gingerbread, but this vehicle does do more than keep the rain out, as some people have said. It meets a need, it does the job, and it does it with one very vital item right out in front of us and that is, about as economically as we can do it.

WOMAN: The school budget has five percent allotted to transportation and that's a pretty general figure, nationally. That's all you can have, and you buy and get as much safety as you can with that. Where does the money come from to buy more features? In other words, we're getting the ultimate out of what we have to work with.

MAN: The State of Ohio is third in the nation in peoples transported by a million, three hundred thousand kids a day. Over seven hundred thousand road miles, and yet with all of these children and all of this potential we had two hundred and seventy-two children injured last year inside of buses, two hundred and seventy were treated and released and two held overnight for observation. The chance of being injured is very remote.

WOMAN: We're the people who own the buses and buy them and operate them. We don't manufacture them, but we're stuck with the end product. We're saying that with the type of safety record that we have, we deserve, as an industry, the right to have things tested.

KALBER: The school bus people admit that their public image has been hurt by the safety controversy. At first they tried to ignore the charges that school buses were poorly built and the drivers badly trained. Now, one group, the private school bus contractors, has been trying to repair the damage with a rather ambitious public relations campaign. This is a part of the campaign; The National School Bus Rodeo in the parking lot of Chicago's Soldier Field. It's considered the Indianapolis Five Hundred for school bus drivers. It's not a race, of course, just the opposite. The drivers are supposed to show how skillfully they can pilot the clumsy-looking buses through a complex obstacle course.

The contractors say this event encourages the drivers to develop their skills. Their association does admit that driver training is a big problem. The federal government has even ordered the states to come up with training programs for school bus drivers. At least a quarter of the states have ignored this federal order and many others have not complied fully.

RESTRUCTURE OF NATION'S FOREIGN TRADE POLICY

HON. JOEL T. BROYHILL
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, as a member of the Ways and Means Committee which recently reported out a bill to restructure this Nation's foreign trade policy, I am very

much concerned by the actions of the Soviet Union in the war in the Middle East. I am particularly concerned by the effect that Russia's actions are having on this Nation's trade, our economy and, world peace.

The trade bill is very kind to the Soviet Union—a little too kind to my way of thinking—in view of the part the Communists are playing in this conflict.

Last year our Nation made vast concessions to Russia—at considerable cost to our people—in an effort to establish detente between us. I believe the American people truly thought the Communists wanted to bury the hatchet and bring peace to the world.

Mr. Speaker, it appears the American people have been taken by the Communists as a bunch of suckers. In my book there are two ways to play this game. One is for this Nation to immediately halt the shipment of all our farm produce and goods to that country until such time as the Russian Government ceases to fan the fires of war in the Mideast by stopping the shipment of war supplies to the Arab world.

I, as one Member of Congress, am ready to take this action today.

VETERANS DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DINGELL. Mr. Speaker, the United States will honor the American veteran and service men and women of the Armed Forces October 22, 1973—4 days hence—on the first occasion in many years of a Veterans Day observance that finds U.S. troops not committed to battle. However, the international ramifications of the current Mideast crisis are most concerning.

It is my privilege at this time to have this opportunity to honor Americans and their comrades who have fallen in the line of duty in previous U.S. military confrontations and full-scale wars. The American service men and women deserve the thanks of this country for their dedicated efforts to preserve the country, the peace, and the freedom.

I think it is indeed appropriate that the Congress urge the White House to issue a proclamation designating the month of March 1974 to honor the Vietnam veteran.

In this instance, I am referring to the letter I received from our colleagues, Congressmen THAD DULSKI, H. R. GROSS, and BILL SCHERLE. These gentlemen, in their October 10, 1973, letter noted:

Next March will mark the anniversary of the last soldier's departure from Vietnam. These veterans served their country well and honorably.

In their letter, these three Members of the House of Representatives suggested "that a stamp be issued to commemorate their—the Vietnam veterans—contribution."

The Members informed me that if other Congressmen wanted to join in this

effort, and I certainly do, that we should write to Mr. Norman Halliday, the Assistant Postmaster General, urging that the stamp be issued for the Vietnam veterans. Letters of support should be mailed to the Postmaster General in care of the Congressional Liaison Office, Governmental Relations Department, 475 L'Enfant Plaza, Washington, D.C. 20260.

Mr. Speaker, I am happy to join my colleagues in this effort today and direct my support for the Presidential proclamation and the stamp to commemorate the Vietnam veterans.

I will point out that there have been such statements of honor and commemorations for veterans of wars previous to the Vietnam era veteran and I believe such tributes are in order for the veterans of the most recent Southeast Asian war.

THE COMMUNIST PARTY, U.S.A., PEACEFUL COEXISTENCE, AND WARS OF NATIONAL LIBERATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ASHBROOK. Mr. Speaker, as far as the average, trusting American citizen is concerned, I would venture to say that his interpretation of the doctrine of "peaceful coexistence" as it applies to our relations with the Soviet Union is synonymous with the spirit of "live and let live." Unfortunately, the Soviet interpretation is quite different. Here is a definition of peaceful coexistence as it appears in the Soviet publication, *Philosophical Encyclopedia*:

Peaceful coexistence is a specific form of class struggle between socialism and capitalism in the international arena . . . The policy of peaceful coexistence which is carried out by socialist countries represents a powerful factor hastening the global revolutionary process . . .

The Soviet definition then goes on to say that—

Peaceful coexistence does not exclude revolutions in the form of armed uprisings and just national liberation wars against imperialist oppression which takes place within the framework of the capitalist system.

The use of "revolutions in the form of armed uprisings" as a factor of the peaceful coexistence doctrine must come as a surprise to those Americans who view the term in its literal sense.

The Communist Party, U.S.A., has been very careful in recent years to deny that it advocates the overthrow of the Government by force and violence or that it supports violent revolutionaries and terrorists in other countries. We have long known, of course, that these public pronouncements of the Communists were a lie. New evidence of Communist support for violent revolution, guerrilla warfare, and terrorism has just become available. This weekend in Chicago, Ill., a conference will take place for "Solidarity With Africa." The purpose of the conference is to organize support for guerrilla warfare and terrorist groups in Africa. Speakers represent-

ing such groups are scheduled to appear at the Chicago meeting.

The Communist Party, U.S.A., is providing the apparatus to organize this conference. The conference coordinator is Franklin Alexander, member of the National Council of the Communist Party. The eastern region coordinator for the conference is Tony Monteiro, a Communist Party member who ran as a Communist candidate for Congress from Philadelphia in the 1972 election. The public announcement of the organization of the conference was made by Tom Curtis, an associate editor at the Communist Party publishing house, International Publishers, and a teacher at a Communist Party school, the Harlem Institute for Marxist Studies, in New York City.

Among the speakers scheduled at this conference are Thami Mhlambiso of the African National Congress and Theobene Guiraias of the Southwest African Peoples Organization. Both of these men are in the United States representing their organizations at the United Nations. Both organizations—ANC and SWAPO—are presently involved in guerrilla warfare and terrorism and have their publications printed for them by the Communist government of East Germany.

Other speakers at the Chicago conference are Henry Winston, chairman of the Communist Party, U.S.A., and Angela Davis, another Communist Party functionary.

The sponsors of the Chicago conference include a number of identified Communist Party members. These include Carl Bloice, Angela Davis, Jesse Gray, Esther Jackson, Charlene Mitchell, William L. Patterson, John Pittman, Carlos Russell, Jose Stevens, Victoria Stevens, Jarvis Tyner, and Henry Winston. A partial list of sponsors follows:

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Rev. Hosea Williams—President, Atlanta Branch, SCLC.

Agnes Willis—President, National Afro-American Labor Council, New York, New York.

Clarence Willis—Memphis Committee to End Repression and Free All Political Prisoners.

Stan Willis—University of Chicago Organization of Black Students.

Henry Winston—National Chairman, Communist Party, U.S.A.

John Woodford—Reporter, Chicago Sun Times.

ADAK HIGH SCHOOL

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. YOUNG of Alaska. Mr. Speaker, it gives me great pleasure today to call to the attention of my colleagues a unique contribution to the world of sports from the State of Alaska.

Adak High School, located at Adak in the Aleutian Islands, is the westernmost school in the world under the American flag. For the first time in its history, Adak High has a girls' varsity basketball team. This team will travel in February to the regional tournaments on the mainland, with the hopes of advancing to the State tournament.

I am very proud of the Adak High School and the fine contribution of Willie Theis, the girls' basketball coach. I am sure my colleagues join me in wishing the

girls every success in this first season's competition.

HELP FOR ELDERLY AMERICANS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, the cost of living has brought such an economic crunch that for some, daily existence is a life or death matter. I am speaking now for our elderly Americans. There is no doubt that inflation has taken its toll on everyone's pocketbook, but those who struggle on limited, fixed incomes have been particularly hard hit.

President Nixon's September 10 state of the Union message proposed few benefits for the elderly. Not only is there a lack of initiative on the part of Mr. Nixon, but he has fought against more social security increases and has recommended even higher medicare payments. This could cost senior citizens \$1 billion more for medicare next year.

Combating these difficulties, Congress has made some good strides for legislation to serve the needs of the elderly. The following areas of legislation are especially important:

Social security. To combat spiraling inflation, Congress has passed legislation which will allow recipients to receive a 5.9 percent across-the-board increase, beginning in June of 1974.

Unfortunately, as you are well aware, the cost of living continues to rise and to rise sharply. The price of food alone has taken over 27 percent of our budgets and has increased by 20 percent over last year. An average \$10 increase in monthly benefits does not suffice.

It is for these reasons that I have co-sponsored legislation which will increase social security benefits to 7 percent. Benefits would also be paid in January 1974, rather than in June.

Pension. I firmly believe that we must seek a system which insures that a person will benefit from every pension contribution made on his or her behalf. Because of this concern, I have introduced the Williams-Javits pension protection bill in the House of Representatives. My bill contains a provision for portability—it permits a working man or woman to retain his or her pension protection insurance even though he or she changes jobs.

Services. The comprehensive older Americans services bill was signed into law May 3, 1973. As a cosponsor of this bill, I am pleased that I had a part in establishing this necessary and important legislation.

The measure contains many programs for community activities and services. It establishes an administration on aging and a national information and resource center which will prepare information related to the needs of senior citizens. It provides for library services, useful part-time work opportunities, and expands the foster grandparent and retired senior volunteer programs. There also

will be a national older Americans volunteer program for senior citizens who wish to serve their community.

Nutrition. The national nutritional program for the elderly, administered by the Administration on Aging, is designed to provide older Americans, particularly with low incomes, with low cost, nutritionally sound meals.

Michigan has just recently received \$3,518,273 for this program. The program will provide hot meals at least 5 days a week for persons 60 years or older who do not wish to prepare and eat a meal alone or who have difficulties with transportation to grocery stores or are unable to prepare nourishing meals for themselves.

Another piece of legislation, of special interest to the elderly, is the portion of the Agriculture and Consumer Protection Act of 1973 which allows persons age 60 and over and their spouses to use food stamps to purchase meals prepared by public or private nonprofit eating establishments which regularly serve the elderly at designated times.

Even though Congress has enacted the above measures, there is much more to be acted upon.

Health is one major area of concern. The average elderly American now pays more out of his own pocket for medical treatment than he did before the medicare program was inaugurated in 1966.

There are proposals to establish new programs of health care for aged persons at a cost related to income. However, the administration is sadly uncooperative. It is indeed distressing that President Nixon vetoed the Emergency Medical Services Act which would have provided \$185 million over 3 years toward saving the lives of at least 175,000 men and women who die each year for lack of adequate medical services.

Housing and property tax relief are other important areas of concern. There are proposals to provide special allowances for the housing costs of senior citizens and to allow certain property tax deductions for the elderly.

Mr. Speaker, I urge that social security benefits be increased to a minimum of 7 percent and that Congress proceed quickly with enacting further legislation to combat the difficulties faced in the areas of health, housing and tax relief.

The desperate needs for our elderly Americans can no longer wait.

VETERANS DAY—1973

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. HANRAHAN. Mr. Speaker, Veterans Day is once again with us, and it is only fitting that a grateful Nation pause to honor those who have answered the call of their country in its time of greatest need. We earnestly pay our respect to the millions of brave men and women who served America all over the world.

And we honor them all, whether they

served in battle or performed less hazardous, but equally important, duties elsewhere. For each veteran answered duty's call according to the needs of history and in tune with individual conscience. One of the most moving expressions of this individual sense of responsibility was made by George Washington during the first year of his Presidency when he addressed the Legislature of the State of Connecticut in these words:

I have obeyed a summons to which I can never be insensible . . . When my country demands the sacrifice, personal ease must always be a secondary consideration.

Yes, Mr. Speaker, Veterans Day is a day for remembrance, gratitude, hope, and prayer. The freedom and liberty which are our heritage today have been preserved only through the sacrifices of our veterans.

Let us make Veterans Day, 1973, therefore, a time when we pay respect to these bravest of men and women—and a time when we pledge ourselves to continue to work for a world in which peace, freedom, dignity, mutual understanding, all that they fought for, become part and parcel of the normal life of men and nations everywhere.

CAMPAIGN FINANCING

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. TIERNAN. Mr. Speaker, in this time of uncertainty regarding the Presidency and the Vice Presidency and the question of political campaign financing I include two articles from the October 3, 1952, issue of U.S. News & World Report in the RECORD at this point:

LETTER OF DANA C. SMITH EXPLAINING THE PURPOSES OF THE NIXON FUND

(Following is the letter written by Dana C. Smith to Arthur Crites on Sept. 25, 1951, explaining the nature and purposes of the Nixon fund.)

Mr. ARTHUR CRITES,
1001 Oleander Avenue,
Bakersfield, Calif.

Re: Senator Nixon's activities.

DEAR MR. CRITES: Bernie Brennan suggested that you will be interested in knowing about a program which we have set up to make Senator Nixon's work more effective, and that you might perhaps be interested in participating in it with us. A group of us here, after the dust of battle had settled and we found that Dick was safely elected, began to realize that electing him was only part of what we really wanted to accomplish. We not only wanted a good man in the Senate from this State, but we wanted him to continue to sell effectively to the people of California the economic and political systems which we all believe in.

It was immediately apparent to us that this would take money and that Dick himself was not in position financially to provide it. We have therefore set up a pool, to which a considerable number of us here are contributing on an annual basis, to meet expenditures which seem necessary to accomplish this object. We have aimed at a total of \$20,000 or \$25,000 and have succeeded in raising a large proportion of it here. We have only included in our group people who have

supported Dick from the start, so that it does not provide any way for people who are "second guessers" to make any claim on the Senator's particular interest.

We have also limited contributions to a minimum of \$100 a year and a maximum of \$500. The reason for the minimum is that anybody who is not in position to come in for at least that amount without feeling it, should be left to contribute only to regular party activities and campaigns when they come around. The reason for the maximum was so that it can never be charged that anyone is contributing so much as to think he is entitled to special favors.

The type of activities for which this money would be used would be such as the following:

Transportation and hotel expenses to cover trips by the Senator to California more frequently than his mileage allowance permits.

Payment of air-mail and long-distance phone charges above his allowances, and the payment of long-distance charges while here in California.

Preparation of material for the Senator to send out to the people over the State who have supported him, so as to keep in touch with them and let them know what he is doing and why, and obtain their views.

Defraying the expenses of his Christmas cards to the people who worked in his campaign or contributed financially to it. Much to our surprise, we find that this group numbers 20,000.

Paying for getting out material for radio broadcasts and television programs, and for advertising and publicity in connection with them.

There are of course various other similar items involved.

As I was Finance Chairman for Dick during his campaign, he and Bernie asked me to look after this fund, so I am handling it through a trust account subject to review by Bernie and a couple of other stalwarts of Dick's campaign. Nobody is drawing any salary or other compensation out of this, so you can count on it that the money will be effectively used where it will do all of us, including Dick, the most good.

As you helped Dick very substantially during the campaign, I am writing you about it with a two-fold purpose:

1st: So that when you see or hear of money being spent on Dick's behalf you will know how it has been raised and that there isn't anybody who is thereby acquiring any kind of a hold on our Senator.

2nd: So that if you agree with the usefulness of such a program, both to the Senator and all of the rest of us including yourself, and want to come in with us on it, you will know about it and have the opportunity to do so.

Within the limits of the contribution sizes above indicated, we would be delighted to have you join with us in this program, and Dick will of course be very appreciative of your continuing interest. We do not, however, want to conflict with other needed candidate and party contributions, so if you do join us, it should not be with the thought that this will affect what you might otherwise contribute other places where needed. Your check should be drawn to me and will be deposited in my trust account for this fund, which is subject to periodic audit.

Very sincerely yours,

DANA C. SMITH

RADIO ADDRESS OF SENATOR NIXON EXPLAINING HIS USE OF THE EXPENSE FUND

(Following is the text of the radio and television address of Senator Nixon from Los Angeles on Sept. 23, 1952.)

My fellow Americans: I come before you tonight as a candidate for the Vice Presidency and as a man whose honesty and integrity has been questioned.

Now, the usual political thing to do when charges are made against you is to either ignore them or to deny them without giving details. I believe we have had enough of that in the United States, particularly with the present Administration in Washington, D.C.

To me the office of the Vice Presidency of the United States is a great office, and I feel that the people have got to have confidence in the integrity of the men who run for that office and who might attain them.

I have a theory, too, that the best and only answer to a smear or to an honest misunderstanding of the facts is to tell the truth. And that is why I am here tonight. I want to tell you my side of the case.

I am sure that you have read the charge, and you have heard it, that I, Senator Nixon, took \$18,000 from a group of my supporters.

Now, was that wrong? And let me say that it was wrong. I am saying it, incidentally, that it was wrong, not just illegal, because it isn't a question of whether it was legal or illegal, that isn't enough. The question is, was it morally wrong. I say that it was morally wrong—if any of that \$18,000 went to Senator Nixon, for my personal use. I say that it was morally wrong if it was secretly given and secretly handled.

And I say that it was morally wrong if any of the contributors got special favors for the contributions that they made.

And now to answer those questions let me say this: not 1 cent of the \$18,000 or any other money of that type ever went to me for my personal use. Every penny of it was used to pay for political expenses that I did not think should be charged to the taxpayers of the United States.

It was not a secret fund. As a matter of fact, when I was on "Meet the Press"—some of you may have seen it, last Sunday—Peter Edson came up to me, after the program, and he said, "Dick, what about this fund we hear about?" and I said, "Well, there is no secret about it. Go out and see Dana Smith, who was the administrator of the fund," and I gave him his address. And I said you will find that the purpose of the fund simply was to defray political expenses that I did not feel should be charged to the Government.

And, third, let me point out, and I want to make this particularly clear, that no contributor to this fund, no contributor to any of my campaigns, has ever received any consideration that he would not have received as an ordinary constituent.

I just don't believe in that, and I can say that never, while I have been in the Senate of the United States, as far as the people that contributed to this fund are concerned, have I made a telephone call for them to an agency, nor have I gone down to an agency in their behalf.

And the records will show that, the records which are in the hands of the Administration.

Well, then, some of you will say, and rightly, "Well, what did you use the fund for, Senator? Why did you have to have it?"

Let me tell you in just a word how a Senate office operates. First of all, the Senator gets \$15,000 a year in salary. He gets enough money to pay for one trip a year, a round trip, that is, for himself and his family, between his home and Washington, D.C., and then he gets an allowance to handle the people that work in his office to handle his mail.

And the allowance for my State of California is enough to hire 13 people. And let me say, incidentally, that this allowance is not paid to the Senator.

It is paid directly to the individuals that the Senator puts on his pay roll, but all of these people and all of these allowances are for strictly official business; business, for example, when a constituent writes in and wants you to go down to the Veterans' Administration and get some information about

his GI policy—items of that type, for example. But there are other expenses which are not covered by the Government. And I think I can best discuss those expenses by asking you some questions.

Do you think that when I or any other Senator makes a political speech, has it printed, should charge the printing of that speech and the mailing of that speech to the taxpayers?

Do you think, for example, when I or any other Senator makes a trip to his home State to make a purely political speech that the cost of that trip should be charged to the taxpayers?

Do you think when a Senator makes political broadcasts or political television broadcasts, radio or television, that the expense of those broadcasts should be charged to the taxpayers?

I know what your answer is: It is the same answer that audiences give me whenever I discuss this particular problem.

The answer is no. The taxpayers should not be required to finance items which are not official business but which are primarily political business.

Well, then the question arises, you say, "Well, how do you pay for these and how can you do it legally?" And there are several ways that it can be done, incidentally, and it is done legally in the United States Senate and in the Congress.

The first way is to be a rich man. I don't happen to be a rich man. So I couldn't use that.

Another way that is used is to put your wife on the pay roll. Let me say, incidentally, that my opponent, my opposite number for the Vice Presidency of the Democratic ticket, does have his wife on his pay roll and has had her on his pay roll for the past 10 years. Now just let me say this: That is his business, and I am not critical of him for doing that. You will have to pass judgment on that particular point, but I have never done that for this reason:

I have found that there are so many deserving stenographers and secretaries in Washington that needed the work that I just didn't feel it was right to put my wife on the payroll—My wife sitting over here.

