

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. I thank the distinguished Senator from Ohio (Mr. TAFT), the distinguished Senator from Colorado (Mr. DOMINICK), the distinguished Senator from Washington (Mr. MAGNUSON), the distinguished Senator from New Hampshire (Mr. COTTON), the distinguished Senator from Kentucky (Mr. COOK), the distinguished Senator from Illinois (Mr. STEVENSON), and other Senators for their cooperation in connection with the agreement.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR VOTE ON S. 2673 NO LATER THAN 2:30 P.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I make the following unanimous-consent request without consulting anyone, inasmuch as I am probably the major obstacle to the passage for the moment, and I will not be an obstacle very long, to the passage of S. 2673, the Attorney General pay bill.

Mr. President, I ask unanimous consent that the vote on the passage of S. 2673 occur tomorrow no later than 2:30 p.m., and that paragraph 3 of rule XII be waived.

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

VACATION OF ORDER FOR CONSIDERATION OF H.R. 3153 TO FOLLOW DISPOSITION OF S. 2673

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order previously entered for consideration of H.R. 3153, the social security bill, to follow immediately upon the disposition of S. 2673 be vacated.

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

Mr. ROBERT C. BYRD. Mr. President, by way of explanation, may I say that the leadership has an understanding with the distinguished manager of the bill (Mr. LONG) to the effect that the social security bill would be taken up tomorrow afternoon immediately upon the disposition of the so-called Attorney General

pay bill. It has been called to my attention subsequent to securing the agreement that there are some problems on the other side of the aisle and that a distinguished Senator needs to be consulted. I feel there is a good possibility that there will be no problem at the time we reach disposition of the Attorney General pay bill and in that event the social security bill still will be taken up. But that remains to be worked out on tomorrow.

AUTHORIZATION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO HAVE UNTIL MIDNIGHT ON SATURDAY TO REPORT ENERGY RESEARCH AND DEVELOPMENT BILL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to have until midnight Saturday to report the energy research and development bill.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will meet at 10:30 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished majority leader (Mr. MANSFIELD) will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Senate will proceed to the consideration of S. 2673, the so-called Attorney General pay bill. There is a time limitation on that bill of not to exceed 5 hours.

Does the previous agreement provide for not to exceed 5 hours or is it 5 hours?

The PRESIDING OFFICER. Five hours.

Mr. ROBERT C. BYRD. I ask unanimous consent that the agreement of November 21, 1973 be changed to provide that the time on the bill not exceed 5 hours.

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

Mr. ROBERT C. BYRD. There is a time limitation on any amendment of 30 minutes. Is there a time limitation on debatable motions or appeals?

The PRESIDING OFFICER. There is.

Mr. ROBERT C. BYRD. And the provision has just been entered that the vote on the passage of the bill will occur not

later than 2:30 p.m. tomorrow. That will be a yea-and-nay vote.

There will be at least one amendment offered to the bill. There will probably be a yea-and-nay vote on that amendment. That is an amendment I intend to offer. There may be other amendments.

Hopefully, by that time, the Senate can proceed to take up the social security bill on which amendments will be offered and votes on those amendments would occur.

The PRESIDING OFFICER. The Chair wishes to inquire of the Senator from West Virginia whether in his previous unanimous-consent request he wishes to exclude the amendment to be offered by the Senator from West Virginia from the germaneness rule?

Mr. ROBERT C. BYRD. Mr. President, I am very grateful to the Chair for having asked that question. I am confident there will be no objection from Mr. HRUSKA and Mr. SCOTT because I have discussed my amendment with them.

I ask unanimous consent that the amendment I propose to offer to S. 2673 tomorrow be excluded from the provisions of germaneness that were included in the agreement.

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

Mr. ROBERT C. BYRD. I thank the Chair again.

It is expected that the social security bill can be disposed of tomorrow—or on Thursday, which will be more likely—and that following disposition of the social security bill the daylight savings bill could be taken up.

ADJOURNMENT TO 10:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10:30 a.m. tomorrow.

The motion was agreed to; and at 8:27 p.m. the Senate adjourned until tomorrow, Wednesday, November 28, 1973, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate November 27, 1973:

VICE PRESIDENT OF THE UNITED STATES

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

EXTENSIONS OF REMARKS

FREEDOM'S VANGUARD

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, November 27, 1973

Mr. STENNIS. Mr. President, on November 10, Dr. Karl Bennet Justus, ex-

ecutive director of the Military Chaplains' Association of the United States of America, addressed a VFW banquet in York County, Pa. I understand that about 400 members of the VFW heard his remarks.