She is a wonderful stenographer. She used to teach stenography and she used to teach shorthand in high school. That was when I met her. And I can tell you folks that she has worked many hours nights and many hours on Saturdays and Sundays in my office, and she had done a fine job, and I am proud to say tonight that in the six years I have been in the House and in the Senate of the United States Pat Nixon has never been on the Government pay roll.

What are other ways that these finances can be taken care of? Some who are lawyers, and I happen to be a lawyer, continue to practice law, but I haven't been able to do that.

I am so far away from California and I have been so busy with my senatorial work that I have not engaged in any legal practice and, also, as far as law practice is concerned, it seemed to me that the relationship between an attorney and the client was so personal that you couldn't possibly represent a man as an attorney and then have an unbiased view when he presented his case to you in the event that he had one before the Government.

And so I felt that the best way to handle these necessary political expenses of getting my message to the American people and the speeches I made—the speeches that I had printed for the most part concerned this one message of exposing this Administration, the Communism in it, the corruption in it—the only way that I could do that was to accept the aid which people in my home State of California, who contributed to my campaign and who continued to make these contributions after I was elected, were glad to make.

And let me say I am proud of the fact that not one of them has ever asked me for a special favor. I am proud of the fact that not one of them has ever asked me to vote on a bill other than my own conscience would dictate. And I am proud of the fact that the taxpayers by subterfuge or otherwise have never paid one dime for expenses which I thought were political and should not be charged to the taxpayers.

Let me say, incidentally, that some of you may say, "Well, that is all right Senator, that is your explanation, but have you got any proof?" And I would like to tell you this evening that just an hour ago we received an independent audit of this entire fund. I suggested to Governor Sherman Adams, who is the chief of staff of the Eisenhower campaign, that an independent audit and legal report be obtained, and I have that audit in my hand.

It is an audit made by Price Waterhouse & Co. firm, and the legal opinion by Gibson, Dunn & Crutcher, lawyers in Los Angeles, the biggest law firm, and incidentally one of the best ones in Los Angeles.

I am proud to report to you tonight that this audit and this legal opinion is being forwarded to General Eisenhower, and I would like to read to you the opinion that was prepared by the certified public accountants.

"It is our conclusion that Senator Nixon did not obtain any financial gain from the collection and disbursement of the funds by Dana Smith; that Senator Nixon did not violate any federal or State law by reason of the operation of the fund; and that neither the portion of the fund paid by Dana Smith directly to third persons, nor the portion paid to Senator Nixon, to reimburse him for office expenses, constituted income in a sense which was either reportable or taxable as income under income tax laws.

"(s) GIBSON, DUNN AND CRUTCHER.
By ELMO H. CONLEY."

That is not Nixon speaking, but that is an independent audit which was requested because I want the American people to know all the facts and I am not afraid of having independent people go in and check the facts, and that is exactly what they did.

But then I realized that there are still some who may say, and rightly so—and let me say that I recognize that some will continue to smear, regardless of what the truth may be—but that there has been understandably, some honest misunderstandings on this matter, and there are some that will say, "Well, maybe you were able, Senator, to fake this thing. How can we believe what you say—after all, is there a possibility that maybe you got some sums in cash? Is there a possibility that you might have feathered your own nest?" And so now what I am going to do—and, incidentally, this is unprecedented in the history of the American politics—I am going at this time to give to this television and radio audience a complete financial history, everything I have earned, everything I have spent, everything I own, and I want you to know the facts.

I will have to start early. I was born in 1913. Our family was one of modest circumstances, and most of my early life was spent in a store, out in East Whittier. It was a grocery store, one of those family enterprises.

The only reason we were able to make it go was because my Mother and Dad had five boys, and we all worked in the store. I worked my way through college and, to a great extent, through law school. And then, in 1940, probably the best thing that ever happened to me happened. I married Pat, who is sitting over here.

We had a rather difficult time, after we were married, like so many of the young couples who might be listening to us. I practiced law. She continued to teach school.

Then, in 1942, I went into the service. Let me say that my service record was not a

particularly unusual one. I went to the South Pacific. I guess I'm entitled to a couple of battle stars. I got a couple of letters of commendation. But I was just there when the bombs were falling. And then I returned. I returned to the United States, and in 1946, I ran for the Congress. When we came out of the war, Pat and I—Pat during the war had worked as a stenographer, and in a bank, and as an economist for a Government agency—and when we came out, the total of our savings, from both my law practice, her teaching, and all the time that I was in the war, the total for that entire period was just a little less than \$10,000—every cent of that, incidentally, was in Government bonds—well, that's where we start, when I go into politics.

Now, whatever I earned since I went into politics—well, here it is. I jotted it down. Let me read the notes.

First of all I have had my salary as a Congressman and as a Senator.

Second, I have received a total in this past six years of \$1,600 from estates which were in my law firm at the time that I severed my connection with it. And, incidentally, as I said before, I have not engaged in any legal practice, and have not accepted any fees from business that came into the firm after I went into politics.

I have made an average of approximately \$1,500 a year, from nonpolitical speaking engagements and lectures.

And then, fortunately, we have inherited a little money. Pat sold her interest in her father's estate for \$3,000, and I inherited \$1,500 from my grandfather. We lived rather modestly.

For four years we lived in an apartment in Parkfairfax, Alexandria, Va. The rent was \$80 a month. And we saved for the time that we could buy a house. Now, that was what we took in.

What did we do with this money? What do we have today to show for it? This will surprise you, because it is so little, I suppose, as standards generally go of people in public life.

First of all, we've got a house in Washington, which cost \$41,000 and on which we owe \$20,000. We have a house in Whittier, Calif., which cost \$13,000, and on which we owe \$3,000. My folks are living there at the present time.

I have just \$4,000 in life insurance, plus my GI policy, which I have never been able to convert, and which will run out in two years.

I have no life insurance whatever on Pat. I have no life insurance on our two youngsters, Patricia and Julie.

I own a 1950 Oldsmobile car. We have our furniture. We have no stocks and bonds of any type. We have no interest of any kind, direct or indirect, in any business. Now, that is what we have. What do we owe?

Well, in addition to the mortgage, the \$20,000 mortgage on the house in Washington, a \$10,000 one on the house in Whittier. I owe \$4,500 to the Riggs Bank, in Washington, D. C., with interest at 4 per cent.

[In his speech, Senator Nixon indicated at one point that the mortgage on the \$13,000 home in Whittier was \$3,000, at another point that it was \$10,000. The latter figure is correct. Nixon's secretary, James Bassett, told reporters later, explaining the discrepancy as "a verbal error."]

I owe \$3,500 to my parents, and the interest on that loan, which I pay regularly, because it is a part of the savings they made through the years they were working so hard—I pay regularly 4 per cent interest. And then I have a \$500 loan, which I have on my life insurance.

Well, that's about it. That's what we have. And that's what we owe. It isn't very much. But Pat and I have the satisfaction that every dime that we have got is honestly ours.

I should say this, that Pat doesn't have a mink coat. But she does have a respectable Republican cloth coat, and I always tell her that she would look good in anything.

One other thing I probably should tell you because if I don't they will probably be saying this about me, too. We did get something, a gift after the election.

A man down in Texas heard Pat on the radio mention the fact that our two youngsters, would like to have a dog, and, believe it or not, the day before we left on this campaign trip we got a message from Union Station in Baltimore, saying they had a package for us. We went down to get it. You know what it was?

It was a little cocker spaniel dog, in a crate that he had sent all the way from Texas, black and white, spotted and our little girl, Tricia, the six-year-old, named it Checks.

And, you know, the kids, like all kids, loved the dog, and I just want to say this, right now, that regardless of what they say about it, we are going to keep it.

It isn't easy to come before a nation-wide audience and bare your life, as I have done. But I want to say some things before I conclude, that I think most of you will agree on.

Mr. Mitchell, the Chairman of the Democratic National Committee, made the statement that if a man couldn't afford to be in the United States Senate, he shouldn't run for the Senate. And I just want to make my position clear.

I don't agree with Mr. Mitchell when he says that only a rich man should serve his Government, in the United States Senate or in the Congress. I don't believe that represents the thinking of the Democratic Party, and I know it doesn't represent the thinking of the Republican Party.

I believe that it's fine that a man like Governor Stevenson, who inherited a fortune from his father, can run for President. But I also feel that it is essential in this country of ours that a man of modest means can also run for President, because, you know—remember Abraham Lincoln—you remember what he said—"God must have loved the common people, he made so many of them."

And now I'm going to suggest some courses of conduct.

First of all, you have read in the papers about other funds, now. Mr. Stevenson apparently had a couple. One of them in which a group of business people paid and helped to supplement the salaries of State employees. Here is where the money went directly to their pockets, and I think that what Mr. Stevenson should do should be to come before the American people, as I have, give the names of the people that contributed to that fund, give the names of the people who put this money into their pockets, at the same time that they were receiving money from their State government and see what favors, if any, they gave out for that.

I don't condemn Mr. Stevenson for what he did, but until the facts are in there is a doubt that would be raised. And as far as Mr. Sparkman is concerned, I would suggest the same thing. He's had his wife on the pay roll. I don't condemn him for that, but I think that he should come before the American people and indicate what outside sources of income he has had. I would suggest that under the circumstances both Mr. Sparkman and Mr. Stevenson should come before the American people, as I have, and make a complete financial statement as to their financial history, and if they don't it will be an admission that they have something to hide.

And I think you will agree with me—because, folks, remember, a man that's to be President of the United States, a man that is to be Vice President of the United States, must have the confidence of all the people. And that's why I'm doing what I'm doing,

and that is why I suggest that Mr. Stevenson and Mr. Sparkman, if they are under attack, that should be what they are doing.

Now, let me say this: I know that this is not the last of the smears. In spite of my explanation tonight, other smears will be made. Others have been made in the past. And the purpose of the smears, I know, is this, to silence me, to make me let up.

Well, they just don't know who they are dealing with. I'm going to tell you this: I remember, in the dark days of the Hiss trial, some of the same columnists, some of the same radio commentators who are attacking me now and misrepresenting my position, were violently opposing me at the time I was after Alger Hiss. But I continued to fight, because I knew I was right, and I can say to this great television and radio audience that I have no apologies to the American people for my part in putting Alger Hiss where he is today. And as far as this is concerned, I intend to continue to fight.

Why do I feel so deeply? Why do I feel that in spite of the smears, the misunderstanding, the necessity for a man to come up here and bare his soul, as I have—why is it necessary for me to continue this fight? And I want to tell you why.

Because, you see, I love my country. And I think my country is in danger. And I think the only man that can save America at this time is the man that's running for President, on my ticket, Dwight Eisenhower.

You say, why do I think it is in danger? And I say, look at the record. Seven years of the Truman-Acheson Administration, and what's happened? Six hundred million people lost to the Communists.

And a war in Korea in which we have lost 117,000 American casualties, and I say to all of you that a policy that results in a loss of 600,000,000 people to the Communists and a war which costs us 117,000 American casualties isn't good enough for America, and I say that those in the State Department that made the mistakes which caused that war and which resulted in those losses should be kicked out of the State Department just as fast as we can get them out of there.

And let me say that I know Mr. Stevenson won't do that, because he defends the Truman policy, and I know that Dwight Eisenhower will do that, and that he will give America the leadership that it needs.

Take the problem of corruption. You have read about the mess in Washington. Mr. Stevenson can't clean it up because he was picked by the man, Truman under whose Administration the mess was made.

You wouldn't trust the man who made the mess to clean it up. That is Truman. And, by the same token you can't trust the man who was picked by the man who made the mess to clean it up, and that is Stevenson. And so I say, Eisenhower, who owes nothing to Truman, nothing to the big-city bosses—he is the man who can clean up the mess in Washington.

Take Communism. I say that as far as that subject is concerned the danger is great to America. In the Hiss case they got the secrets which enabled them to break the American secret State Department code.

They got secrets in the atomic-bomb case, which enabled them to get the secret of the atomic bomb five years before they would have gotten it by their own devices. And I say that any man who called the Alger Hiss case a red herring isn't fit to be President of the United States.

I say that a man who, like Mr. Stevenson, has pooh-poohed and ridiculed the Communist threat in the United States—he said that they are phantoms among ourselves—he has accused us, that have attempted to expose the Communists, of looking for Communists in the Bureau of Fisheries and Wildlife. I say that a man who says that isn't

qualified to be President of the United States.

And I say that the only man who can lead us into this fight to rid the Government of both, those who are Communists and those who have corrupted this Government is Eisenhower, because General Eisenhower, you can be sure, recognizes the problem, and knows how to handle it.

Let me say this, finally. This evening I want to read to you just briefly excerpts from a letter that I received, a letter which after all this is over no one can take away from us. It reads as follows:

"Dear Senator Nixon:

"Since I am only 19 years of age, I can't vote in this presidential election, but believe me if I could you and General Eisenhower would certainly get my vote. My husband is in the Fleet Marines in Korea. He is in the front lines. And we have a two-month-old son, he has never seen. And I feel confident that with great Americans like you and General Eisenhower in the White House, lonely Americans like myself will be united with their loved ones now in Korea. I only pray to God that you won't be too late. Enclosed is a small check to help you in your campaign. Living on \$85 a month it is all I can afford at present, but let me know what else I can do."

Folks, it is a check for \$10, and it is one that I shall never cash. And just let me say this: We hear a lot about prosperity these days, but I say why can't we have prosperity built on peace, rather than prosperity built on war? Why can't we have prosperity and an honest Government in Washington, D.C., at the same time?

Believe me, we can. And Eisenhower is the man that can lead the crusade to bring us that kind of prosperity.

And, now, finally, I know that you wonder whether or not I am going to stay on the Republican ticket or resign. Let me say this: I don't believe that I ought to quit, because I am not a quitter. And, incidentally, Pat is not a quitter. After all, her name was Patricia Ryan and she was born on St. Patrick's Day, and you know the Irish never quit.

But the decision, my friends, is not mine. I would do nothing that would harm the possibilities of Dwight Eisenhower to become President of the United States. And for that reason I am submitting to the Republican National Committee tonight through this television broadcast the decision which it is theirs to make. Let them decide whether my position on the ticket will help or hurt. And I am going to ask you to help them decide. Wire and write the Republican National Committee whether you think I should stay on or whether I should get off. And whatever their decision is, I will abide by it.

But just let me say this last word. Regardless of what happens. I am going to continue this fight. I am going to campaign up and down America until we drive the crooks and the Communists and those that defend them out of Washington; and remember, folks, Eisenhower is a great man. Folks, he is a great man, and a vote for Eisenhower is a vote for what is good for America.

GERALD FORD EXCELLENT CHOICE

HON. DONALD J. MITCHELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. MITCHELL of New York. Mr. Speaker, as with all of my colleagues in the House, I share in pride and honor we

feel upon the selection of our distinguished minority leader as President Nixon's choice for Vice President.

Needless to say, I was highly pleased when the President announced Congressman Ford's nomination last Friday evening. Upon returning to the 31st District Saturday morning I was also pleased to learn that so many of my constituents share my feeling that JERRY FORD is the best man for the job.

It was gratifying Saturday evening to discover that one of the earliest editorial endorsements of Congressman FORD's nomination appeared in the Utica Observer-Dispatch, a highly respected newspaper in my district.

In order to give my colleagues the benefit of these observations I wish to insert this editorial in the RECORD.

FORD WISE CHOICE

In making his nomination for vice president last evening, President Nixon listed three qualities that he believed necessary. They were (1) a man qualified to serve as President, (2) one who shared the President's views on both foreign and domestic policy, and (3) a nominee who could be quickly approved by the Senate and House of Representatives.

No one fits these conditions more fully than Gerald R. Ford, who has been minority leader of the House since 1965. He is 60 years old.

He has served for a quarter century in Washington so he knows government, politics and issues intimately. He has been a strong Republican partisan, working with Mr. Nixon and defending the administration's record. Finally—as events last evening at the White House suggested—he is highly respected and popular with his congressional colleagues.

The President wisely took the route away from the so-called glamour possibilities. John Connally, Nelson Rockefeller, Ronald Reagan all were on any lists, but, while all are capable, all would have encountered trouble in winning congressional confirmation. Too many associate them with ambition for 1976 attention.

Mr. Ford inevitably will be viewed as a contender for the presidential nomination. President Nixon, resourceful politician that he is, understands this, but, more importantly, he sees in the man he has picked, one who will work easily and effectively with him, who will bring a high sense of integrity to the No. 2 place, and who will be able to maintain strong ties with Congress.

Although he is well and favorably known in the Congress, Representative Ford should receive full and careful assessment in the Senate and House. All of the nooks and crannies of his personal and political life should be examined. In view of the crisis in confidence that fills much of the national life today, the American people want to know all about this man who now stands the proverbial heart beat away from the presidency.

CONGRESSIONAL LEADERS HAVE NO GREATER RIGHT TO CLASSIFIED INFORMATION THAN ALL MEMBERS OF CONGRESS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DRINAN. Mr. Speaker, I attach herewith an article which I published in

the October 19, 1973, issue of the National Catholic Reporter. It is my contention in this article that no President has any right to give classified or secret information to selected Members of the House or Senate.

President Nixon has asserted that he told certain congressional leaders about the secret 3,630 bombings of Cambodia during the 14 months prior to April 30, 1970. This clandestine war cost an estimated \$140,000,000. It is my ever deepening conviction that those congressional leaders who knew of these raids and these expenditures and who withheld this information from their colleagues in the Congress are, consciously or otherwise, implicated in the deception of the President.

The article follows:

NIXON BOMBING DEFENSE "INADEQUATE"

(By Robert F. Drinan)

In the statement which I submitted on July 31 justifying the resolution of impeachment of the president, I pointed to the secrecy of the bombing in Cambodia as a clearly impeachable offense. In his press conference at San Clemente, President Nixon pretended that he had resolved this problem in his Aug. 20 address in New Orleans to the Veterans of Foreign Wars. The justification attempted in that talk of the secrecy of the 3,630 air raids during 14 months in Cambodia is inadequate on several counts.

The president stated that the United States was under "no moral obligation to respect the sham" of the neutrality of Cambodia occupied by the North Vietnamese. The president clearly concedes that the United States was under a legal obligation not to bomb a neutral nation.

The president's allegation that the "enemy-occupied sanctuaries" of Cambodia "were no more neutral . . . than was northern France or Belgium in the late spring of 1944 when those territories were occupied by the Germans" is obviously false. France and Belgium were our allies in a war declared by the U.S. against Germany while Cambodia has always been neutral and is not even a member of SEATO.

The fact that allegedly the "Cambodian government did not object to the strikes" cannot justify the first military assault in American history on a neutral nation with which America is at peace. Title 18 of the U.S. Code specifically forbids such an assault. In addition, Prince Sihanouk has on several occasions after Aug. 20 expressly denied that he ever agreed to the bombing.

The president states, furthermore, that he informed "appropriate congressional leaders" of the bombings. In a matter of this gravity there is no such thing as an "appropriate" congressional leader. The president has no constitutional or statutory right of any nature to give information to selected congressional leaders. Any practice to the contrary violates my rights as a member of Congress and the rights of the 474,000 citizens I represent. If classified information is to be given to Congress all 53 members should be given (or denied) that security clearance which is granted, when necessary, even to the GS-4 typist.

The president, seeming to recognize his vulnerability because of his action in launching an air war without telling the American people, states that "there was no secrecy as far as the government leaders were concerned who had any right to know or need to know" (emphasis supplied).

Can a very few congressional "leaders" (a title acquired by sheer seniority and not by any selection by the members of Congress or the people) have any "right" or "need" to know about a secret war costing at least

\$140,000,000 which is greater than the identical "right" and "need" of all 535 members of Congress? The answer has to be "no."

The most outrageous contentions made by Nixon to justify 14 months of secret bombing rest on his assertion that "had we announced the air strikes, the Cambodian government would have been compelled to protest" and "the bombing would have had to stop." This shocking double standard evokes two comments:

Cambodia would have been "compelled" to protest, we are told, because that nation is and must continue to be a neutral country. If Cambodia asserted this neutral status the United States, Nixon tells us, would have been required to recognize the truth and stop the bombing! The U.S., in other words, will bomb a neutral nation until or unless that nation protests and proclaims its neutrality before the court of world opinion. In admitting to this incredible way of acting, Nixon concedes that the U.S. would not air bomb a neutral nation—even to save the lives of American soldiers in South Vietnam—if that nation asserted its neutrality as a shield against our B 52s!

Mr. Nixon claims that Prince Sihanouk invited him to visit Cambodia during the first spring of the bombings. The president claims this as evidence of approval by Sihanouk of the bombings. If, however, the head of the Cambodian government is this friendly why would a public protest by him of the bombings—a protest which would have allegedly been inevitable if the U.S. made public the air raids—have compelled the U.S. to stop the strikes? It would not be the point of international law raised by Sihanouk but, to be blunt, by American public opinion.