I am much interested in the work of the service chaplains, and think this worthy speech should have further distribution. I ask unanimous consent that

the speech of Chaplain Justus, entitled "Freedom's Vanguard," be printed in the extensions of remarks of the RECORD.

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

AMERICAN VETERANS; FREEDOM'S VANGUARD

Though I am not a politician, I wish to begin with a quotation credited to the late Carl Sandburg about politicians. His formula

for a politician was: "He should have three hats. One for throwing in the ring; one for talking through; and one for pulling rabbits out if elected". Being accustomed to wearing many hats as Executive Director of The Military Chaplains Association, tonight I wear a special "hat"—one that I wear proudly—the hat of a veteran!

We are here tonight to honor American veterans, all veterans, living and dead, who, from Valley Forge to Vietnam have stood and fought with honor and unfailing courage in freedom's vanguard. And in every war in which we have engaged, our veterans have fought not only for freedom, but for peace with honor and justice.

Under the new system of Federally designated holidays, Veterans Day is now marked the fourth Monday in October—and many of us participated in that observance. But, equally for many of us, we still pay honor to our veterans—now numbering 29-million—on the original Veterans Day, known to us and observed as Armistice Day, 11 November, since it was first officially declared by President Wilson 52 years ago in 1921. On that memorable occasion, the remains of an unknown soldier from the battlefields of World War I were entombed at Arlington National Cemetery. Unfortunately, the dream that our American Expeditionary Forces would, in their fight to defend freedom, "make the world safe for democracy", did not happen as President Wilson ardently hoped. Hitler and Tojo set the world aflame just over two decades later. Rising, again, to the call to the colors, and remembering the "day of infamy" at Pearl Harbor, Americans by the millions enlisted to fight a war in two oceans and emerged the victor. Then came Korea, and the far-away, divisive and bloody conflict in Vietnam.

So, tonight, we remember and honor unknown veterans at Arlington from World War I, World War II, Korea, and when an unidentified soldier's remains are unearthed in Vietnam, he will be laid to rest with his companions at Arlington, one of America's greatest shrines.

For those of us among the multiplied millions of veterans who fought and survived, we remember our fallen comrades tonight;—we thank God that our troops have been disengaged from Vietnam—as President Nixon pledged they would be—and we look to the future with a burning desire and avid hope—that those who made the supreme sacrifice "shall not have died in vain," and pledge ourselves, insofar as humanly possible, that Americans shall not again become involved in bloody conflict far beyond our borders. Whether or not that hope can be realized; that men and nations can achieve a lasting, just and honorable peace on this earth; that men will "beat their swords into plowshares and learn war no more", only God, alone, knows. Man being what he is, such thinking may be unrealistic. The pattern of history reveals, as Will Durant once wrote, "In the last 3,400 years of recorded history, only 268 have seen no war."

Nevertheless, it is up to you and to me, as veterans, to exert our influence in this Nation to do all we can to keep disengaged from foreign wars and from "entangling alliances" that bring us to the bloody chasm. If in this day of unbelievable weapons and atomic force we cannot avoid war, then surely we will fight the battle of Armageddon—conceivably in the lifetime of some of us.

As veterans, we have a voice. We constitute what may well be the largest single bloc of American citizens. Let our voice be heard in the Halls of Congress. I read recently of an example when "silence was golden", as they say. Western Union offered to buy the ticker invented by Thomas Edison. Unable to name a price, Edison asked for time to think it over. He weighed the matter, considered a sum of \$20,000, but feared that might be exorbitant. Meeting with the Western Union

directors—he was still undecided when asked his price and lacked the courage to blurt out \$20,000. While he sat motionless, a W.U. official waited a moment and then broke the silence by asking, "How about \$100,000?"