Mr. Nixon has elaborated hypotheses and premises to justify his secrecy about his escalation of the war into Cambodia eight weeks after he became president. All that he says, and implies, points to the unavoidable conclusion that he conducted the air war over Cambodia in secrecy because he was afraid—or he knew—that American public opinion would not tolerate it.

Such deception, in my judgment, is an impeachable offense.

SOLAR ENERGY: AN IDEA MADE PRACTICAL

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. PICKLE. Mr. Speaker, we are all well aware of the renewed interest in using the sun to supply some of our energy needs in light of growing shortages in other fuels. But I do not think the fact has really hit home how close we are to making this energy source both technically feasible and economically competitive.

In fact, use of solar energy to heat buildings already is technically feasible—is becoming competitive with fossil fuel heating systems—and is, in general, already cheaper than electricity for heating.

Advances are rapidly being made for making solar energy competitive for cooling purposes as well.

A recent article in the Civil Engineering magazine outlines recent progress in this field, and I would like to include it in the RECORD at this time:

SOLAR HEATING AND COOLING: UNTAPPED ENERGY PUT TO USE

(By George O. G. Löf and Dan S. Ward)

The idea of building a home heated by solar energy is not new. As long ago as 35

years the first significant solar space heating project had been initiated. Since then almost two dozen buildings have been designed and built utilizing solar energy for heating. During the years 1958-1960 alone, eight different buildings were constructed, four of which were designed as laboratories, and four destined to be used as residences. Now, with the energy crisis demanding new alternatives, there is another surge of interest in solar buildings.

There is enough sunshine in this country—an average of 4 kilowatt-hours of solar energy per square meter per day—to supply twice the energy need to heat and cool every building. A solar energy system does not require clear days, but also collects diffused solar radiation. Deciduous trees do not interfere with collection. The National Science Foundation predicts that in/by the year 2020, 35% of our buildings will use solar heating and cooling at a savings of \$12 billion at present electricity rates.

While the prospects of using solar energy for power generation are still in the stages of considerable uncertainty, the heating of buildings by solar energy is now technically feasible and nearly economically competitive. Locations of successful solar heated buildings in the United States range from Arizona and New Mexico to Colorado and Massachusetts. Techniques have varied with the use of air or water as the heat transfer medium, use of crushed rock, water, or heat of fusion of certain salts for heat storage, widely varying configurations of a solar collector, and a wide range of percentage load carried by the system. But technical feasibility must have an economic counterpart.

ECONOMICS

Richard A. Tybout, Professor of Economics at Ohio State University and author Löf made an extensive cost analysis in eight U.S. cities on a solar climate control system. Conclusions were that solar heating is becoming competitive with fossil fuel heating systems and is, in general, already cheaper than electricity. The economics could be improved even more by adding cooling to the load on the solar systems; thus using the same equipment all year long at very little extra cost.

Author Löf's house in Cherry Hills Village near Denver, Colorado is an example of a solar heated building which has been operating over a long period; in this case fifteen years.

The building utilizes a heating system with air as the heat transport medium and crushed rock as the heat storage material. The system consists of two solar collector banks, two vertical heat storage cylinders, hot water preheater, blower, conventional natural gas furnace, central equipment, and the necessary air ducts. The two collector banks on the roof are surrounded by a four ft (1.22 m) parapet wall. They are 50 ft (15.25 m) long, six ft (1.83 m) high, and face south at an angle of 45° with the horizontal. Each consists of ten "cold panels" and ten "hot panels" located alternately. Glass wool insulation is provided on the back of the panels. Cold air from the house or storage unit enters the cold air manifold and is distributed to the ten "cold collector panels" in each bank. After partial heating, the air passes to the corresponding "hot panels" via cross-connecting ducts. The air is heated further in the hot panels and delivered to the house or storage unit via the hot air manifold and duct system. The collecting panels are of the overlapped glass plate type.

SOLAR COOLING

But the technical uncertainties of solar cooling are considerably greater than those involved with heating systems. This is underscored by the fact that no complete heating and cooling system has ever been built and operated. In an effort to remedy this situation and to answer some of the technical questions, the National Science Foundation recently awarded Colorado State University a grant to design and build the first solar

heated and cooled house. The key factor will be the addition of a lithium-bromide absorption air conditioner, modified to utilize hot water from a solar collector instead of a gas flame. The University of Wisconsin will collaborate on the design, and Honeywell will engineer the controls.

There is a considerable advantage to solar cooling since peak demands for air conditioning usually coincide with peak solar radiation levels. It should be stressed, however, that solar systems are designed to supplement, and not replace, conventional heating and cooling units. It is more economical to provide auxiliary energy for prolonged bad weather than to design a solar system which would handle the entire load and be used only a few days a year at full capacity.

Convinced of these facts, a wide variety of architects and engineers are making considerable strides in the solar field. One engineering consultant, Frederick Dubin of Dubin, Mindel, Bloome Associates of New York City, is already working on four projects involving solar energy. Two of the projects are for the General Services Administration of the federal government, and consist of solar heating systems for office buildings to be located in Manchester, N.H. and Saginaw, Mich. In addition, Dubin has plans for a ten-unit condominium in Vermont and an office/laboratory for the New York Botanical Gardens. He feels that large-scale systems are more feasible than single family residences and that primary emphasis in all projects should be on energy conservation and totally integrated systems.

Gerson Meckler, an engineering consultant in Washington, D.C., is also currently working on several designs for solar energy systems. One of them has already been used in a small office building in Denver for Financial Programs, Inc., now in its fifth year of operation. And in Denver, Colo., Cabell-Childress Associates are investigating solar heating in conjunction with a maximum energy conservation design in the construction of a corporate office building for an oil company.

AUDUBON SOCIETY

In other parts of the country, Arthur D. Little, Inc., is devising a solar space conditioned office building for the Massachusetts Audubon Society (MAS) to be located at their headquarters in Lincoln. According to MAS Executive Vice President, Allen H. Morgan, the answer lies in the Society's statement of objectives which includes the key phrase of finding "realistic solutions to environmental problems . . .". MAS considers the energy dilemma to be one of the most serious environmental problems, and the solar space heating and air conditioning can play a major role in alleviating pressures on the environment. It is their hope to demonstrate a method for conserving energy is feasible, realistic, and environmentally acceptable. J. C. Burke, of Arthur D. Little, Inc., described MAS's concern as " . . . fostering a positive approach toward conservation of energy and environment."

The building design will permit a reasonably large solar collector [3500 sq ft (325.5 m²)], facing south at a slope of 45°, and will accommodate the MAS requirements for office space, a library, and a lecture hall—a total floor space of approximately 8000 sq ft (744 m²).

Arthur D. Little, Inc. estimates that depending on the choice of certain design options, the heat demand will be in the range of 40,000 to 70,000 BTU/degree-day (11.72–20.51 kw hr/degree day). Thus a solar system using a two-pane 3,500 sq ft (325.5 m²) collector is estimated to be able to account for between 65% and 75% of the total seasonal heating load. Heat gain estimates indicate a design air conditioning load of about 15 tons (52.74 kw), most of which will be due to internal heat generation (i.e., lighting and people). Burke hopes that by making skillful use of natural ventilation, it

will be possible to minimize the periods of time during which complete air conditioning is required; and further that the proposed 15-ton lithium bromide water cooled absorption machine driven by the solar collector will be able to supply a substantial portion of the air conditioning requirements.

PHOTOVOLTAIC CELLS

Looking even further ahead, Karl Boer, Director of the Institute of Energy Conversion of the University of Delaware, is in the finishing stages of a solar house which, in addition to thermal collectors, will also employ space age photovoltaic cells. These solar cells, which convert solar radiation directly into electricity, are now far too expensive to be commercially used; in competing with electricity from a central power plant, they are two or three orders of magnitude too costly. However Boer is optimistic that mass production and other factors may improve the economics of photovoltaic cells, and in the not too distant future.

The cost of silicon in sufficient purity used in these cells keeps the price up. Alternatives to silicon, such as germanium and cadmium sulfide are being experimented with, but at present are less efficient than silicon. The photovoltaic cell as a source of electricity would be preferable to present means in many ways—it is compact, neat and uncomplicated.

DEMONSTRATION HOME

A photovoltaic conversion system is included in the demonstration house being built in Shanghai, West Virginia, designed by Burt, Hill Associates of Pittsburgh, Pa. (See box and Figs. 4, 5, 6, 7.) The home will be occupied by Ms. A. N. Wilson of the Department of Interior, and will be approximately 1,400 sq ft (130.2 m²) of finished living space and 350 sq ft (32.5 m²) of mechanical equipment space. Principal construction materials will include reinforced concrete masonry foundation walls, wood floor, wall and roof framing systems, and wood exterior siding. The project will contain several sub-systems including: 1. solar thermal collection system; 2. photovoltaic conversion system; 3. wind driven electrical generating system; and 4. aerobic composter, for organic wastes.

The first two sub-systems are intended to provide a platform for the on-going evaluation of various manufacturing techniques, component designs and comparative data. They will be designed and installed in such a manner as to facilitate installation and replacement of the various components. The latter two sub-systems are included primarily for demonstration purposes. The main solar array is 588 sq ft (54.7 m²), tilted south at an angle of (45° Latitude + 6°). A 50% solution of ethylene glycol will be the heat transfer fluid, and the thermal storage system will be a two temperature liquid; sensible

heat tank located beneath the residence. The sun should supply about 18% of the residence's heating and electrical needs.

While most authorities are dubious on the power supply prospects, they feel that solar energy stands to mitigate the energy crisis, and in a variety of ways. At this time it is too early to eliminate any realistic possibility. Therefore, while use of photovoltaic cells are further down the road, thermal solar heating and cooling systems will soon be here. And given the encouragement and possible subsidies other industries enjoy, such systems could be commonplace in a few years.

ARMS INVENTORIES IN MIDDLE EAST

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. LONG of Maryland. Mr. Speaker, I have obtained new information which substantiates the feelings voiced by me and others that since the 1967 Six Day war, the Soviet Union has poured arms into the Arab states at unprecedented rates. This report was written just before the Arab attack on October 6, has been published by the American Enterprise Institute, and is entitled "The Arab-Israeli Military Balance Today." It dramatically contrasts with recent statements by the Nixon administration that the Soviets have been acting with moderation and responsibility. Nothing could be farther from the truth.

I insert some of the tables included in the AEI study for the benefit of my colleagues.

Table 1 shows that while the Israelis have only doubled the number of their combat planes, Egypt, Syria, and Jordan have tripled theirs. In 1968 Israel had 230 fighter-bombers; Egypt and Syria had 225 and 25, respectively. By 1972-73 the Egyptians alone had 568 combat aircraft to Israel's 456—about 25 percent more. If we add the total combat aircraft of other possible belligerents—Jordan, Iraq, Libya, Algeria, and Saudi Arabia—the Arab total rises to 1,391 aircraft to Israel's 456.

While the number of Arab combat planes was rising, AEI reports:

The Russians also began improving Egypt's air defenses and increased the number of SA-2 surface-to-air missiles in Egypt from 120 to 180.

While the Soviets have only armed their Arab clients, the United States has shown a disturbing tendency to arm both sides. In fact, the AEI study speculated that the "sale of American F-4E Phantoms to Saudi Arabia" could contribute to "an edge of about 10 percent in terms of first-strike ordnance delivery capability," when added to the 38 French Mirages reportedly ordered by the Saudis. On June 8 I told this House that the proposed sale of F-4's to Saudi Arabia and Kuwait could "only threaten the shaky peace in the Middle East first by fueling an arms race among Arab nations and second by threatening Israel, our closest ally in the Middle East."

Particularly distressing is the fact that Saudi Arabia could use its western F-4's to strike at the heart of Israel, a fact documented in the AEI report.

Other tables demonstrate that Egypt has a 2 to 1 edge in helicopters, and that Egypt—aided by the Soviets—increased its tanks by some 500 percent between 1968 and 1972. The Syrians and Jordanians increased their supply of tanks by 200 percent, while Israel only increased its number of tanks by about 90 percent. These figures, as interpreted by AEI, complement the immediate pre-Yom Kippur forecasts that "Egypt reportedly has been supplied with enough amphibious equipment, including tactical bridges, to move approximately 200,000 troops across the canal."

Mr. Speaker, the United States has given the Soviet Union many concessions in trade and in international bargaining.

We have exacted few, if any, return concessions and accommodations. We have yet to insist to the Soviets that they cut their armament activities in the Middle East to avoid encouraging an arms race among Arabs and a war with Israel.

The facts presented in this report make it clear that the Soviet Union kept right on with the Middle East arms race. It is time the United States bargained as hard as our Soviet counterparts.

The tables follow:

TABLE 1.—COMBAT AIRCRAFT INVENTORIES IN THE MIDDLE EAST

Country/aircraft type.....	1967-68 ¹	1968-69	1969-70	1970-71	1971-72	1972-73
Egypt:						
Mig-21 interceptor.....	100	110	100	150	200	220
Mig-19 all-weather fighter.....	45	80				
Su-7 fighter-bomber.....		40	90	105	110	120
Mig-15 fighter.....	60	120	120	165	200	200
Mig-17 fighter-bomber.....				28	25	10
Il-28 light jet bomber.....	20	40	30	15	18	18
Tu-16 medium bomber.....		10	12			
Total.....	225	400	352	463	553	568
Syria:						
Mig-21 interceptor.....		60	55	90	100	140
Su-7 fighter-bomber.....		20	20	40	30	30
Mig-7 fighter-bomber.....						80
Mig-15 fighter.....	25	70	70	80	80	
Total.....	25	150	145	210	210	250
Jordan:						
Hunter ground attack.....		12	11	20	18	35
F-104A fighter bomber.....				18	15	15
F-86 fighter.....		4				
Total.....		16	11	38	33	50

Footnotes at end of table.

Country/aircraft type.....	1967-68 ¹	1968-69	1969-70	1970-71	1971-72	1972-73
Iraq:						
	170	213	213	229	220	189
Libya:						
Mirage V ground attack/interceptor.....						60
Mirage IIIB/E interceptor.....						12
F-5A interceptor.....				7	7	10
Total.....				7	7	82
Algeria:						
Mig-21 interceptor.....		140	140	140	30	30
Mig-15, 17 fighter-bomber.....					60	95
Il-28 light jet bomber.....		30	30	30	24	30
Magister armed trainer.....					28	26
Total.....		170	170	170	142	181
Saudi Arabia:						
BAC-167 ground attack.....		24	28	24	20	21
Lightning fighter.....		4	4	35	20	35
Hunter ground attack.....						
F-86 fighter.....	12	11	11	16	15	15
Total.....	20	39	43	75	55	71

TABLE 1.—COMBAT AIRCRAFT INVENTORIES IN THE MIDDLE EAST—Continued

Country/aircraft type	1967-68 ¹	1968-69	1969-70	1970-71	1971-72	1972-73
Israel:						
F-4E fighter-bomber/interceptor			(*)	36	75	120
A-4E/H fighter-bomber		48	48	67	72	125
Mirage fighter-bomber/interceptor	65	65	65	60	60	50
Vautour light bomber	15	15	15	12	10	10
Country/aircraft type	1967-68 ¹	1968-69	1969-70	1970-71	1971-72	1972-73
Mystere IVA fighter-bomber	25	35	35	30	27	27
Oragan fighter-bomber	50	45	35	30	30	30
Super Mystere interceptor	25	15	12	10	9	9
Magister trainer with limited ground attack capability	50	65	65	85	85	85
Total	230	288	275	330	368	456

¹ All data in this table and those following are generally from June 30 to June 30. Losses incurred in the fighting which broke out on Oct. 6, 1973 are not taken into account.

² As of Oct. 8, 1973, Institute for Strategic Studies figures are: Egypt 620, Syria 326, Israel 488. (Washington Post, Oct. 8, 1973.)

³ Includes 40 that reportedly were delivered during previous 3 months. (Washington Post, Apr. 21, 1973.)

⁴ "Israel Expected To Seek More Arms," Washington Post, June 19, 1973.

⁵ Includes some MIG-17's and 21's.

⁶ About 60 have been delivered according to Israeli Foreign Minister Abba Eban.

⁷ Does not include reported order of 38 Mirages from France. (Le Monde, Sept. 29, 1973.)

⁸ Does not reflect the first deliveries of Phantoms in late 1969.

⁹ Does not reflect losses incurred in the Sept. 13, 1973 Israeli-Syrian air battle.

Source: International Institute for Strategic Studies, The Military Balance 1967-1968 (London, 1967), and succeeding issues through 1972-73.

TABLE 4.—HELICOPTER INVENTORIES IN THE MIDDLE EAST

Country and aircraft type	1967-68	1972-73
Egypt:		
Mi-4 and Mi-6	30	—
Mi-1, 4, 6, and 8	—	180
Syria:		
Mi-1	7	4
Mi-4	3	10
Mi-8	—	(*)
Total	10	14+
Jordan:		
Alouette III	4	7
Whirlwind	4	—
Total	8	7
Iraq:		
Mi-1	—	4
Mi-4	9	30
Mi-8	—	12
Wessex	11	—
Total	20	46+
Libya: ¹		
AB-206	—	2
OH-13	—	3
Alouette III	—	10
Super Frelon	—	6
Total	—	21
Algeria:		
Mi-1	—	4
Mi-4	50	42
Hughes 269A	—	6
Sa-330	—	2
Total	50	54
Saudi Arabia:		
Alouette III	2	1
AB-204	—	1
AB-205	—	8
AB-206	—	20
Total	2	10
Israel:		
CH-53C	—	10
AB-205	—	30
Super Frelon	—	12
Alouette	40	20
S-58	—	—
Total	40	72

¹ Number is unknown.

² Iraq has also reportedly received an unspecified number of Mi-6 helicopters. (Dusko Doder, "Soviets Ship Jets, Arms to Syria," Washington Post, 21 April 1973.)

³ In the summer of 1970 Libya had some helicopters, including 3 Alouette IIIs. (Military Balance 1969-1970.)

⁴ 1969-1970 was earliest information available.

Source: Military Balance 1967-68, 1969-70, and 1972-73.

TABLE 6.—NUMBER OF TANKS IN THE MIDDLE EAST, 1968 AND 1973 (AS OF 30 JUNE)

Country and vehicle type	1968	1973
Egypt:		
JS-3	20	50
T-62	—	10
T-54/55	250	1,500
T-34	70	400
Pt-76	—	100
Centurion Mark 3	30	—
Total	370	2,060

Country and aircraft type	1967-68	1972-73
Syria:		
JS-3	—	30
T-54/55	—	900
T-34	200	240
T-54	150	—
Pt-76	—	(*)
Old German tanks	50	—
Total	400	1,170+
Jordan:		
M-60	—	14
M-47 and M-48	—	190
Centurion	50	140
M-48	50	—
Total	100	344
Israel:		
M-60	—	(*)
M-48	225	450
Ben Gurion	250	250
Centurion	—	700
Is Sherman and Super Sherman	—	200
Super Sherman	175	—
AMX-13	140	—
Ti-67	—	100
T-54	200	—
Total	990	1,700+

¹ Exact number unknown.

Source: Military Balance 1967-68 and 1972-73.

ALASKA PIPELINE BILL

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. TIERNAN. Mr. Speaker, I read in today's Washington Post that the conferees have reached a tentative agreement in their attempts to resolve differences between the House and the Senate version of the Alaska pipeline bill. With the current uncertainty concerning a long-term supply of oil from the Middle East due to the political instability of that region and the fact that the Arabs apparently intend to use oil as a political weapon, it is important that we begin to develop domestic oil reserves with as much speed as possible. Further the 70-percent increase in crude oil prices which has been announced makes the production of domestic oil even more important in relation to our balance-of-payments problem.

I commend Chairman MELCHER and the other House conferees for refusing to give in to the pressures that I understand were put on them by the administration on the question of absolute liability. If the Senate version of the liability clause had prevailed the oil companies

would not have been liable for damage caused to the environment by earthquakes or other acts of God.

The conferees have apparently agreed to include "no-fault" liability and to provide for a \$100 million trust fund for the purposes of paying for any damages caused by the operation of oil tankers. The establishment of such a fund is to be commended as it insures the availability of moneys to pay for any such damage regardless of the financial condition of the operator of the pipeline or tanker company.

AFL-CIO INSTITUTIONAL TRAINING PROGRAM

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mrs. HOLT. Mr. Speaker, much lip-service has been paid in support of job training programs for inmates in our penal institutions. However, often these programs show little discernable evidence of results.

Dominic Fornaro, president of the Metropolitan Baltimore Council of AFL-CIO Unions, has brought to my attention an offender training project sponsored by his organization, in cooperation with the Maryland Department of Corrections, and private industry. Authorities in this field have testified that the project is demonstrating positive results.

I would like to quote from a letter written by Paul A. Wageley, superintendent of the Maryland Correctional Training Center in Hagerstown, Md.:

The Maryland Correctional Training Center, its residents and indeed Corrections itself, needs salient programming of this very nature which can and has produced valid accomplishments if it is to ever attain its/their goal of reintegrating the offender to the community. I cannot emphasize too strongly the desire of the Maryland Correctional Training Center to have this project continued.

Robert R. Lucas, assistant director of Urban Services for the National Council on Crime and Delinquency, midwestern office, says:

Undoubtedly, the AFL-CIO Institutional Training Program that you have going is one of the best of its kind in the United States today.

In future deliberations by this body on projects of this type, the AFL-CIO program will certainly serve as a valuable source of reference.

PEER REVIEW FOR COMPLAINTS AND CRITICISMS OF NURSING HOMES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. WALDIE. Mr. Speaker, throughout the Nation there exist 22,000 long-term residential care facilities for the elderly. Both Federal regulations and State licensing requirements guarantee certain standards of quality in these homes. But quality can always be improved and every effort should be made to better the lives of our respected elderly citizens.

The California Association of Health Facilities has initiated a program that will improve the quality of care for their patients.

Mr. Speaker, I wish to share that plan with my colleagues, and I would like to include in the Record at this time an article which appeared in Health News, the monthly publication of the California Department of Health:

LEADERSHIP ROLE—NURSING HOME ADMINISTRATORS ADOPT PEER REVIEW SYSTEM

In an effort to upgrade the quality of life in long-term care facilities, the California Association of Health Facilities has instituted a program which will enable its members to improve standards of care for their patients.

Using a system of Peer Review and an advertising campaign which actively encourages patients and their families to communicate criticism and complaints, CAHF plans to work with members whose standards do not meet state licensing requirements, making it unnecessary for the Department of Health to take action against them.

Adoption of guidelines for Peer Review of nursing homes and other long-term residential care facilities which are members of CAHF were announced in August by Henry Heil, president of the association.

Peer Review is a manifestation of the belief that CAHF can and must take a leadership role in upgrading quality of care, according to John Drobny, newly appointed executive vice president of CAHF. "Such review should be on a regular basis to encourage improvement, not merely to respond to complaints," he said. "Voluntary action on the part of the industry is the best means of achieving the goal of improving quality of care."

Drobny, who had been deputy director of the state Department of Consumer Affairs (formerly the Department of Professional and Vocational Standards) until assuming his present position in July, emphasized that Peer Review is an educational process, not a punitive action. "The objectives of the program are to help facilities correct any deficiencies and meet accepted standards," he added. "CAHF will, as much as possible, provide consultants to visit facilities and offer advice about problems in specific areas."

Formerly known as the California Association of Nursing Homes, Sanitariums, Rest Homes and Homes for the Aged, Inc., CAHF is a nonprofit organization which has as its published objectives improving the quality of life of those persons who are patients or residents in long-term care facilities and assisting the owners, administrators, and employees of such facilities in achieving this goal. Membership in CAHF is open to all licensed residential care or long-term health care facilities in California which subscribe to the association's principles and which are accepted after an evaluation by the local chapter Peer Review Committee.

The health facilities association is coordinating its efforts with those of the Department of Health, according to Howard A. Worley, director of Governmental Relations for CAHF since October 1972. "Copies of reports of surveys of member facilities by the state department will be supplied to local chapter Peer Review Committees," he said. "The committees will seek to upgrade the quality of care by review of the activities of each member on a periodic basis, and by special review when there are repeated or serious deficiencies reported by the Department of Health."

Worley emphasized that about 60 percent of California's long-term care facilities are members of CAHF. "Of course, we cannot assist those facilities that are not members," he added. "But, in the case of member facilities, we can offer our suggestions, advice, and help in their efforts to conform to the high standards set by the state and the association."

As part of its efforts to cooperate with the Department of Health in policing the standards of CAHF members, the association has been working with the Manpower Training Section of the department. "Our Peer Review Committees need assistance in learning methods of surveillance and review, which the department is arranging for us," Worley explained.

While CAHF cannot revoke licenses of those members who refuse to improve their standards of care to conform with state requirements, it has recourse to other disciplinary actions, the governmental relations director asserted. "The association can expel from its membership those who cannot or will not comply, thereby withdrawing its approval of their operation," he stated. "Such a disciplinary measure would be publicized in the media, as well as communicated to the Department of Health."

To provide a mechanism for patients, their relatives, or friends to talk to someone about their problems, frustrations, or difficulties with nursing homes or other health facilities, CAHF is pioneering a program which it calls "Cool Line." Posters advertise the availability of nursing home personnel to discuss complaints and criticism. In the event that the administration of a facility seems unresponsive to such communication the posters provide the telephone number of the CAHF offices.

"Anyone who calls CAHF can be assured that someone will look into his complaint and report back," Worley promised. "Information will be referred to the chapter president, chairman of the Peer Review Committee, or other appropriate persons for investigation and report."

The California Association of Health Facilities is affiliated with the American Nursing Home Association. The CAHF Peer Review program is based on ANHA's Code of Ethics, to which all member facilities must subscribe:

... A basic human right of all Americans is to have quality health care which is accessible and acceptable.

... Members will provide care which will meet the physiological, psychological, environmental, and spiritual requirements of the patient-resident in licensed facilities.

... Members will provide qualified staff in sufficient numbers to perform competent services to meet the patient's/resident's requirements.

... Members are encouraged to engage in research and education which will be done with the assurance that the interest and dignity of the individual is preserved and the conduct of the program is of professional quality.

... Members will clearly delineate their policies and will receive and act upon complaints and suggestions, utilizing established procedures of the state and national associations and related community resources.

... Members will be an integral part of the community's health program.

CAHF has found that much of the criticism leveled at long-term care facilities comes from misunderstanding and lack of knowledge about the role of the facility in the community. The association hopes that Cool Line will open up dialogue between the facilities and those who use them. "Effective dialogue can be another tool in the effort to provide high quality care for people needing long-term residential care," Worley added.

THE ROAD TO PEACE IN THE MIDDLE EAST

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. RANGEL. Mr. Speaker, as the tragic war in the Middle East goes on, there is a growing concern by all men, whatever their allegiances or political philosophy, over the carnage and the terrible, wasteful loss of human lives. Our attention must turn towards an effort to find a way out of this horrible war and a way to provide a lasting peace in this area of the world.

The General Coordinating Committee of the Jewish Cultural Clubs and Societies has adopted a resolution on the war in the Middle East that is addressed towards finding a way toward a lasting peace. It calls first and fundamentally for a guarantee of the continued existence of Israel, the existence of which cannot be questioned as a basis for peace in the Middle East. The resolution also calls for the formation of an Arab Palestinian State on the territories won by Israel in the 1967 war, and for United Nations guarantees of a permanent cease-fire.

Without endorsing these specific proposals, I strongly endorse the thrust of the resolutions issued by the Jewish Cultural Clubs and Societies toward finding a viable basis for a cease-fire to put an end to the current war and towards finding a solution to the grave hostilities between Arab and Jew that threaten continued warfare in the Middle East.

JEWISH CULTURAL CLUBS AND
SOCIETIES,

New York, N.Y.

STATEMENT ON THE WAR IN THE MIDDLE EAST
(By the General Coordinating Committee,
Jewish Cultural Clubs and Societies,
adopted October 10, 1973)

The Jewish Cultural Clubs and Societies express their deep shock and concern at the violation of the cease-fire by Egypt and Syria. War is now raging in the Sinai and Golan Heights. Many lives—both Israeli and Arab—are being lost and more thousands wounded.

It is in the interest of both sides that this war be ended at once, for the termination of the Middle East crisis lies in a political solution, not in war. This was true before Egypt and Syria attacked, and it will be true when a truce is restored.

Foremost in our thoughts is the very existence of Israel. Israel must live, we proclaimed from the day it was founded, and we say it today when many Arab leaders, heads of governments and leaders of terrorist organizations like El Fatah, which are supported by many Arab governments, plot and work to destroy Israel.

We call for a cease-fire at once. It is imperative in behalf of peace, for which the United Nations was established, that the Se-

curity Council overcome the malaise of power rivalries and demand a cease-fire and end to the war in the Middle East immediately. Every day's delay results in the tragedy of increased bloodshed among combatants and innocent men, women and children on both sides. Delay also intensifies the danger of the Middle East war growing into a world conflagration.

Most important, it is necessary to end the causes of the wars between Israel and its Arab neighbors by taking definite steps on both sides to effectuate the United Nations Security Council Resolution 242 of November 22, 1967. This would mean agreement to return the occupied territories by Israel on the basis of a peace agreement which will guarantee Israel and the Arab countries secure and recognized borders.

The Jewish Cultural Clubs and Societies oppose the annexation of Arab lands as a barrier to peace in the Middle East. We decry the lack of past initiatives on part of the Israeli government to establish a lasting peace with the Arabs. We condemn the refusal of the Arab countries to enter negotiations for peace and their support of the terrorist organizations which operate from bases in their territories and commit some of the most heinous crimes on record against Israel and humanity. On the one side the terror and threats against the existence of Israel must be halted; on the other side the moves to annex large areas of Arab land must be reversed.

Significantly, the New York Times of October 4, 1973, reports a speech by Israel's Foreign Minister, Abba Eban, made the day before at the United Nations General Assembly in which he said, "It would be agreeable to Israel that a peace settlement include two nations in the area of the former Palestine mandate 'on both sides of the Jordan between the desert and the sea.'"

"One of these nations would be Israel, and the other would be a Palestinian Arab state in its composition, whatever its name or constitutional structure," and "that it would be up to the Arabs to determine the precise nature of the state bordering Israel on the East." Then: "Israel, he said, is ready to withdraw forces from the land occupied during the six-day war of 1967, but this withdrawal can come only in a permanent peace agreement and 'to the positions and boundaries determined in the peace agreements.'"

This is in line with the U.N. resolution in 1947 for the establishment of two independent states, an Arab and a Jewish state on the territory of Palestine. There may be a hopeful basis for peace in the policy outlined by Foreign Minister Eban, but before any measures for solving the Middle East crisis can be considered the present war must be ended.

Only a future of Arab-Israel friendship and cooperation can auger well for the existence of Israel and peace in the Middle East. All those who cherish Israel and world peace must work to achieve this, and the Jewish Cultural Clubs and Societies have dedicated themselves to this goal.

GENERAL COORDINATING COMMITTEE.
GEDALIA SANDLER, General Secretary.
SAM PEVNER, Executive Director.

THE ENERGY PROBLEM—SCARCITY AMID PLENTY

HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 18, 1973

Mr. CLEVELAND. Mr. Speaker, in my remarks yesterday in connection with the

passage of the Emergency Petroleum Allocation Act of 1973, I commented that, necessary though it was, the legislation did nothing to increase our overall supply of energy. With that action now behind us, there is an urgent need to take stock of our overall energy problems and press for their resolution.

The fact is that this country is running short of energy. It is not a matter of resources; they remain abundantly available. But we do not have effective access to them in terms essential to the Nation's welfare: adequate supplies of all forms, at reasonable and stable prices, without sacrificing our environmental quality, economic vitality, or national security.

I am convinced that this is a reasonable goal and one we are capable of achieving. But it will demand top priority, long-term efforts rivaling, in urgency, resources, and commitment, our Manhattan project in World War II and our program to land men on the moon. Surely, a nation, which by the cooperative effort of Government and industry, has built the world's greatest transportation network—the interstate highway system—can create and implement a national strategy to meet this fundamental need.

Evidence that such an effort is necessary lies in the role energy plays in our society. Our entire way of life is based on a modern industrial economy, made possible by the substitution of energy for human toil. Everything we use—from basic food, clothing, and shelter to the amenities of modern life—depends largely on energy for production, distribution, and use.

Yet, for all its importance to the Nation, we are beginning to run short. The reasons are easy enough to identify. With the same recklessness with which we have abused our environment, we have let abundance blind us to the need for conservation. We have adopted wasteful consumption practices and depleted the most easily recoverable sources of oil and natural gas.

Yet we continue to increase our reliance on energy. There are estimates that per capita use of energy will increase by two-thirds by 1985 over 1970, with each of us consuming the energy equivalent of 100 barrels—4,200 gallons—of oil per year. With population increase, that means a doubling of demand.

At the same time, for a people who pride ourselves on our technological sophistication, we have failed dismally in applying this capability to the energy field. To be sure, we have spent heavily in research on nuclear power generation. But we have neglected or severely short-changed other resources. Total public and private spending for energy research and development was roughly \$1.5 billion last year, with industry spending estimated at \$1 billion and Government at a half billion. For the Government portion, well over half of the research dollar has been devoted to nuclear energy.

This imbalance is highlighted by our dependence for the foreseeable future on other sources of energy. The breakdown for all sources of energy for 1972 was: petroleum, 46 percent; natural gas, 32

percent; coal, 17 percent; hydroelectric power, 4 percent; and nuclear power, 1 percent.

Major energy markets are industrial, 32 percent; electric utilities, 25 percent; transportation, 14 percent; residential, 14 percent; and commercial 5 percent. Of the utilities sector 68 percent goes for industrial and commercial purposes, the remainder to residential consumers.

Against this background, it has been estimated that we fail to recover more than a fraction of the resources discovered and we waste half of what we produce.

NO OVERALL ENERGY POLICY

More striking to me is the fact that the Nation has not developed a comprehensive energy policy, with responsibilities fragmented among dozens of executive agencies in Washington, committees of the Congress, and the States.

Regulatory actions and narrowly focused environmental restrictions in the absence of a comprehensive energy policy have created distortions in consumption and fostered uncertainty that deter mobilization of industrial resources to do the long-rang job that must be done.

This is reflected in the origins of the short-term aspects of the energy problem. Prices of clean-burning natural gas sold nationally have been held down by Federal regulation to unrealistic levels. This is demonstrated by higher unregulated prices paid for gas within producer States, higher prices paid for liquefied natural gas imported from abroad and higher prices paid for synthetic gas. This situation has vastly increased demand for natural gas in recent years, deterred exploration for new resources, and distorted the economics of other forms of energy.

The resulting natural gas shortage has prompted utilities and others to switch to oil, already under increased demand pressure from conventional users. Because of environmental restrictions on mining and burning of coal, additional demand for oil results. Despite drastically higher costs, some utilities are beginning to produce synthetic natural gas from naphtha, a petroleum derivative, again adding demand for oil. At the same time, fuel consumption has been increasing rapidly in the transportation market, which means mostly oil. With automobiles accounting for more than half the demand in transportation, fuel economy has declined sharply with increased vehicle weight, power options like air conditioning and the automatic transmission, and environmental restrictions on exhaust emissions.

TOUGH DECISIONS AHEAD

Without massive, long-term efforts to improve our energy posture, we will be confronted with three totally unacceptable alternatives: A drastic cutback in energy consumption, with the inevitable economic consequences; wholesale abandonment of our environmental goals; or vastly increased oil imports—if, indeed, we can get them—with dangerous dependence on one of the most politically unstable areas of the world.

We cannot rely on consumption cutbacks alone to bring demand into balance with supply. This overly simplistic

solution would have serious drawbacks. It would guarantee stagnation of our economy and abandonment of the aspirations of those who do not share in our general affluence. We would forfeit our ability to bring the disadvantaged into the mainstream of the economy, and sacrifice environmental goals. For example, the billions my Public Works Committee has voted to clean up our rivers and streams simply would not be there.

Nor can we relinquish the environmental goals and our hard-won progress toward them to date. This does not involve an either-or choice between the standard of living and environmental quality. A clean, healthful and attractive environment is becoming recognized for what it is: A very basic element in our standard of living in which all should be able to share. This is not to say that environmental concern should rule out any rescheduling of regulatory action in response to temporary shortages of crisis proportions, provided health standards are maintained. But in our fundamental, long-range policies we must continue to rank steady improvement of the environment among top priorities.

Undue reliance on imports should be quickly ruled out on national security and economic grounds. We often tend to think of world hostilities and antagonisms in terms of persistent East-West tensions and nuclear stalemate. On reflection, however, economic rivalries, anti-U.S. sentiment based on resentment of size and affluence, conflicts based on religion, race, language, and national ambition all suggest vast potential for instability. In these circumstances, legitimate self-interest demands that we maintain a reasonable degree of self-sufficiency. Indeed, to the extent that we continue to import petroleum, the ability to weather a cutoff of import supplies and resist blackmail through increased self-sufficiency should help reduce the likelihood of being threatened.

At the moment, the Arab petroleum exporting nations are threatening to use oil as leverage to force a change in our Middle East policies, emphasizing the reality of these concerns. But over the long pull, even that area's vast supplies are not unlimited.

Petroleum demand in the other industrialized nations of the world is increasing at a rate twice our own. Developing nations, while starting from a much smaller base, are increasing their consumption of petroleum at an even higher rate.

Canada is an example closer to home. When the trans-Alaskan pipeline legislation was first before the House, a trans-Canada route was proposed as an alternative. This I viewed with great skepticism. For one thing, I find it difficult to believe that Canada would welcome a pipeline across thousands of miles of Canadian soil, carrying American oil to Americans, through a pipeline our own country rejected because of possible damage to our own environment.

But, I also concluded that it would be unwise to repose control over a significant portion of our supply in non-U.S. hands. Shortly afterward, Canada pro-

claimed its intention to reduce exports of crude to this country to reduce its own imports from Venezuela and the Middle East and thus hold prices down. The cut-back could be as much as 50 percent over 3 years. To point this out does not necessarily mean to question Canadian cooperation unduly, but merely to emphasize that our national interests too do not invariably coincide. Both governments have primary responsibility to their own people.

ENERGY: KEY TO OUR WAY OF LIFE

An element to all these considerations is cost. With energy use so pervasive in our national economy, energy costs function as a sort of value-added tax, increasing cost at each stage of production and distribution from the raw material to the finished product. It thus influences our standard of living and world standing in exports, an area in which technology holds the greatest promise for our continued vitality.

Many examples of domestic well-being and strong export position can be cited, including aircraft manufacture and computers. But I prefer to cite American agriculture as a striking illustration of vast productivity stemming from our industrial base. Few realize it, but agriculture and directly related industries represent the single largest consumer of our energy-intensive industrial output, accounting for a giant share of demand on the national transportation system, the chemical industry, equipment for extensive mechanization and a vast educational establishment. Development of our advantages in mobility, education, communications and other amenities has gone hand in hand with the release of manpower from agriculture and the comparatively low proportion of disposable income expended for food.

By another measure, the average worker in the United States worked 15 minutes for a pound of medium-priced beef in April 1972, compared to 36 minutes in Germany, 37 minutes in England, 46 in France and 116 in Japan. In the period since, food prices worldwide have increased at rates comparable to or exceeding our own. Spot checks by world capitals in early July showed boneless sirloin running \$1.99 a pound in Washington, versus \$4.55 in Bonn, \$2.99 in London, \$2.73 in Paris and Rome, and \$14.04 in Tokyo.

Thus, adequate energy at reasonable cost in this field alone serves to illustrate the implications of energy policy in terms of meeting our domestic needs and reaping additional advantage through exports.

NATIONAL GOALS

Hence the goal is indicated at the outset: adequate supplies of all forms of energy, at reasonable and stable prices, without sacrificing our environmental quality, economic vitality or national security.

Our fundamental policy in the years ahead must therefore be to develop a high degree of self-sufficiency in conventional resources while developing the technology for new sources of energy. The experts are virtually unanimous that we can assure future generations of an abundance of clean energy when fossil

fuels are depleted only by nuclear power. But we should not be captivated by complexity to the point of ignoring resources far simpler in concept. Tree farming for fuel has been suggested, for example, as generation of a renewable resource which basically represents one form of solar energy conversion.

Self-sufficiency will demand fuller use of available resources, including coal, additional oil offshore, oil shale and nuclear energy. This may well involve higher costs, and will demand immense efforts in research and conservation of energy, which in turn will depend largely on research.

Environmental protection alone poses an awesome research task in the context of our policy objectives. Since production and use of energy involves the harnessing of natural forces, no form of energy yet devised by man has been without some impact on the natural environment. Two examples of energy processes often cited as cleanest, hydroelectric power, one of the oldest, and solar energy, one of the newest, illustrate the point. Hydro power generation emits no pollution into the atmosphere, but effects downstream flow and aquatic life, and requires large amounts of acreage to be flooded for impoundment. Large-scale use of solar energy would require in all probability vast amounts of land for systems of energy conversion cells; alternative systems of reflectors to concentrate solar rays could be attacked as esthetically unacceptable. In reality, many energy policy decisions may well increasingly become a matter of choice among environmental objectives.

Demands for cleaner-burning fuel will lead to continuing research and development in production of synthetic gas and liquid fuel from coal, the most abundant remaining fossil fuel in this country. Vast additional reserves of oil in this country await economic and technological developments to make feasible petroleum extraction from shale deposits. But research also must include new techniques for reclamation of land, if strip-mined, and measures to control pollution of underground water and subsidence in the case of deep mining.

Conservation in the broadest sense will also require new and improved exploration techniques to discover the location of resources and to recover higher percentages of reserves once discovered. For example, it has been estimated that oil production from a given site can yield from 5 to 80 percent of the oil in the ground, with averages improved from 18 to 30 percent over the past two decades; but 30 percent is unacceptable. Offshore oil also will require improved exploration measures and development of safeguards to prevent pollution by "blow-outs," and clean-up measures should they occur.