You and I cannot afford either the luxury or the hope of such silence. It is a time to be heard—to be counted, and I mean YOU and ME. Let us not be silent soldiers. Last month I read a blurb in a church newsletter to this effect: A Commanding General stood before his battle-clad forces confronted by opposing forces ready to launch an attack. In a clear, crackling voice the General commanded "March"! None of the troops moved. In desperation the General confronted a soldier saying, "Joe, why didn't you march when I gave the order?" The private replied, "Why, General, you didn't say *me*". Let us not use such an excuse. Each of us, you and me—and in unison—must patriotically serve our Nation and help to keep our Government on the path to peace NOW, just as we have always fought in war to defend our nation, the freedom of people yearning to breathe free, and to uphold the principles of our Flag—The Stars and Stripes Forever!

Soon we will celebrate America's Bicentennial, commemorating 200 years of brave, adventurous, progressive growth of history's greatest experiment in Government "of the people, by the people, for the people." Standing on the doorstep of our third century, if we are to realize a "New Spirit of '76", and a "New America", there are things to be done—and we must help.

In recent weeks I have heard addresses, and read, that "You can't go back." I am fully aware in this day of rapid change, especially in the last twenty years—when some things in America have changed so radically we do not recognize our country—that we cannot go back. If we could, what man or woman here tonight would not do some things differently? But I strongly believe we can look back, see where we went wrong, what mistakes we have made, and count the great standards, principles and values, moral and otherwise, that we have lost. Then, noting these, we should apply the lessons learned to improving the future and regaining the values on which our forefathers founded this great nation. Change is a way of life. I believe in change, when it is needed and right, but I am strongly opposed to change for the sake of change—particularly when change in our day largely means that every man wants to "do his own thing" with no sense that he, also, bears a responsibility for his fellow citizen.

If our next century is to be what most of us would want it to be it will not be accomplished by every man "doing his own thing", or by keeping on doing what we have always done. We must renew our faith in, and dedication to, the great principles and values enunciated in the Declaration of Independence, the Constitution and the Bill of Rights. When our forebears wrote these timeless documents, it was with a great sense of belief in God and the fact that man's freedoms, and his "inalienable rights" grew out of the fact that as God's creation, the apex of that creation, he was "created equal".

In large measure, I firmly believe that the truths stated in those historic and honored documents are true today. They should be reaffirmed. When they need change for our betterment, there is the due process of law by which they may be changed. Therefore, I have always opposed, and do today, massive civil disobedience and protest marches and violence in efforts to force changes to make liberty license for every man to do as he pleases. The riots, violence and mass mania of the past decade, in which respect for law and order, authority of any kind, as well as respect for others and even self, went out the window—along with love of country, honor for the flag, and patriotism. By "patriotism" I mean something far more than

marching off to war to fight our nation's battles. I mean a dedicated pride and love for our Nation that stands by her in domestic trouble, and fights for the things that will maintain domestic tranquility and improve the lot of every citizen.

On one side of our currency and coinage we say "In God We Trust", and on the other side, "E Pluribus Unum", meaning, Out of Many One. That was what our founders believed, and on that course they set America's destiny. Have we forgotten God? Do we really "trust in God"? Have we become so irreligious in our mad efforts to be "relevant" that we think we master our own destiny?

If we have, we are riding for an eventual fall, for the highway of history is strewn with the ashes of nations like Rome and Carthage, and Hitler's Third Reich. No Nation is so powerful, so prosperous, so blessed that it can forget God, from Whom comes our bounty, without courting dire consequences. I love America, second only to my love for God, and I would do anything to help her and defend her whenever and wherever that need arises, but I do not believe America is greater than God, or beyond the bounds that he has set for man. No nation on earth has been so blessed by the Almighty as has our country. There are more jobs, greater education systems, finer health and medical facilities, more equal opportunities, and more abundance of wealth in America than anywhere on earth. We are the best fed, finest clothed, greatest traveled, most prosperous and powerful people on earth. We have probed God's universe and walked on the moon. But with all this, if we are putting our trust in the dollar, more than our "Trust in God" as it says on that dollar, a day of accounting is ahead.

So, as we face today and its problems—and our Bicentennial just two years away—we are challenged by many things, including the transition from a wartime environment to a peacetime environment, and the total force concept of our Armed Services, working together as a team, in particular, faces the challenge of upholding the peace for which our veterans fought.