NEED FOR RESEARCH

With electric power generation, as well, we must look to research for greater efficiency and reduction of pollution. Existing systems convert combustion energy at a rate of less than 40 percent. Reduced emission of pollution and demand for raw energy sources would result from substantially increased effici-

ency in the conversion process. One promising process in the advanced research stage would pass hot gases through a magnetic field to convert otherwise wasted heat—a form of pollution—into energy.

Research must be followed by incentives, particularly in the environmental area. A White House statement issued at the time of the President's April 18 energy message referred to technology developed in this country to remove sulphur dioxide from coal combustion, a major source of pollution from this resource. The statement said two operating installations in Japan have proven highly efficient and reliable, and the process should be applied here in small quantities by 1975. Introduction of such innovations must be accelerated sharply.

The list of energy research topics is nearly endless. New materials alone would have application in new nuclear conversion processes, generation by conventional systems at higher temperatures and greater efficiency, transmission with less resistance and hence less loss.

Energy research, like energy policy must be a coordinated whole. As we move into a more technologically-dependent era decisions involving energy will resemble those in the defense and space fields. We identify an objective, determine the elements of an interrelated system to bring us toward that objective, and invent, research and innovate our way forward. Risks and costs are high. But there is no alternative.

TOO MUCH WASTED ENERGY

Energy conservation—waste in extraction and conversion aside—also means less consumption where possible. The range of possibilities includes more efficient industrial applications, conservation at the individual consumer level, and development of less-wasteful automobiles. Possibilities at the consumer level may appear slight, since residential and commercial consumption is a small portion of overall use. But because of the inefficiencies or loss of energy in the production, conversion, and transmission chains, end-use economies have multiple effect. Potential savings here depend on individual effort. Lower consumption of energy for lighting, insulation to improve heating and cooling, and greater emphasis on more efficient air-conditioning can make a substantial contribution. One utility in Michigan has recently offered customers interest-free loans to finance home insulation. Labeling of energy-consumption ratings of appliances and gas economy of automobiles will help. Recent trends toward smaller cars indicate that information programs toward these objectives will find a receptive response by the public.

Companion measures for the near term will include development of deep-water ports, a subject recently explored by my Energy Subcommittee of the Public Works Committee. Capable of handling imports by way of the new supertankers, these will drastically reduce transportation costs and involve far less danger of spills resulting from collision or grounding.

Domestic refining capacity must also

be expanded to avoid repetition of the cycle of shortages of gasoline during summer and heating oil in winter as existing plants work at capacity. For New England, development of capacity is essential to assure availability and to reduce costs, since transportation of refined products substantially affects price.

As we confront the prospect of shortages this winter, the mandatory allocations program we voted yesterday must be administered so as to assure fair allocation of available supplies where needed. Controls, however, have a poor record for any long term solution to the energy problems and indeed have seriously aggravated various aspects of it.

STEPS TOWARD SOLUTION

As indicated earlier, we do not yet have the decision-making structure adequate to the task. My own activities have included support for the Trans-Alaska pipeline, a resolution calling for cooperation among petroleum using nations to forge a common front against divide-and-conquer tactics by Arab producer nations, efforts to obtain information concerning domestic producers' pricing policies, support for legislation to curb oil pollution of the seas, support for geothermal energy research, pressure on the Administration to adopt a fuel allocation program, and cosponsorship of a measure to centralize legislative responsibility for energy in a single committee in the House.

The Administration is pressing for Federal reorganization with creation of a Department of Natural Resources, and reorganization of research responsibilities. This is a worthwhile objective in its own right, and if adopted should help reform the Congress' own approach to energy matters.

The day of cheap and abundant energy is past. We can meet our energy objectives in terms of our economy, our environment and national security. But it will require an end to the swings between crisis and complacency, and an extended period of sustained, informed concern.

Simplistic approaches which attempt to deal singly with surface aspects of the problem, such as rigid regulation of prices at one point or another in the production chain, must be rejected. We have seen how a distorted sense of the "consumer" interest has contributed to the natural gas shortage and fuels. As controls on fuel prices and other products have demonstrated more recently, severe distortions of price and supply can result, with manifest unfairness to segments of the industries involved. Broader and deeper understanding of the problems in all their interrelated aspects is essential to sound public decisionmaking. It is my hope that this statement makes some contribution toward that end.

It is also my hope we can avoid the simplistic and demagogic solution that selects villains for each crisis and solutions for none. The problem has many facets and is immensely complex. Part of the problem is the refusal of politicians to recognize this publicly. Our energy problem must be placed in perspec-

tive as a point of beginning for its rational solution.

Then we must mobilize public support for the massive commitment of public resources—Federal spending—which will be necessary to solve the problems we face. While the public role will be great, it will be dependent on our success in stimulating the ability and creativity which unquestionably exists in the private sector.

VETERANS DAY, 1973, WITH LIBERTY AND JUSTICE FOR ALL

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. McCLOSKEY. Mr. Speaker, on October 18, I introduced two bills providing amnesty for those who sought to avoid military service during the recent hostilities in Vietnam.

The first bill, H.R. 10979, is conditioned upon 2 years of humanitarian service—Peace Corps, hospital assistance, firefighting, conservation work, and the like—the second, H.R. 10980, provides for an unconditional amnesty.

I have been working on the details and phraseology of the first bill for some months, since the cease-fire of last January 25. It has been my view until recently that fairness to those who did serve in Vietnam required at least an equal period of humanitarian service on the part of those who did not.

The events of the past week, however, give me great pause in seeking less than full and unconditional amnesty for those who declined to kill fellow human beings in a cause in which they did not believe.

Justice is the cornerstone of our system of government. We daily pledge allegiance to our flag with the ringing declaration: "With liberty and justice for all."

Last week a Vice President of the United States was granted his liberty after admitting that he had wilfully and knowingly filed a false income tax return and had evaded payment of his taxes.

A few days later, a Member of Congress was granted his liberty after admitting that he had obstructed justice and committed mail fraud.

If justice for all permits leniency for high public officials who violate their trust, it seems to me it must also include leniency for those young men who did not want to fight in a war which Congress never declared.

I do not condone the refusal to obey the law by those who went to Canada or deserted between March 1965 and January 1973.

I do feel, however, that their crimes were of no greater degree than those for which 2 of the 537 elected leaders of the Nation have just been sentenced to a fine and straight probation.

Service to the Nation's Armed Forces should be considered no more important than honest service by those who are elected to high office.

We should not impose heavier penalties

on ordinary citizens than we do on our leaders.

Justice for all is our most precious possession as a nation. It remains an elusive goal, yet our constant and continuing quest for equal justice is among the most important effort we can pursue at a time when we are assiduously seeking to restore public faith in the fairness of our system of government and law.

In this vein, Mr. Speaker, I urge reconsideration by those who have set their hearts against amnesty in the past. The situation is different now.

If justice includes freedom for tax evaders and obstructors of justice, it should include freedom for draft evaders as well.

On the eve of Veterans Day, 1973, we might well accept the principle that justice for all now should mean amnesty for all.

THE 365TH ANNIVERSARY OF THE LANDING OF POLISH IMMIGRANTS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DERWINSKI. Mr. Speaker, on October 3, I held a Special Order with the cooperation of a number of Members on the 365th anniversary of the landing of the first Polish immigrants in Jamestown, Va.

As a result of this, I have received a letter from Frank P. Rossiter, mayor pro tempore of the city of Savannah, Ga., which I am pleased to insert in the Record at this point:

CITY OF SAVANNAH, GA.,
OFFICE OF THE MAYOR PRO TEMPORE,
October 11, 1973.

DEAR CONGRESSMAN: Impressed by your comments in the Congressional Record on Polish contributions to the United States and the sacrifice of such noblemen as Casimir Pulaski on the altar of American freedom, I thought you would like to know that Savannah did not let the observance pass un-noticed.

Fourth Degree Knights of Columbus held impressive ceremonies on Sunday, October 7th at the Pulaski Monument, located in a beautiful Savannah park. U.S. District Judge Alexander A. Lawrence, historian, author and student of the law, was the speaker. As Mayor Protem, I introduced him.

Monsieur de la Gorce, minister plenipotentiary of France, and the French consul general from New Orleans were also here for the observance of the 194th anniversary of the Siege of Savannah in which Pulaski was killed, along with more than 1,000 Frenchmen. The battlefield is only a few city blocks away from the monument.

Speakers at the various functions brought out details of Pulaski's heroic death, and how the loss of his religious scapulars, had given him a premonition of his impending death.

LaFayette was in Savannah in 1825 to lay the cornerstone for a Pulaski monument. He noted at the cornerstone laying ceremony that he had introduced Pulaski to the American Army, had introduced him to the commander in chief, George Washington, and now some 46 years later he was participating in a ceremony at a monument to the gallant Pole.

The Savannah Historic Site and Monuments Commission after ten-year struggle has a toe-hold to restore the battlefield site.

They now have title to 5.6 acres and also some nationally rated historic buildings. About 50 additional acres are available. The French are interested in some form of participation in the project which is in close proximity to I-16 and I-95.

It would be fitting if this project could reach fruition by the time of America's Bicentennial. This was the site of one of the bloodiest battles of the Revolution, and a great example of the ethnic contribution to American freedom by Poles, French, Irish and others who gave their lives in this battle. Why not a national monument, like Andersonville?

Thus would be created a site of great pride for Polish Americans who would want to visit the battlefield during their travels on the two major Interstate Highways.

Permit me to echo the warm sentiments you have expressed on the part Polish-Americans played in making America great.

Sincerely,

FRANK P. ROSSITER,
Mayor pro tempore.

NEDA URGES CLEAN AIR LEGISLATION

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. NELSEN. Mr. Speaker, a declared purpose of this Nation's Clean Air Act is "to promote the public health and welfare and the productive capacity of its population."

As with all environmental measures, it is important to distinguish between its goals, which we all support, and what may be humanly achievable within a given period of time. As we have learned through bitter experience, monitoring of such laws is essential and modifications are occasionally required to accommodate reality.

To use the recent words of the President, addressed to "those who concentrate entirely on clear air:" If a person freezes from lack of fuel, "it doesn't make any difference whether the air is clean."

In this connection, as ranking Republican on the House Public Health and Environment Subcommittee, I was much interested in last month's testimony on the Clean Air Act which was presented before our panel by Mr. Thomas A. Young, President of the National Environmental Development Association. It appears of such pertinence, I submit it for publication in the Record at this point in my remarks:

STATEMENT OF NATIONAL ENVIRONMENTAL DEVELOPMENT ASSOCIATION BEFORE THE SUBCOMMITTEE ON PUBLIC HEALTH AND THE ENVIRONMENT, HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE CONCERNING THE CLEAN AIR AMENDMENTS OF 1970, SEPTEMBER 1973

Mr. Chairman, honorable members of the Subcommittee, the National Environmental Development Association appreciates this opportunity to set forth our overviews on the implementation of Public Law 91-604, the Clean Air Amendments of 1970.

National Environmental Development Association (NEDA) is a non-profit, non-political, non-stock corporation comprised of labor, agriculture, industry and other private

and public interest organizations and individuals. NEDA was established for the purpose of promoting the conservation, development, and use of America's resources to enhance "the quality of its human environment" 42 U.S.C. 4332. NEDA endeavors to do this by encouraging public awareness and informed input on such proposed or prevailing public policies as may serve to attain or impair that overriding human goal.

As to the matter before the Subcommittee, we espouse as all men must, the objectives of the Clean Air Act—and those other objectives of full employment and economic growth essential to the general welfare of all Americans. In these and other statutory matters affecting the human environment, it is our insistent view, however, that each be pursued in a manner compatible with attainment of the others.

It is therefore fitting that the Subcommittee undertake this oversight review of the Clean Air Act at this time, for it is our considered belief that we are now at a point where one of that Act's major constraints must be moderated, or modified, to accord with the policy of this Nation's National Environmental Policy Act.¹ We discuss that particular constraint later.

As we look back over the past two and a half years, there have been many gains under the Clean Air Act, all of which served to substantially improve air quality nationwide. The Subcommittee is familiar with these. EPA has promulgated both national primary air quality standards, insuring protection of the public health, and national secondary air quality standards, protecting public welfare. The States have taken and are taking emission control actions which reduce air pollution concentrations, not only in heavily polluted areas, but also in their outer peripheries, and in the outlying rural areas beyond. Emission standards for new motor vehicles have effected a steady reduction in new motor vehicle emissions, and will continue to do so through the nineteen seventies and on into the eighties. And the Federal standards for new stationary sources of emissions, inhibiting atmospheric reactions, further reduce concentration of atmospheric particulates. In brief, it must be admitted that much has been accomplished to fulfill the goals of the Clean Air Act over the past two and a half years.

We must also stress however, that the cost of those accomplishments, the context in which they were imposed, and certain of their other consequences, have been equally arresting. These same past two and a half years have also been a period of disturbing, cumulating economic crises—of towering consumer and other price rises, of inflationary erosions of savings, take home pay, and living standards, of shortages and threatened shortages of energy, fuel and other commodities, of stymied but needed new Federal and non-Federal projects and productive capacity, of increasing restrictions on resource use, or mounting dependency on foreign imports, of continuing unemployment for many, and of steadily increasing costs of government—all of which must continue to be borne by the remaining economic activity of other Americans. And we see signs of more of the same to come.

We are not prepared to ascribe those increasingly adverse social and economic trends to the Clean Air Act, or to the Federal Water Pollution Control Act, or Noise Pollution Control Act, or Coastal Zone Protection Act, or National Environmental Policy Act, or any of the numerous other recent environ-

¹ That is: "to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of" all Americans PL 91-190, 42 U.S.C. 4331(a).

mentalist measures enacted by Congress. It is sufficient merely to point out that there is a necessary and we submit substantial connection between those many measures, and the enormous costs they have entailed, and these adverse social and economic trends.

We therefore respectfully urge that in any report the Subcommittee may issue at the conclusion of these hearings, it emphasize that the objectives of this Clean Air Act must hereafter be implemented, and interpreted by the courts: with greater awareness of the huge cost burdens they and other environmentalist measures impose on the American economy, and in a manner and at a rate that does not further impair its carrying capacity and that of the many millions of its people it must sustain.

More specifically, we respectfully urge that the Subcommittee recommend new legislation overriding recent court determinations, holding that the Clean Air Amendments of 1970 now require States to prohibit any "significant deterioration" of air quality, anywhere (i.e., *Sierra Club et al. v. Administrator of EPA*, 344 F. Supp. 253, DC 1972; affirmed 4 ERC 1815, DC Cir. 1972; affirmed by the vote, U.S. Supreme Court, 41 U.S.L.W. 4825, June 11, 1973).

Those rulings now bar numerous categories of economic activity, essential economic activity, across the boundless clean air regions of the country. Unless altered, those rulings permanently deny the use and benefit of much of America, and American resources, to present and future generations.

Those rulings clearly were not the legislative intent of the Clean Air Amendments of 1970, or of any other statute with which we are familiar. Whatever the reason for them, be it inapposite legislative language or judicial rigor, resolution of the primal policy question those rulings now present should not be abandoned to the unguided discretion of an administering agency. Further, whatever its eventual answer, as and if reached, it may be overturned anew by the courts, as now happens so often in so many seemingly abstract environmental matters.

Accordingly, we urge the Subcommittee to recommend clarifying legislation, affirming that an otherwise allowable undertaking or activity may go forward, in any area—providing it meets the primary and secondary ambient air quality standards of section 109, protecting both the "public health" and "public welfare from any known or anticipated adverse (air quality) effects."

Thank you very much.

THOMAS A. YOUNG,
President.

SUPPORT OF ISRAEL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. BIAGGI. Mr. Speaker, I am pleased to join with the distinguished majority leader (Mr. O'NEILL) in introducing a resolution reaffirming the continued strong support of the U.S. Government for the nation and people of Israel in their struggle for survival against the Arab States.

This latest tragic and untimely war in the Middle East continues to command the attention and fears of the entire world. The rapidly changing developments in this conflict make it impossible for Americans to remain aloof from this crisis.

A particularly alarming development

has been the Soviet Union's unwillingness to work with the United States to bring about a fair and equitable solution to this war. They have demonstrated their full and unequivocal support of the Arab cause with their massive shipments of sophisticated aircraft and other weaponry to assist the Arabs in achieving their objective of destroying the sovereign State of Israel.

While I and others in the House have spoken out deploring the outbreak of hostilities in the Middle East, one fact emerges; the United States has an immediate responsibility to support Israel in her fight for survival. Our policy toward Israel should not be intimidated by Saudi Arabia's or any Arab nations threat to cut off oil supplies to this country. We have never allowed threats of intimidation to govern U.S. policy before, there is no reason to begin now. Our need for Middle East oil is nowhere as great as the need to prevent the democratic State of Israel from falling under the clutches of Russian communism.

The aforementioned resolution would provide this necessary support by calling for the release of all Phantom aircraft as well as tanks and other military equipment which have been contracted for but have not yet delivered to Israel. The need for these materials is immediate and imperative if the beleaguered Israelis are to survive as a nation against the relentless attacks of the Arab nations.

Yet we must remember that the road to peace is not limited to one lane. As much as we can assist the Israelis in achieving military successes, we must also continue to pursue a diplomatic solution with an equal if not a greater sense of urgency. I applaud Secretary of State Kissinger for his dedicated efforts at promoting a durable peace in the Middle East.

We are experiencing an extremely perilous time in international relations. It is time that the two superpowers begin to act responsibly in this matter, making their sole objective, peace in this battle-torn area of the world. But, let us assure the Russians that our support of Israel will not waver, and her security and survival remains our foremost priority.

METALS FORMED IN SKYLAB'S WEIGHTLESSNESS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. TEAGUE of Texas. Mr. Speaker, each day a new and important contribution is added to the list of the Skylab program's achievements. In the most recent flight to Skylab, a number of experiments were done with metals to determine how the weightless condition of space could be used to provide new or different alloys. The Wall Street Journal, Wednesday, September 26, 1973, describes the samples returned from Skylab and their significance as possible contributors to improved metals useful to our daily lives. The article follows:

METALS FORMED IN SKYLAB'S WEIGHTLESSNESS RETURN WITH ASTRONAUTS, MAY MAKE SPLASH

HOUSTON.—Aboard the spacecraft that returned from Skylab late yesterday were a few ounces of what may be temporarily the world's most precious metals.

They are some alloys and crystals that were formed in the weightlessness of space and may be unlike any ever seen on earth. The alloys, for instance, are mixtures of elemental metals that can't be mixed on earth because gravity would cause them to separate as they are melted or cooled.

The metals were formed in a small electric furnace aboard the space laboratory by the Skylab 2 astronauts during their record-breaking 59-day flight. The space venture, the second of three planned Skylab flights, ended when the command module carrying the three astronauts and a cargo of experimental results splashed down in the Pacific yesterday at 6:20 p.m. (EDT) about 230 miles southwest of San Diego.

Included in the scientific cargo were three alloys and several semiconductor crystals of the kind used to make transistors and other electronic devices. A dozen industrial and university scientists are anxiously awaiting a chance to study the materials to see if manufacturing in space can produce stronger, purer, more reliable or even new materials.

Of the alloys one is a mixture of lead, zinc and antimony, a second is composed of gold and germanium and the third is lead, tin and indium, said Jo Reger, a materials scientist for TRW Inc. in Redondo Beach, Calif.

Because these materials have different densities, they can be alloyed only in tiny amounts under extremely unusual conditions on earth, such as forcing them to cool during a two or three-second drop from a high tower. In cooling a molten mixture of lead, tin and indium under the influence of gravity, for example, the tin will precipitate out before the other two metals solidify, Mr. Reger said.

Although the alloy samples weigh only fractions of an ounce each, they are "bulk" quantities compared with what scientists have had to work with before, Mr. Reger said. "They're really priceless," he said. What the alloys will be like and what their potential uses will be is, however, uncertain, he added. The experiments are really designed to provide basic clues on why some metals mix and others don't on earth. However, he added, one of the alloys, the lead-zinc-antimony mixture, might be a new superconductor, a material that when cooled to near absolute zero, loses all resistance to electricity.

Also on board was a sample of a semiconductor crystal of indium antimonide which was melted and resolidified aboard the Skylab. The key to making highly reliable and efficient transistors and other semiconductors is getting atoms and molecules of an impurity material distributed uniformly throughout a semiconductor crystal, explained Harry C. Gatos, professor of metallurgical and materials science at Massachusetts Institute of Technology. Gravity interferes with getting a uniform distribution; the molten materials become disturbed because the cooler molecules tend to sink and the warmer ones to rise.

"None of these problems should exist in space where zero gravity should allow the solids to grow from undisturbed melts," Mr. Gatos said. When the crystals from the Skylab are returned to the scientists, "we will study extensively the way they grew in space, the way the active ingredients were distributed there and how the electrical properties in all their details have changed."

If the experiments show that weightlessness can produce better or even new materials, it isn't inconceivable that commercial manufacturing might be done in space, Mr.

Reger noted that the quantities needed of some materials, such as semiconductors, are measured in ounces or only a few pounds. Such quantities wouldn't be difficult to produce in a spacecraft during flights in only a few days or weeks."

A TRIBUTE TO JOHN GALVIN, OUTSTANDING CITIZEN OF WESTERN NEW YORK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. KEMP. Mr. Speaker, if one is lucky in his lifetime, he will run across someone who has devoted his entire life to public service—to serving the people at any cost, sacrificing his own time for the benefit of others. Such a person is John M. Galvin of Amherst, N.Y.

John is retiring on November 1 as a director of Marine-Midland Bank, but his record of 52 years of outstanding service to the community makes me quite sure that he will continue.

John's life truly exemplifies the American dream. He entered the banking field in 1921 as a messenger for the old Lafayette National Bank, which later became a part of Buffalo Trust Co. before it was merged into Marine in 1925.

After being named an assistant treasurer in 1933, he organized Marine's first Midland time plan department when the bank entered the consumer field 3 years later.

John's career continued to rise as he was promoted to assistant vice president in 1945 and to vice president in 1948. He returned to Marine Midland Bank—Western, in 1951 as director of public relations. John was elected senior vice president in 1958, executive vice president in 1961, and chief executive officer, chairman of the executive committee, and a director in 1962. From 1963 to 1971, he served as vice chairman of the bank's board of directors.

John has earned for himself a reputation for public service for which he can hold his head high. Among his many awards for these services are the Award Citation from the Buffalo Council on World Affairs, the Distinguished Citizens Achievement Award from the Board of Regents at Canisius College, "Boss of the Year" Award from the Buffalo Area Jaycees, "Man of the Year" Award from Buffalo magazine of the Buffalo Area Chamber of Commerce, a National Brotherhood Citation of the National Conference of Christians and Jews, and a Silver Beaver Award from the Boy Scouts of America.

A member of the Board of Trustees of Rosary Hill College since 1966, John has throughout his long career taken an active leadership role in educational, civic, and religious affairs of the community. He is a past president of the Buffalo Area Chamber of Commerce, a cofounder of the United Way of Buffalo and Erie County and has served as a regent of Canisius College.

John's activities in religious affairs in

the Diocese of Buffalo include membership on the Executive Board of the Bishop's Lay Council of the Diocese of Buffalo and of the Pastoral Council of the Diocese, and he has also served as a trustee of Catholic Charities of Buffalo. He is a Knight of St. Gregory, a Knight of Malta and a Past Grand Knight and Past District Deputy of Buffalo Council No. 184, Knights of Columbus.

Mr. Speaker, John Galvin has throughout his career served the people of Buffalo and western New York with honor and distinction and I am proud to number him among my friends. I congratulate John for his devotion and dedication to the cause of humanity throughout his lifetime and I extend to him my warmest wishes for his continued health, happiness, and prosperity in the years ahead. When a man is so filled with life as John Galvin, I know that this step means not an end but a beginning—his undampened energies and enthusiasm will be channeled from old triumphs to new pursuits.

FUTURE ROLE OF THE STATE HOSPITAL—ADDRESS BY WILLIAM R. ROY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. DULSKI. Mr. Speaker, on October 11 in Buffalo, N.Y., my distinguished colleague, Dr. WILLIAM ROY, of the Second District of Kansas, addressed a conference of the future role of the State hospital, sponsored by the Division of Community Psychiatry of the State University of New York at Buffalo and the Western New York Education and Training Team of the New York State Department of Mental Hygiene.

The conference was indeed fortunate to obtain a speaker with his unique qualifications. As a physician for over 20 years, he has firsthand knowledge of medical problems and health needs of the country; as a lawyer and member of the Kansas Bar Association, he is aware of the legal intricacies involved in implementing governmentally assisted health care; and as an active member of the House Subcommittee on Public Health and Environment, he is striving to correlate information from around the Nation and working to formulate constructive legislation from it.

Dr. Roy's thoughtful speech reflects his combined training and experiences. Recent administration proposals for slashing Federal assistance in health care, including dropping community mental health centers, have been postponed pending a thorough congressional study. Scientific and technological advances in medical science as well as changing sociological factors call for reevaluation of our health care delivery systems, and the address last week in Buffalo is a very perceptive one.

I am pleased to insert the text of Dr. Roy's timely remarks on the future role

of State mental hospitals, and commend it to my colleagues:

REMARKS OF DR. WILLIAM ROY

The state mental hospital is not dead, nor is it necessarily dying—but it most certainly is headed for a radical change.

In many states throughout the country, as many of you are aware, the decision has already been made to substantially transform the mental hospital system. In many other states, the decision is about to be made.

And these decisions have been made, or are being made, because over the past decade two experiences matured which literally compelled a shift in orientation of the state mental hospital system as we have traditionally known it.

First was the increasing wide-spread use of psychotropic drugs which facilitated the treatment and rehabilitation of the mental patient, and thereby sharply diminished the need for institutional care.

Second—and really the most compelling—was the flowering of first the concept and then the realization of treatment in the community setting—a happening that was crystallized by the community mental health centers program.

By 1966 or 1967 when the centers program was fully underway—underway in the sense that a number of facilities were then operating and delivering services pursuant to the comprehensive model—it was rapidly becoming clear that the community setting had dramatic advantages over the state mental hospital for the treatment of the mentally ill. Advantages in terms of both dollar savings to both the patient and to the state, as well as savings in terms of human suffering—separations from family, job and friends.

We all know the story—with the comprehensive community program the patient can get treatment sooner and complete the therapy sooner so that his "time out of circulation"—if there is any—is drastically reduced.

With these experiences—the psychotropic drugs and community mental health centers—the public state mental hospital experienced a dramatic decline in the number of resident patients: from 540,604 in 1963 to 275,995 in 1972. And the population continues to decline.

Where, then, goes the state mental health facility—the often old, the often rural facility that too often has been used to warehouse the mentally ill?

Several states, we know, have made the decision to get out of the business of operating state hospitals. In some cases the ownership has simply been transferred to another level of government, usually the county, but in most cases, the change has been a sincere one designed to alter the mode of treatment—to really capitalize on the advantages of the community model.

The most typical reassignment scheme for a state mental hospital is for it to take on the role of a community service facility, most likely with broader responsibilities than it formerly had. In such cases as the facility takes on a new role, it also takes on a new image. The walls and fences come down, the spacious campuses are opened up to general public use and the inhibitions of the community to use the facility tend to drop.

This is essentially the change that is taking place at St. Elizabeth's Hospital in Washington, D.C. One unit was turned into a community mental health center to serve one of the city's four catchment areas. Other parts of the hospital have changed their style of service or orientation—and the public has begun to think of St. Elizabeth's as a resource for them, rather than just a huge but isolated facility that divided up the community.

In Wisconsin, another technique was used for its two state mental hospitals—they were turned into specialized treatment and research facilities. Each of the hospitals has several such specialized facilities, and the purpose is to develop new insights, new skills, new techniques into the treatment of particular mental illness problems—as well as to treat those who are residents of the facility and therefore part of the research effort.

Such a scheme is patterned after the National Institutes of Health, which—although primarily research facilities—treat people with specialized problems as part of the research.

In some instances, conversion to community treatment may not be so simple. Where there is no viable use for the state mental hospital for the treatment of the mentally ill, and the facility is still a good one, then it should be turned over to other pursuits which are in the public interest—schools, general health care facilities, recreational units, and the like.

And some state mental hospitals, indeed, will simply need to be abandoned. Old facilities which are sufficiently dilapidated that they will require near-total rebuilding to be useful. Perhaps these buildings should be torn down and the land used for a totally different purpose.

There are, of course, many problems connected with the transfer of a state mental hospital to new functions. Where these facilities are the main—perhaps the only significant—employer in a community, the community understandably views such a shift as a serious threat to its economic well-being.

But there is no need for serious concern here. The employees of a state mental hospital can be retrained to provide similar types of services within the community-oriented program, or even retrained to serve in the new program to be operated out of the facility.

In those instances where the residents of the facilities continue to need residential care and the hospital is abandoning that role, often the solution has been to find an alternative residential facility, but one which is—it often turns out—more appropriate. The elderly constitute a large segment of this population, and often the change to smaller residential facilities more a part of the community and particularly adapted to the needs of the elderly has proven beneficial.

So I foresee no problem in continuing the transition away from the traditional mental hospital. It is happening, it will continue to happen—the real question is how swift the transition will be.

One of the important questions remaining relating to this transition is what is the appropriate role for federal government.

Although the federally sponsored community mental health centers program has played a key role in developing the community programs and demonstrating their viability—and thus creating the countervailing force to the state hospital system—much of the impetus for redesigning the use of state hospitals, or for closing them down, has come from leaders within the states themselves.

This leadership has come mainly from two directions—

Those responsible for the fiscal stability of the state—the money managers who see the savings in terms of dollars primarily, and only secondarily in terms of benefits to human beings.

And those responsible for the delivery of an effective mental health service program, who do see the savings primarily in terms of improved well-being for those receiving care.

The momentum is there—the thrust is there at the state level, but what the Congress and the Administration does in Washington will also have a significant impact

on the rapidity with which the transition is made.

For example, one of the proposals for national health insurance—S. 22, the Kennedy-Griffiths bill—has in it a provision relating to coverage of treatment for mental illness which says, in effect, that there should be unlimited coverage for services provided within the setting of a community mental health center, but that the coverage should be restricted for those services provided in a hospital setting.

Obviously, enactment of such a provision tomorrow would intensely accelerate the rate at which states move from delivering services through a system of hospitals to delivery through a system of community programs.

National health insurance is still some distance off.

But enactment of legislation which will have an impact on the kind of change I am talking about is probably not so far off.

One very real possibility has to do with a change in the Medicaid law. Under the program as presently designed, the provision of clinic—or outpatient—mental health services is optional within the state plan. The Administration has all along opposed the inclusion of required outpatient mental health services because of a fear that the cost will be too great, although it has accepted—and it is part of the Medicaid law—that inpatient hospital services for the mentally ill shall be covered. And Congress has gone along with this distinction.

But now that the Administration is proposing that federal support for the community mental health centers program be eliminated, it is under pressure—as well as a moral obligation—to help develop alternative sources of funding for community mental health programs. Since the federal CMHC staffing grant—once the center is fully operational—essentially goes for paying the cost of delivering services to the poor, an obvious device for supplying some relief is by broadening the Medicaid law to require the inclusion of outpatient mental health services in a state Medicaid plan. And if the change were accomplished in such a way as to make the delivery of such services in the clinic or community program setting more attractive financially than for those provided in the state mental hospital, then there would be another impetus for states to accelerate the conversion process.

But I think the Administration and the Congress can do more to speed the shift.

Every time we in the Congress consider and pass a piece of legislation that relates in some way to the delivery of mental health services, then we ought to make it clear—through the establishment of incentives—that the way of the future is service delivery within the community program setting.

And every time the Administration deals with such issues through the implementation of rules and regulations or other devices, then it, too, should make sure that the emphasis is on community service programs.

For the momentum is underway. It is now only a question of how swift the transition shall take place.

DRAWING THE CURTAIN OF INDIFFERENCE

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. MOSS. Mr. Speaker, C. P. Snow, the late British writer, once said of the world's hunger crisis:

We know it is happening. We see people

starving before they have died, we know that they are going to die. We know so much, and we can do so little. We turn away. . . . We draw what in England we call curtains, and we try to make an enclave of our own.

Certainly the same can be said of America. For although our Nation has the scientific expertise to send men to and from the moon, and the technical know-how to provide a new heart or kidney for a few, it seems that we have not yet mustered our national will and resources to tackle the basic problems of hunger and malnutrition.

For most Americans this is an unprecedented year of national crisis. Engrossed as we are, however, in the selection of a new Vice President, in the labyrinth of the Watergate scandals and with our current economic problems, we here in Congress must not forget the basic and ominous fact, that everyday throughout the world, more than 130,000 human beings die of starvation and malnutrition.

It is true that we Americans no longer have unlimited food surpluses, but certainly we can allocate our priorities to better serve food shortages in the less-developed countries. Indeed, it is estimated that America's garbage cans over the next year alone will contain enough wasted food to prevent a significant proportion of famine deaths that will otherwise occur in Asia and Africa.

The facts also indicate that congressional response to the problems of world famine are not equal to the severity of the world crisis. World production of food has declined for the first time since World War II, but our humanitarian food shipments under the food for peace program have decreased by as much as 40 percent. In the Sahelian nations of West and Central Africa, where 8 to 12 million human beings face imminent starvation within the next several months, the President has contributed only \$12 million and three Air Force planes to supply relief for these drought areas.

U.S. funds for world projects in food production, nutrition, and population planning are the smallest to be allocated in the past 27 years. Indeed, as Fred Bergsten of the Brookings Institute says:

The U.S. is the least responsive to Third World needs of any industrialized country. U.S. help is small in quantity, and getting smaller. It lags far behind the policies of Europe and Japan. The Administration and Congress must share in this indictment.

During the next 30 years, the population of the world will double. Of the 7 billion people who will be alive in 2000 A.D., nearly 90 percent of them will reside in the less developed countries. Probably one half of these people will be condemned at birth to an early death because of hunger and malnutrition.

There is a direct cause and effect relationship between an increasing population and food scarcity, but birth control is a complicated economic-religious-educational and cultural process that requires significant financial commitment in order to be even partially successful. Yet, for the past 2 years, America's contribution to contraceptive research and development has been frozen at \$40 million a year. This is an amount equal to

what the Department of Defense spends in less than 7 hours and is \$60 million less than what the Department of Health, Education, and Welfare has estimated is needed in order to carry out the mandate of the Family Service and Population Research Act of 1970. All of this in spite of the recent report of the U.S. Commission on Population Growth which recommended substantial increases in governmental assistance for improved birth control methods and education.

We hear a great deal of talk these days about the research for a "generation of peace," yet we continue to spend \$80 billion a year for weapons of war, but only pennies for food for peace.

Perhaps it was Adlai E. Stevenson who best summed up the obvious political problems created by hunger, malnutrition, and over-population:

We travel together, passengers on a little ship all committed for our safety to its security and peace. We cannot maintain it half fortunate, half miserable, half confident, half despairing; half slave—to the ancient enemies of man—half free in a liberation of resources undreamed of until this day. No craft, no crew can travel safely with such vast contradictions. On their resolutions depends the survival of us all.

No one knows all the answers to the problems of worldwide hunger and malnutrition and most of us realize that America alone cannot resolve them. But we must not permit such complexity to lead to inaction and indifference.

Justice Brandeis once said, that the greatest menace to freedom is an inert people. This year alone an estimated 50 million human beings will die from starvation and malnutrition. I only hope that Congress will be aroused by their sufferings and react accordingly. To stimulate debate on this vital subject, I insert the following article from the Wall Street Journal by Roy L. Prosterman, entitled "The Growing Threat of World Famine":

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 larger 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:

Country:	Tons
India	4,500,000
Pakistan	1,500,000
Bangladesh	1,000,000
African Drought Belt	1,000,000 plus
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 had 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 antici-

pated total world production this year of 330 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 problem, 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.

CONGRESS ACTS TO AID THE INDEPENDENT PETROLEUM MARKETER

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 18, 1973

Mr. HARRINGTON. Mr. Speaker, for the last 6 months independent petroleum

marketers have faced serious threats to their economic well-being and, in some cases, have met with extinction. Their problems have originated both from the behavior of the major petroleum companies, which have taken advantage of the current oil shortage to cut their supply commitments to independents, and from the administration's Cost of Living Council, which designed more burdensome price regulations than for the petroleum majors.

The independent marketers did not play dead and accept this damage to themselves. They communicated the situation to Congress in a well documented and impressively organized lobbying effort. On September 12, 20 independents from my district visited me in Washington to describe their personal predicaments and present their proposals for corrective action.

Since then, three developments promise substantial relief for the independent sector. First, in response to pressure from independents and Congress, the Cost of Living Council has recently permitted upward adjustments in petroleum product ceiling prices.

Then, on October 17, the House approved the Emergency Petroleum Allocation Act, which is almost certain to be approved by the Senate. The measure directs petroleum producers to allocate their products according to supply relationships existing during corresponding times of the year in 1972. As one who joined my colleague from Massachusetts, Congressman MACDONALD, in co-sponsoring the bill when he first introduced it. I want to congratulate him for the skill and care he has shown in guiding this legislation to passage.

The bill provides priority treatment to independents by directing that the program of mandatory allocations contribute to the "preservation of an economically sound and competitive petroleum industry; including the priority needs to restore and foster competition in the producing, refining, distribution, marketing, and petrochemical sectors of such industry, and to preserve the competitive viability of independent refiners, nonbranded marketers, and branded independent marketers."

In addition to requiring allocations, the bill permits a dollar-for-dollar pass-through of net increases in the cost of refined products to all marketers or distributors at the retail level. It also directs the President, through the Cost of Living Council, to use the same date in the computation of markup, margin, and posted prices for all marketers or distributors of refined products.

In addition to the allocation measure, on October 11 the House passed an amendment to a bill providing operating funds for the Cost of Living Council forbidding the Council to impose discriminatory price regulations on independent petroleum marketers. The amendment reads:

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

The general wording of this provision will reinforce the specific passages in the allocation bill regarding pass-through of costs and use of identical dates. The provision should also effectively prohibit the Council from unfairly treating independents in the future.

These two measures are concrete means of aiding the independent marketer. It seems to me, however, that permanent justice for the independent small businessman in the petroleum industry can come only by divestiture legislation—the divorce of marketing activity from the other components of the petroleum industry and the effective breakup of the monopolistic petroleum majors now dominating the industry. In a recently completed 2-year study, the Federal Trade Commission concluded that the industry was indeed beset with a situation of monopoly in which the major oil firms cooperated rather than competed with each other.

Pending this kind of long-term assistance to the cause of free and genuine economic competition in the petroleum field, legislation of the type approved by Congress in the last several weeks is critical to the survival of independent marketers.

I look forward to working with all of my colleagues to improve the business position of independents in the future.

THE PUBLIC INTEREST AND BANK CHARTERING

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ST GERMAIN. Mr. Speaker, yesterday I addressed the House for the purpose of advising my colleagues of the Banking and Currency Committee's intention of bringing to light all facts surrounding the recent disapproval action by the Comptroller of the Currency of an application for a national bank in Key Biscayne. Press and media comments clearly implicate the close personal friend of the President, Mr. C. G. Rebozo, and by inference casts doubt upon the integrity of reviewing officials charged with the duty of reaching such decisions solely based upon the general public's need for additional services in a free and competitive environment.

For the edification of my colleagues, Mr. Speaker, I insert at this point in the RECORD the transcript of Monday's Walter Cronkite's newscast, Wall Street Journal stories of October 15 and 18, and Chairman PATMAN's letter of October 16 to Comptroller of the Currency, James E. Smith.

TRANSCRIPT OF NEWSCAST

CRONKITE. Bebe Rebozo's intimate relationship with President Nixon has caused some questions to be asked about Rebozo's relationship with the government agency which regulates a major business interest of his. Robert Pierpoint looked into the situation.

ROBERT PIERPOINT. Charles G. "Bebe" Rebozo is President Nixon's closest friend, considered almost a member of the Nixon family. A Florida businessman, Rebozo is the chair-

man of the board and the president of the Key Biscayne Bank and Trust Company. Last year, it was one of the most profitable banks in the country for its size, earning a net income as a percent of capital almost twice the national average. It is also one of the fastest-growing banks in a fast-growing area. Its assets have almost tripled since 1968. Key Biscayne Bank is currently the only financial institution on the island.

Because of the opportunities for fun in the sun, more and more people are moving to Key Biscayne, and more and more buildings are being constructed to house them. As Key Biscayne's population keeps growing, so does business here. There are half a dozen hotels, six service stations, four grocery stores, but only one bank. Last year, a group of residents on the Key, dissatisfied with the services offered by the Key Biscayne Bank, decided to organize and try to acquire a charter for a new bank, but none of them had ever fought a monopoly controlled by a close friend of a President of the United States. Here's what happened.

At the outset, a government official warned they might have what he bluntly called "political problems." There followed a careful investigation of the economic and service needs of Key Biscayne by a federal bank examiner, Mr. Richard Sherlock. But in his report, Sherlock noted that "comments of local residents tended to indicate that satisfied business people either owned stock in the existing bank or were taken care of and were afraid to make any adverse comment." Key Biscayne Bank is operated much more like an investment house than a full-service bank. Partly for that reason, Sherlock concluded, "If the existing bank were responsive to the needs of the community, there would be hardly any need for a new bank at all. However, this is not the case."

After a thorough investigation, Sherlock recommended that the application for a federal bank charter be approved. But, in Atlanta, Sherlock's immediate superior, Joseph M. Ream, reversed the field investigator. Ream's disapproval was upheld in Washington by the Comptroller of the Currency, William B. Camp. The rival banking group then requested, and was granted, the right to re-submit its application. A public hearing was held at Atlanta by Regional Administrator Ream. Present at the hearing were officials of the existing Key Biscayne Bank, the bank's lawyers, and a director, Robert Abplanalp, another close friend of President Nixon, as well as Rebozo, himself.

Mr. Fried, what did Mr. Rebozo and Mr. Abplanalp do during the hearing?

MORT FRIED (rival bank group). Nothing. Nothing more than I did. We sat there and listened, but—it's—it's a different type of sitting and a different type of listening, depending on who you are and where you are.

PIERPOINT. Joseph Ream declined to be filmed but denied political pressure. At one point, however, Ream told CBS NEWS that, with Rebozo's interest in the case, Ream knew he had a problem. "I was," he said, "damned if I did and damned if I didn't grant the charter to a rival bank." He didn't, and his decision was upheld by the Comptroller of the Currency.

During the time that Rebozo's bank was fighting the charter application of a potential competitor, its lawyer was a director of the Key Biscayne Bank, Thomas H. Wakefield. In his letter to federal officials, Wakefield opposed the new bank, in part, because he claimed the resident population growth factor of Key Biscayne is vastly exaggerated, and added, there is a highly restricted and limited growth potential for the area. Wakefield also cited a moratorium on construction, "the end of which," he stated, "is not in sight." At the same time, however, a group headed by Wakefield, and including another member of the board of the Key Biscayne Bank, had an application pending for a

state savings and loan association charter for the Key. After an initial refusal by the Federal Home Loan Bank Board in Washington for federal insurance required by Florida, Wakefield submitted new data almost identical to the population growth data submitted earlier by the rival bank group.

The construction moratorium having in the meantime been lifted, Wakefield's application also pointed out the strong need for mortgage loans on the Key and for another financial institution to grant them. On July 19th of this year, the savings and loan insurance was granted to the Wakefield group, although the Federal Home Loan Bank Board says it discourages interlocking directorates. With the application to the board was a lease showing the new Key Biscayne savings and loan will locate next door to the bank. The building is owned by C. G. Rebozo.

Federal Home Loan Bank Board Chairman Thomas R. Bomar, a recent Republican appointee, declined to talk to CBS News, but, through an aide, Bomar said he had no need to defend the board's decision to grant the Wakefield group federal insurance, since it had been treated as "a routine case."

The federal approval surprised Florida's comptroller, who was interviewed by Bruce Hall.

BRUCE HALL. How long has it been since a savings and loan association had been approved in the state of Florida?

FRED DICKINSON (Florida Comptroller). That's an interesting question, Bruce. None have been approved, since I've been comptroller, which has been nine years, until this one. And, we have sent others to the Home Loan Bank Board, and they've always, perfunctorily or otherwise, finally just turned them down.

PIERPOINT. The Federal Home Loan Bank Board's chairman had no explanation for why Wakefield's group acquired the first federal insurance in Florida in nine years. Wakefield was asked how he could refute certain data to keep out one financial institution, and then use essentially the same data to support another.

THOMAS H. WAKEFIELD (Director, Key Biscayne Bank). A savings and loan association can be founded for probably the same reasons which, if stated for a commercial bank application, might not support a commercial bank operation. Now, that's—that's my answer to your question, I believe.

PIERPOINT. What is the relationship of Mr. Rebozo to this savings and loan group? He's not listed as a founder, I note.

WAKEFIELD. No, Mr. Rebozo, as I say, when I first mentioned the board of directors on this bank recognize the need of a savings and loan, approved the concept the same as the rest of the board. He has certainly encouraged us. He is not a member of it. He did not participate in any phase of my application and its re-consideration.

PIERPOINT. Wakefield also declared, "We use no influence whatsoever in keeping out competition on the Key."

Rebozo, himself, declined to be interviewed and would not even return calls from CBS NEWS.

We have found no concrete evidence that Rebozo or his associates did anything illegal in maintaining their financial monopoly on the Key. But the fact remains that a charter was granted the savings and loan based on essentially the same data on which a charter was denied the rival bank.

PIERPOINT. Robert Pierpoint, CBS News, Key Biscayne.

CRONKITE. By the way, in another matter of involving Rebozo, the White House today said Mr. Nixon was not aware of any contributions by billionaire, Howard Hughes. Rebozo reportedly received \$100,000 in cash from Hughes associates in 1969 and 1970 as a contribution to the President, but Rebozo reportedly has told Senate Watergate in-

vestigators that he held the money in a safety deposit box until returning it last spring.

President Nixon is having a White House dinner tonight in honor of former Secretary of State William Rogers. The list of invited guests includes former Commerce Secretary and Nixon campaign fund raiser, Maurice Stans, who's under federal indictment in New York in the Vesco case.

[From the Wall Street Journal, Oct. 15, 1973]

A PLAN FOR A BANK TO COMPETE WITH BEBE REBOZO'S IS BARRED BY UNITED STATES; "IT BOILS DOWN TO CLOUT"

(By Stanley Penn)

NEW YORK.—The Nixon administration has done a good turn for one of President's Nixon's dearest friends, Charles (Bebe) Rebozo.

Mr. Rebozo runs the only commercial bank in the affluent community of Key Biscayne, Fla. A rival group, consisting of lawyers and business people, tried to start a bank in competition with Mr. Rebozo's. But the Treasury Department, through the Comptroller of the Currency in Washington, last month rejected the group's application for a bank charter.

The rejection came despite a recommendation by a hearing examiner last year that the new group be given a charter to compete against Mr. Rebozo.

The rival group is bitter. "It boils down to who's got the clout," charges Mortimer Fried, a Key Biscayne lawyer and a member of the group.

"The Rebozo bank doesn't meet the community's needs, and it enjoys a monopoly position," argues B. Mark Fried, a Springfield, Va. lawyer, who's another member of the investing group. (The Frieds aren't related).

Joseph M. Ream, a spokesman for the comptroller, denies the favoritism charge. He says the application was turned down for strictly economic reasons. The Key Biscayne population is too small to justify another commercial bank, says Mr. Ream, who's the comptroller's Atlanta-based, regional administrator of national banks.

Mr. Rebozo, for his part, made it quite clear to federal banking officials that he didn't want a competing bank in his own backyard. To dramatize his opposition, he showed up at public hearings on the matter in Atlanta last June.

"Bebe was sitting there right in the front row," Mortimer Fried recalls.

Also attending the hearings in full view of banking officials was another of Mr. Nixon's close friends, Robert Abplanalp, the wealthy industrialist. Mr. Abplanalp is a director of Mr. Rebozo's bank, according to the comptroller's office.

Key Biscayne is a six-mile-long island connected to Miami by a causeway. It has an estimated 8,000 to 9,000 population. Among the prominent property owners is Mr. Nixon, who maintains a vacation residence there.

Mr. Rebozo, a companion of the President when Mr. Nixon is in Key Biscayne, formed Key Biscayne Bank & Trust Co. in 1964. It has had a rapid growth, with total assets now of about \$20 million.

The rival group that got turned down largely based its argument on the contention that Key Biscayne's growth warrants a second commercial bank. "By the end of the '70s, we're projecting a population of about 20,000," says Mortimer Fried.

Don MacFarland, a Key Largo, Fla., investor in the unsuccessful group, says federal officials were asserting that Key Biscayne wouldn't grow much above 10,000 people. "That's ridiculous," Mr. MacFarland says.

Mortimer Fried, who patronizes Mr. Rebozo's bank, claims the service leaves a lot to be desired. "You go in there on a Friday around lunch time, there could be 40 to 50 people there, and you find just one teller," he says.

The rival group also made the point to federal officials that Mr. Rebozo's bank is allegedly stingy in handing out loans to the needy, including small business loans.

Thomas Wakefield, vice chairman of Mr. Rebozo's bank, denies it. "We make 95% of all loans requested," he says. "We advertise heavily in Key Biscayne. The whole area is statistically proven to be high income, and the end result is you don't have a high loan demand for our area."

If another commercial bank came in, Mr. Wakefield charges, neither bank would make any money.

Mr. Ream, the regional administrator for the comptroller, concedes that a local examiner found in favor of the rival group when it first applied for a charter. "But a charter application goes through five levels"—two in Atlanta, including the local examiner, and three levels in Washington before a decision is made by the comptroller.

Mr. Ream says that William Camp, then the comptroller, rejected the first application. The rival group sought—and was granted—a reconsideration.

During the second go-round, a different local examiner looked into the matter. He recommended against the group. Mr. Ream, who opposed the application the first time, says he was against it when the group reapplied. James Smith, the current comptroller, then rejected the second application.

Mr. Ream is quick to admit that this was a hot potato. "We pored over this. We knew we'd be damned if we do, and damned if we don't," he says. Mr. Ream adds the comptroller's office has been sued "innumerable times" over the granting and nongranteeing of charters. "We've never lost a case," he says.

[From the Wall Street Journal, Oct. 18, 1973]
NIXON AIDES DENY ROLE IN RULING BARRING
BANK RIVALING REBOZO'S BANK

Presidential spokesman Gerald Warren said there was "no White House involvement whatsoever" in the Comptroller of the Currency's rejection of an application by a group of businessmen and attorneys to open a new Florida bank in Key Biscayne to compete with a bank headed by Charles (Bebe) Rebozo, President Nixon's close friend.

On Monday, this newspaper reported that the rival group's application was turned down last month by Comptroller James Smith despite an earlier recommendation by a bank examiner in Miami that a charter to form a new national bank be granted. Mr. Rebozo's Key Biscayne Bank & Trust Co. is the only commercial bank on the island, which is connected to Miami by a causeway.

Tuesday, Wright Patman, chairman of the House Banking and Currency Committee, asked Comptroller Smith to turn over the whole file in connection with the application's rejection. The comptroller's office, an agency of the Treasury Department, regulates national banks.

Mortimer Fried, a Key Biscayne attorney who was a member of the group that sought to form a competing bank, has charged that favoritism was responsible for his group losing out. "It boils down to who's got the clout," he said.

The comptroller's office has contended that Key Biscayne doesn't have a big enough population to justify a second commercial bank. The Rebozo bank, formed in 1964, has total assets of about \$20 million.

In another development, a regional administrator in the comptroller's Atlanta office conceded he'd been in error when he previously told this newspaper that although one examiner had favored the application another examiner had later opposed it.

"I was wrong," said Joseph M. Ream, the regional administrator. "I didn't have the file at the time, and I was talking from memory. Both examiners did recommend approval."

The application for a charter was first rejected by William Camp, then the comptroller, earlier this year.

The rival group was then granted a reconsideration, only to be turned down last month by Comptroller Smith.

Mr. Ream said he opposed the application both times.

COMMITTEE ON BANKING AND CURRENCY,

HON. JAMES E. SMITH,
Office of the Comptroller of the Currency,
Washington, D.C.

DEAR JIM: As you are aware, the news media has reported major questions about a charter application for a national bank to compete with the Key Biscayne Bank and Trust Company headed by C. G. Rebozo.

If the news reports are correct, the application of the rival group has been faced with several conflicting decisions at various levels within the Comptroller's office. The end result has been the rejection of the application leaving the Rebozo bank as the sole commercial bank in the immediate area.

The news reports, which emanate from various media, raise very serious questions which I feel must be answered both in the interests of the public and the integrity of the Comptroller's office. At this point, I do not have any data which would either refute or support the position taken by your office and I am in no way prejudging the case.

In the past, when these questions have been raised about charters, this Committee has taken the position that it should review the pertinent facts and I feel that it is important that we do so in this instance. Therefore, I am requesting that your office furnish me with the entire file on this application and the letters and records of telephone calls which bear on the case in any way and which would indicate what outside contracts, if any, were made with the Comptroller's office, at any level, concerning this application.

You are acquainted with the news stories and the television broadcasts in the past few days and I would hope, in addition to the raw file, you would respond to the questions raised in these news articles in the fullest manner possible. I am enclosing a copy of a story which appears in the Wall Street Journal and I also call your attention to the CBS Evening News program of October 15.

In conclusion, I am requesting that you produce for the Committee the fullest report possible on the reason why this application for a rival bank was turned down by you and your predecessor and why the earlier decisions at lower levels in the Comptroller's office were reversed and what economic data is available to support the decisions.

Sincerely,

WRIGHT PATMAN,
Chairman.

OUR COMMITMENT TO ISRAEL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Ms. ABZUG. Mr. Speaker, I hope there will be speedy House action on a resolution introduced today, which I am cosponsoring, calling on the U.S. Government to maintain Israel's deterrent strength and provide her with Phantom aircraft and other equipment necessary to repel the surprise aggression by the Arab nations and to offset the massive airlift of supplies to Egypt and Syria by the Soviet Union.

As the Yom Kippur war nears the end of its second week, reports about the tragic conflict in the Middle East become more ominous with new evidence of Soviet involvement. We know that the Soviet Union has been airlifting enormous supplies of sophisticated arms and equipment to Egypt and Syria. We know that the Soviet Union's fleet is massing in the Mediterranean.

Rumors of impending peace proposals and formulas for achieving a settlement are also increasing, and these are welcome. A protracted war would mean incredible suffering and sacrifice for the people involved and would also escalate the threat of an international conflagration. The Israelis, who are fighting for the survival of their nation, have made abundantly clear their basic position; they are willing to negotiate, but the security of Israel must be paramount.

As Israeli Foreign Minister Abba Eban said at the United Nations yesterday:

If you want to know what we will give for a peace agreement, then we will certainly be ready for the most substantial compromises, provided that our basic security is not affected.

While everything must be done to promote a peaceful settlement, we dare not relax in our determination to maintain our commitment to the sovereignty, independence, and preservation of the State of Israel. Our Government has now rightfully decided to continue supplying Israel's defense forces, whose arms, aircraft, and material have been depleted as a result of the Arab aggression. Under existing legislation, which authorizes the President to transfer to Israel by credit sale whatever arms may be needed to enable Israel to defend itself, we are helping Israel to the material without which its survival would be jeopardized and its negotiating position hopelessly compromised. A clear statement by the House in support of that position, as proposed in this resolution, is of the utmost importance.

It is also important not to let ourselves be blackmailed by the statement of the Arab oil-producing nations yesterday that they are cutting oil exports by 5 percent a month. There is no need for any alarm about this particular threat. The fact is that less than three percent of oil consumption by the United States, about 620,000 barrels a day, comes from Arab producers. Just recently the Treasury Department, issued a statement that if the American public took steps to cut back on energy waste, "savings could amount to the equivalent of about 3 million barrels of oil a day."

While taking every necessary measure to guarantee the survival and security of Israel, the United States must use its good offices, in conjunction with other interested governments, to support the search for a peaceful and lasting solution in the Middle East. The American people have long been steadfast friends of the courageous Israelis, who built a great and democratic nation with the strength of a people who suffered the incredible agonies of nazism and who are determined to survive. We must reaffirm

our commitment to that humanitarian goal and to the secure existence of Israel.

The text of the resolution follows:

H. RES. 613

Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies

Resolved, Whereas the people of the United States deplore the outbreak of hostilities in the Middle East and earnestly hope that peace may be negotiated in that area; and

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 such arms as 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 and supplies furnished to the Arab states by the Soviet Union.

CPA AND THE BANKING REGULATORS

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 17, 1973

Mr. FUQUA. Mr. Speaker, I wish to continue in my attempt at clarifying the impact of the pending Consumer Protection Agency on Federal agencies most likely to be subject to the new unit's advocacy powers as defined in the three bills now before the Government Operations Subcommittee on which I serve.

As you may remember, yesterday I set forth the proceedings of the Cost of Living Council, a small agency, that would be subject to the CPA's advocacy powers as proposed in the bills.

Today, I shall also be concerned with four relatively small agencies: The Office of the Comptroller of the Currency; the Federal Deposit Insurance Corporation; the Federal Home Loan Bank Board, and the Board of Governors of the Federal Reserve System.

As mentioned yesterday, to increase perspective and avoid undue speculation, I have asked the selected agencies to list those actual proceedings undertaken last year that would be subject to CPA advocacy under the various bills.

The bills being considered by us are H.R. 14 by Congressman ROSENTHAL, H.R. 21 by Congressman HOLIFIELD and HORTON, and H.R. 564 by Congressman BROWN of Ohio and myself.

The major difference between the bills is that H.R. 14 and H.R. 21 would allow the CPA to appeal to the courts the final actions, including inactions, of other agencies; the Fuqua-Brown bill would not grant such an extraordinary power to the nonregulatory CPA.

In this regard, it should be noted that, not counting refusals to act and other inactions, under all bills except the Fuqua-Brown bill—

The Federal Home Loan Bank Board reports that all of its final actions would be subject to CPA court appeal;

FDIC makes a similar statement, citing the Administrative Procedure Act, but also notes specifically that the 85-bank merger approval and 10 cease-and-desist order actions taken by it in 1972 would be appealable by the CPA under its organic statute.

The Comptroller of the Currency specifically lists, for 1972, 1,443 application actions, 147 reorganization actions, 18 conversion actions and 125 Freedom of Information Act actions which would have been appealable by CPA, and

The Federal Reserve did not respond to the question.

As indicated in the responses, many of these CPA appealable actions, by statute, would have to be resolved by de novo court review. That is, the court would be forced, in effect, to act as an administrative agency and come to a final decision on the matter when the CPA appealed.

Mr. Speaker, for the important reasons already stated, I ask unanimous consent to have printed in the RECORD the responses from these four agencies delineating the various categories of their 1972 proceedings and activities that would have been subject to CPA advocacy under the three pending CPA bills.

The responses follow:

THE ADMINISTRATOR OF NATIONAL BANKS,

Washington, D.C., October 1, 1973.

HON. DON FUQUA,
House of Representatives
Washington, D.C.

DEAR MR. FUQUA: This is in reply to your letter of September 7, 1973, requesting certain factual information in connection with several pending bills (H.R. 14, 21, 564) which would create an independent consumer protection agency (CPA). In order to avoid the delay which would necessarily be incurred if this Office were to comment upon or make recommendations concerning this important legislation, our response is herein limited to supplying the factual data requested. Creation of a CPA could bring about important changes in the operations of the three federal banking agencies, and this is particularly true of the Comptroller's supervisory functions. We therefore appreciate the opportunity to comment upon and make recommendations concerning the proposed legislation and herewith reserve our right to do so at a subsequent date.

The following is a question-by-question response to your inquiries:

QUESTION ONE

The following items subject to 5 U.S.C. 553 were proposed by this Office during calendar year 1972:

1. An amendment to the Securities Act disclosure rules regarding the exemption from § 16(b) of the Securities Exchange Act of 1934 (short swing profit prohibition) of disposition of securities of national banks

pursuant to certain mergers and consolidations, 37 F.R. 15000, 25818;

2. Addition of new sections to Title 12 of the Code of Federal Regulations setting forth the eligibility, pursuant to request, of certain securities for purchase, dealing in underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24, 37 F.R. 21622;

3. Adoption of amendments to Part 9, Chapter 1 of Title 12 of the Code of Federal Regulations dealing with the application for exercise of fiduciary powers by national banks pursuant to 12 U.S.C. 92a, 37 F.R. 24161.

QUESTIONS TWO THROUGH FIVE

None.

QUESTION SIX

The following is a representative list of public and nonpublic activities of the type proposed or initiated by this Office during calendar year 1972:

Proceedings to amend, revise, delete or alter the following regulations:

1. Investment securities.
 2. Loans secured or covered by government guaranties.
 3. Supplemental application procedures for charter, branches, mergers and relocations.
 4. Loans secured by obligations of the United States.
 5. Interpretive Rulings.
 6. Fiduciary powers of national banks; collective investment funds.
 7. Securities Act disclosure rules.
 8. Ownership reports.
 9. Employee stock option and stock purchase plan.
 10. Changes in capital structure.
 11. Reports of change in controlling ownership.
 12. Offering circulars—capital debentures and new bank securities.
 13. Required notification to nominate bank directors.
 14. Form and content of financial statements.
 15. Cease and desist orders; rules and procedures.
 16. International operations.
 17. Minimum security devices and procedures.
- Hearings held at the request of an interested party on applications to:
1. Charter national banks.
 2. Merge, consolidate with or purchase the assets of another bank where the resulting bank is a national bank.
 3. Establish branches.
 4. Relocate offices of national banks.
- Informal Activities:
1. Preparation of competitive factor reports issued pursuant to section 3(b) of the Bank Holding Company Act of 1956, as amended (12 U.S.C. 1842(b)).
 2. Proceedings necessary to enforce compliance with the Fair Credit Reporting Act (15 U.S.C. 1681, et seq.).

QUESTION SEVEN

The following is a summary representation of all those actions taken by the Comptroller's Office in 1972, with certain exceptions, which might have been reviewed by the courts. It should be noted that it is assumed, solely for the purpose of answering your inquiry, that petitioners for review in each instance would meet the requisite standing requirements to seek judicial review:

Applications for:

Charters (de novo).....	144
Branches (de novo).....	1,041
Relocations	200
Mergers	61
Reorganizations:	
New banks	80
"Phantom" banks	67
Conversions	18
Requests for information under the Freedom of Information Act.....	* 125

We trust this letter has been responsive to your inquiry.

Very truly yours,

JAMES E. SMITH,
Comptroller of the Currency.

FOOTNOTES

¹ Figures for relocations are not available at this time, so in the interest of speedy reply, an estimate is presented.

² This Office does not maintain figures on the total number of requests received under the Freedom of Information Act or their disposition. In answer to a Freedom of Information Act inquiry from the House Foreign Operations and Government Information Subcommittee in September 1971, this Office conducted a search of its records and found that approximately 100 formal requests were received for the period July 4, 1970, through July 4, 1971.

FEDERAL DEPOSIT INSURANCE CORPORATION,

Washington, D.C., September 20, 1973.

Hon. DON FUQUA,
House of Representatives
Washington, D.C.

DEAR MR. FUQUA: By letter dated September 7, 1973 you requested that the Corporation answer seven questions concerning its activities during the calendar year 1972 in order to provide information for the current hearings on the proposed Independent Consumer Protection Agency.

The nature of bank supervision is such that resort by the Corporation to adjudicative proceedings under the Administrative Procedure Act (APA) seldom occurs. We are usually able to discover potentially unsafe or unsound practices at an early stage through the ongoing bank examination process, and voluntary remedial action is often undertaken by the bank before any formal enforcement proceedings are necessary. We are nevertheless responding to your inquiry with the relevant factual information we do have.

QUESTION 1

The Corporation proposed three regulations for comment under the notice and comment provisions of the APA (5 U.S.C. 553) in 1972. Regulations were proposed to further implement the nondiscrimination requirements in residential lending, to permit FDIC employees to own shares of mutual funds which hold the stock of insured banks, and to revise the provision relating to the valuation of trust interests for purposes of deposit insurance coverage.

QUESTION 2

No regulations subject to the on-the-record rulemaking provisions of section 6 and 7 of the APA (5 U.S.C. 556 and 557) were proposed in 1972.

QUESTIONS 3 AND 4

The only administrative adjudications under the APA proposed by the Corporation during calendar year 1972 are as follows:

(1) The Corporation initiated five termination-of-deposit-insurance proceedings against insured banks pursuant to section 8(a) of the Federal Deposit Insurance (FDI) Act (12 U.S.C. 1818(a)).

(2) The Corporation initiated 10 cease-and-desist proceedings against insured non-member banks pursuant to section 8(b) of the FDI Act (12 U.S.C. 1818(b)).

(3) The Corporation initiated one Notice of Removal against an officer of an insured nonmember bank pursuant to 8(e) of the FDI Act (12 U.S.C. 1818(g)).

QUESTION 5

The Corporation proposed no proceedings on the record other than those mentioned in the answers to questions 3 and 4.

QUESTION 6

The following is a list of representative activities of the FDIC during 1972:

(1) Conducting regular and special examinations of insured banks.

(2) Instituting proceedings to correct unsafe or unsound practices of insured non-member banks.

(3) Determining the eligibility of State-chartered nonmember banks for deposit insurance.

(4) Authorizing certain bank mergers and the establishment of branches by insured State nonmember banks.

QUESTION 7

As regards the request for all final appealable actions taken by the Corporation in 1972, we would note that the Administrative Procedure Act permits any final agency action to be appealed by anyone adversely affected on the grounds that the action was "arbitrary, capricious [or] an abuse of discretion" (5 U.S.C. 701-06). With respect to those final actions which are appealable under a specific statutory provision, the FDIC approved 85 proposed bank mergers which are subject to *de novo* court review if challenged under the antitrust laws (12 U.S.C. 1828(c)). The 10 cease-and-desist orders issued by the Corporation under section 8(b) of the FDI Act would also be appealable.

We hope the foregoing information will be of assistance to you.

Sincerely,

FRANK WILLIE, Chairman.

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C.

Hon. DON FUQUA,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FUQUA: In response to your letter of September 7, 1973, requesting information regarding the administrative activities of the Federal Home Loan Bank Board, we are submitting the following information:

QUESTION 1

What regulations, rules, rates or policy interpretations subject to 5 U.S.C. 553 (the Administrative Procedures Act notice and comment rulemaking provisions) were proposed by your agency during calendar year 1972?

A complete listing of these actions can be found in Attachment "A." The list is subdivided as follows: (1) proposals carried over from earlier years, (2) proposals made during 1972—without final adoption, and (3) proposals made and finalized during 1972. In summary, there was a total of 88 proposals considered during 1972, of which 50 were finally adopted.

QUESTION 2

What regulations, rules, rates, or policy interpretations subject to 5 U.S.C. 556 and 557 (that is, A.P.A. rulemaking on the record) were proposed or initiated by your agency during calendar year 1972?

During 1972, the Federal Home Loan Bank Board initiated no proceedings which were subject to sections 556 or 557 of Title 5 of the U.S. Code involving regulations, rates or policy interpretations.

QUESTION 3

Excluding proceedings in which your agency sought primarily to impose directly (without court action) a fine, penalty or forfeiture, what administrative adjudications (including licensing proceedings) subject to 5 U.S.C. 556 and 557 were proposed or initiated by your agency during calendar year 1972?

Under the provisions of the Financial Institutions Supervisory Act of 1966, the Federal Home Loan Bank Board has the power to oversee various aspects of the operations of Federal savings and loan associations and institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. Based on recommendations and examination reports from the field, the Board authorized 34 formal investiga-

tions of associations during 1972. These investigations include the authority to issue subpoenas and to administer oaths so that witnesses could be compelled to testify concerning the affairs of the association or their part in transactions affecting the association under investigation. As a direct result of these investigations, the Board issued eight final cease-and-desist orders and one officer removal order. Four other investigations resulted in negotiated agreements or other informal actions. The remainder either resulted in no action, because of inconclusive evidence, or are in various stages of completion.

QUESTION 4

What adjudications under any provision of 5 U.S.C. Chapter 5 seeking primarily to impose directly (without court action) a fine, penalty or forfeiture were proposed or initiated by your agency during calendar year 1972?

During 1972 the Federal Home Loan Bank Board neither proposed nor initiated any adjudicative procedures which fit this description.

QUESTION 5

Excluding proceedings subject to 5 U.S.C. 554, 556 and 557, what proceedings on the record after an opportunity for hearing did your agency propose or initiate during calendar year 1972?

During 1972 the Board acted on 1,103 applications for the creation of, or for significant changes in the operation or structure of, Federal and insured savings and loan associations. These activities are detailed in Attachment "B". While these proceedings are not covered by the provisions of the A.P.A., Chapter 5 of Title 5 of the U.S. Code, Board regulations do provide for an administrative hearing before a supervisory agent with an opportunity for an oral presentation of arguments.

QUESTION 6

Will you please furnish me with a list of representative public and nonpublic activities proposed or initiated by your agency during calendar year 1972?

(a) The Office of Finance established and implemented during 1972 a new investment policy which allows the Federal Home Loan Banks a diverse range of investments, including additional money market instruments.

(b) During 1972 the responsibility for coordinating, planning, and establishing accounting and auditing policies was centralized in the Chief Accountant's Office, of the Office of Examinations and Supervision. These policies cover the auditing and reporting practices for savings and loan associations in connection with their annual audit reports and certain required financial reports.

(c) There were 15 new registrations of savings and loan holding companies during 1972 and 9 deregistrations. Applications to acquire 25 insured associations were processed for review and decision by the Federal Home Loan Bank Board; 24 applications for holding companies and their nonsavings and loan subsidiaries to borrow funds were considered and approved; and 91 applications for transactions with affiliates were approved by District Office Supervisory Agents.

(d) The Office of the Federal Savings and Loan Insurance Corporation is primarily responsible for furnishing financial assistance such as insurance payouts, loans, contributions, and purchases of assets of problem institutions. The Corporation, as receiver, is now managing the liquidation of five defaulted associations.

(e) In 1972, the Office of Economic Research continued its policy, originated in 1969, of disseminating the findings of its research very quickly to the Board, District Banks, and others through a series of working papers. These papers summarize the work done by OER staff economists on housing problems related to the mission of the Agen-

cy and are reproduced at the Board for distribution to all who desire the information. At yearend, there was a total of 41 staff working papers on hand. In addition, OER publishes "invited" working papers, produced by researchers outside the Agency.

QUESTION 7

Excluding actions designed primarily to impose a fine penalty or forfeiture, what final actions taken by your agency in calendar year 1972 could have been appealed to the courts for review by anyone under a statutory provision or judicial interpretation?

Given the normal requirements, such as standing and case or controversy, virtually, if not actually, all of the final administrative actions taken, as described in the answers to the questions above, could have been appealed.

I hope the foregoing information adequately responds to the questions you raised. Please call on me if you require any further information.

Sincerely,

THOMAS R. BOMAR.

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,

Washington, D.C., September 27, 1973.

HON. DON FUQUA,
House of Representatives,
Washington, D.C.

DEAR MR. FUQUA: I am writing in response to your letter of September 7 concerning H.R. 14, 21, and 564, bills which would create a Consumer Protection Agency within the Executive Branch.

Because hearings by the Subcommittee on Legislation and Military Operations have begun, we have not undertaken the extensive research which would be necessary to answer precisely each of the questions you raised in your letter. We are, instead, supplying information which we believe will be generally responsive to your inquiry.

Enclosed are:

1. A copy of the Board's 1972 *Annual Report*, which contains on pp. 67-103 a section entitled, "Record of Policy Actions of the Board of Governors." This section describes the regulations issued by the Board last year, giving a good indication of the scope of the Board's regulatory activities.

2. A list of proceedings and activities of the Board which would be affected by one or more of the pending bills.

Finally, I should like to quote an excerpt from a letter dated April 12 which the Board sent to Chairman Hollifield in response to his request for comment on the pending bills.

"Another area of concern to the Board is the power granted the new agency to intervene in the proceedings of other Federal agencies. Both bills would allow the Consumer Protection Agency to intervene in the formal rulemaking proceedings of other agencies, the kinds that are conducted on the record with an opportunity for a hearing. But H.R. 14 would go further, and allow the new agency to intervene in less formal proceedings as well. This authority, if given to the new agency, would present very serious problems to the Board. There are certain actions the Board takes, such as setting margin requirements for the purchase of securities on credit, and approving changes in the discount rate at Reserve Banks, which are directly related to the Board's responsibilities in the area of monetary policy. Intervention by the new agency in the processes which lead to such action would destroy the confidentiality which is essential for the conduct of monetary policy and would severely impair the Board's capacity for timely, decisive action.

"The Board supports the provisions of H.R. 21, which would limit the new agency to intervening in formal rulemaking or adjudicatory proceedings. However, if the committee adopts the approach of H.R. 14,

then we would recommend the insertion of the following language on page 19, line 10, by deleting the period and inserting:

except when the agency for good cause finds that such intervention or participation is impracticable, unnecessary, or contrary to the public interest.

"To be consistent, the same language should be inserted on line 8, page 22.

"Also, the following should be inserted on line 17, page 18, after striking the period: in accordance with subsection (c) below.

"For further substantive commentary on the three bills, the Board defers to the Office of Management and Budget and other Executive Branch agencies. We appreciate the opportunity you have afforded us to comment on these bills, and express the hope that our comments will prove useful to you and your committee in the consideration of this important legislation."

I hope the foregoing information will prove helpful to you and the other members of the Subcommittee. Please let me know if I can be of further assistance.

Sincerely yours,

ROBERT L. CARDON,
Assistant to the Board.

VOTES FOR FREEDOM FROM A SOVIET FORCED LABOR CAMP

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. HUBER. Mr. Speaker, support for the efforts of Andrei Sakharov in his fight for human freedom and dignity in the Soviet Union came to light recently in Moscow. The London Daily Telegraph of October 12, 1973, reports that a letter signed by 16 political dissidents lodged in one of the more notorious forced labor camps in Perm reached Moscow and Western newsmen. Most significant, in my view, is the fact Simas Kudirka, the Lithuanian sailor we turned back to the Soviets in 1970 was among the signers of this letter.

Therefore, I feel that my House concurrent resolution granting Sakharov and Solzhenitsyn honorary U.S. citizenship can become more than just a gesture in these times and play a role in achieving real détente.

The newspaper article follows:

[From the (London) Daily Telegraph,
Oct. 12, 1973]

SOVIET LABOUR CAMP BACKING FOR SAKHAROV
(By Tony Conyers in Moscow)

A letter smuggled from a Soviet labour camp and signed by 16 political dissidents backs Academician Andrei Sakharov, the Russian nuclear physicist, in his fight for human rights and freedom in the Soviet Union.

It reached Western correspondents yesterday through dissident sources, who said it had been brought to Moscow from Perm, one of the most notorious labour camps in the country.

It lies in the foothills of the Urals, some 700 miles north-east of Moscow, which in the days of Stalinism was a sprawling camp empire. One of those who was detained there was Anatoly Marchenko, author of "My Testimony"—a harrowing account of camp conditions.

The prisoners' letter condemns the recent campaign in the Soviet Press vilifying Sakharov, and claims that all those Soviet citizens who participated in it had made it

easier for "prison guards to bait and pressure us."

YAKIR DENOUNCED

They also denounced the former dissident Pyotr Yakir, who last month pleaded guilty with Viktor Krasin to anti-Soviet activities and displayed his willingness to recant his beliefs at a Press conference for Soviet and foreign journalists.

Both were sentenced to three years imprisonment to be followed by three in exile. Later, on appeal, their prison sentences were cut drastically and later this month they are expected to start their period of exile in Siberia.

The 16 prisoners comment: "We are taking this precious occasion to reject before the whole world the lies of the traitor Pyotr Yakir about the actions in the Soviet Union of the democratic movement. Hundreds of political prisoners have not changed their democratic convictions and believe that the cause of democracy in the Soviet Union will win."

One of those who has signed the letter is Simas Kudirka, the Lithuanian sailor who jumped from his ship onto an American Coastguard vessel off the New England coast in 1970. He was handed back by the American ship and is now serving a ten-year sentence at the camp.

Another letter handed to Western correspondents yesterday was signed by Vladimir Osipov, who has served a seven year sentence for his involvement in the underground newspaper *Phoenix* in the early Sixties.

He appealed to amnesty international to intervene over Soviet political prisoners. He gave the names of 63 persons detained for their political beliefs.

PROTECTING THE INTEGRITY OF PRIVATE PENSION PLANS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 1973

Mr. ASHBROOK. Mr. Speaker, a growing percentage of the American labor force is being covered by private pension plans. The expansion of these plans to uncovered workers should be encouraged. These private pensions have enabled many people to enjoy a more fruitful retirement.

At the present time more than 30 million Americans are covered by private pension plans. It is expected by 1980 that more than 42 million workers will be covered. Today more than \$8 billion in benefits are paid to approximately 6 million retirees. Voluntary private pension plans are now making contributions to the retirement security of about 50 percent of the private nonfarm labor force. It is estimated that this figure will reach 60 percent by 1980.

With the growing number of plans, it is important that the rights of the workers covered be protected. It is also important that encouragement be given to the continued growth of plans and improvement of benefits. To further these ends, the House Education and Labor Committee on which I serve has been investigating pension reform legislation for the past 4 years. The bill that we have reported out of committee—H.R. 2—is much superior to H.R. 4200 which has already been passed by the Senate.

A number of people who depend upon

profit-sharing plans to help finance their retirement programs have rightfully been concerned about the effects that H.R. 4200 would have on their plans.

H.R. 4200 would seriously hurt the pension plans which use profit sharing proceeds. Sears, J. C. Penney, General Mills and many old companies have established excellent records in this area and should be encouraged rather than legislatively discouraged to continue these fine practices.

Protection of the rights of those workers presently covered is assured in H.R. 2. This bill requires vesting the accrued benefits of employees with significant

periods of service with an employer. This bill also requires plans to meet minimum standards of funding. These two provisions by requiring stringent vesting and funding standards negate the need for plan termination insurance which unfortunately is also contained in the bill.

Although legislation cannot eliminate all pension plan terminations, possible losses by any such termination would be drastically reduced by including provisions in the bill:

First, to prevent dilution of benefit security in business acquisition and merger situations;

Second, to provide for partial plan ter-

minations with the approval of the Secretary of Labor;

Third, to provide fund distribution priorities on termination so there will be a more equitable distribution of all assets;

Fourth, to prevent "raiding" of assets by participants who leave the plan.

I will continue to work to maintain the integrity of the private pension system. No bill passed by the Congress should have the effect of reducing those contributions or limiting the size of pensions that workers may obtain. Private pension plans are worthwhile. More and better plans should be encouraged to be developed.

SENATE—Tuesday, October 23, 1973

The Senate met at 12 o'clock noon and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, unto whom in all ages men have lifted up their hearts in prayer, as we draw near to Thee, draw near to us. We know not what to ask, but we trust Thee, and Thou knowest what we need—clean hands and pure hearts—goodness and grace and wisdom. Come upon this Nation at this moment of dismay, disappointment, and distress. Give to it a new sense of purposeful direction. Grant enabling grace to the President, the Congress, and all in authority, that they may unite their best efforts for the health and strength of the Nation and for peace and justice in the world.

We pray in His name who came to serve and give Himself for others. Amen.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of October 18, 1973, the Secretary of the Senate, on October 18 and 19, 1973, received messages from the President of the United States.

EMERGENCY SECURITY ASSISTANCE FOR ISRAEL AND CAMBODIA—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate a message from the President of the United States, received by the Secretary of the Senate on October 19, 1973, under authority of the order of the Senate of October 18, 1973, which, with the accompanying document, was referred to the Committee on Foreign Relations. The message is as follows:

To the Congress of the United States:

I am today requesting that the Congress authorize emergency security assistance of \$2.2 billion for Israel and \$200 million for Cambodia. This request is necessary to permit the United States to follow a responsible course of action in

two areas where stability is vital if we are to build a global structure of peace.

For more than a quarter of a century, as strategic interests of the major powers have converged there, the Middle East has been a flashpoint for potential world conflict. Since war broke out again on October 6, bringing tragedy to the people of Israel and the Arab nations alike, the United States has been actively engaged in efforts to contribute to a settlement. Our actions there have reflected my belief that we must take those steps which are necessary for maintaining a balance of military capabilities and achieving stability in the area. The request I am submitting today would give us the essential flexibility to continue meeting those responsibilities.

To maintain a balance of forces and thus achieve stability, the United States Government is currently providing military material to Israel to replace combat losses. This is necessary to prevent the emergence of a substantial imbalance resulting from a large-scale resupply of Syria and Egypt by the Soviet Union.

The costs of replacing consumables and lost equipment for the Israeli Armed Forces have been extremely high. Combat activity has been intense, and losses on both sides have been large. During the first 12 days of the conflict, the United States has authorized shipments to Israel of material costing \$825 million, including transportation.

Major items now being furnished by the United States to the Israeli forces include conventional munitions of many types, air-to-air and air-to-ground missiles, artillery, crew-served and individual weapons, and a standard range of fighter aircraft ordnance. Additionally, the United States is providing replacements for tanks, aircraft, radios, and other military equipment which have been lost in action.

Thus far, Israel has attempted to obtain the necessary equipment through the use of cash and credit purchases. However, the magnitude of the current conflict coupled with the scale of Soviet supply activities has created needs which exceed Israel's capacity to continue with cash and credit purchases. The alternative to cash and credit sales of United States military materials is for us to provide Israel with grant military assistance as well.

The United States is making every effort to bring this conflict to a very swift and honorable conclusion, measured in days not weeks. But prudent planning also requires us to prepare for a longer struggle. I am therefore requesting that the Congress approve emergency assistance to Israel in the amount of \$2.2 billion. If the conflict moderates, or as we fervently hope, is brought to an end very quickly, funds not absolutely required would of course not be expended.

I am also requesting \$200 million emergency assistance for Cambodia. As in the case of Israel, additional funds are urgently needed for ammunition and consumable military supplies. The increased requirement results from the larger scale of hostilities and the higher levels of ordnance required by the Cambodian Army and Air Force to defend themselves without American air support.

The end of United States bombing on August 15 was followed by increased communist activity in Cambodia. In the ensuing fight, the Cambodian forces acquitted themselves well. They successfully defended the capital of Phnom Penh and the provincial center of Kampong Cham, as well as the principal supply routes. Although this more intense level of fighting has tapered off somewhat during the current rainy season, it is virtually certain to resume when the dry season begins about the end of the year.

During the period of heaviest fighting in August and September, ammunition costs for the Cambodian forces were running almost \$1 million per day. We anticipate similar average costs for the remainder of this fiscal year. These ammunition requirements, plus minimum equipment replacement, will result in a total funding requirement of \$380 million for the current fiscal year, rather than the \$180 million previously requested. To fail to provide the \$200 million for additional ammunition would deny the Cambodian Armed Forces the ability to defend themselves and their country.

We remain hopeful that the conflict in Cambodia be resolved by a negotiated settlement. A communist military victory and the installation of a government in Phnom Penh which is controlled by Hanoi would gravely threaten the fragile