To that end America must remain strong; strong not only militarily, but strong morally—for America is, and has been, undergoing a moral crisis both in our homes and in our Government. Military might is necessary to help keep the peace, but alone that is not enough—it must be strengthened by the sinews of moral backbone. Among the things we must do, is a need to:

1. Re-enforce the foundations on which America was built; the "authentic American Revolution" to strengthen the moral and spiritual undergirding that made, and has kept, us a great nation.
2. Re-create our sense of values; we must regain the values of respect, patriotism, industry, integrity, dignity, justice and honor.
3. Realize more fully America's freedoms for all, with a concomitant sense of responsibility.
4. Revitalize our sense of faith in God, and undivided love and loyalty for Country.
5. Re-dedicate ourselves to a "new Spirit of '76" for a new and vibrant America.

Tonight I call you not to ease, but to industry; I issue a call not to arms, but to ardent ambition for a better America; a call not to doing your "own thing", but to doing something for your community and nation; a call not to fear but to renewed faith. We must displace innuendo, rumor and falsehood, with integrity, truth and right.

As we commemorate Veterans Day, honoring our men who have fought on land, and sea and in the air—we remember! We remember our men from Concord to Khe Sanh—from Tripoli to Tarawa—from Belleau Woods and the Battle of the Bulge to Bougainville—from the beaches of Normandy to the sky over Nagasaki—from San Juan Hill to Mt. Surabachi—from Pork Chop Hill to Vietnam.

We shall always remember that it was "Not for fame or reward, not for place or rank, not lured by ambition or goaded by necessity, but in simple obedience to necessity—as they understood it—we remember the men who suffered all, sacrificed all, dared all—and died."

As I salute you and all our veterans, I wish to conclude with the words of Navy Captain Jeremiah Denton (Now Rear Admiral), a returned Prisoner of War, when he deplored and stepping to the microphone said: "We are honored to have had the opportunity to serve our country under difficult circumstances and we are profoundly grateful to our Commander in Chief and to our Nation for this day . . . God Bless America."

I ask you to silently join in prayer with me—"God Bless America, land that we love. . . from sea to shining sea."

T. YANCEY MILBURN

HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

T. YANCEY MILBURN

Tuesday, November 27, 1973

Mr. HELMS. Mr. President, I think that all of us, too often, are inclined to forget the remarkable achievements and contributions of our senior citizens. There are today so many concerns, and so many problems, and I suppose all of us are guilty of not paying proper respect to citizens who in earlier years struggled to make this country better and stronger.

This came to mind, Mr. President, when I read an article in the November 23 issue of the Durham Morning Herald. This article, written by George Lougee, tells the story of a dear friend of mine, Mr. T. Yancey Milburn. Mr. Milburn is 82, but he is yet energetic, and his mind is like a bear-trap. He frequently corresponds with me, and he never fails to offer stimulating and helpful thought.

I ask unanimous consent, Mr. President, that Mr. Lougee's article about Mr. Milburn be printed in the Extensions of Remarks, so that my colleagues can know of this remarkable friend of mine and his career.

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

POTENTIAL OF RESEARCH PARK CITED BY RETIRED ARCHITECT (By George Lougee)

Thomas Yancey Milburn, 82, considers the Research Triangle Park one of his happier efforts in a long lifetime of accomplishments.

Milburn was executive director of Durham's Committee of 100 that helped get the park for Durham County. He calls the park "astronomical."

The third generation of architects in his family, Milburn is enjoying his third retirement now. He still bubbles with energy and enthusiasm.

He believes there is no limit to the park's potential.

"It is one of the finest things ever to happen to North Carolina," he says. "It brought three great universities together and it is located in Durham County."

Of his role in the creation of the park, Milburn says, "I found it and placed it in

George Watts Hill's lap and he did the job. With such brilliant men as George Herbert directing the park's development, it had to be successful."

Milburn, who became well known as an architect, federal administrator and active citizen, was delighted when the North Carolina Historical Review devoted a section this summer to his late father, Frank Pierce Milburn, a Kentuckian.

Frank Milburn designed at least 250 major structures in the South, was known as "a creative genius," and in a few years built the largest architectural business south of the Mason-Dixon line.

Born in Bowling Green on Dec. 12, 1868, he was educated in Kentucky and Arkansas. In 1889 he joined his father, T. T. Milburn a contractor, and together they worked as architect and builder of the Clay County Courthouse in Manchester, Ky.

Yancey Milburn recalls that his father's first venture proved to be a formidable undertaking.

"They brought in native oak felled by hand, stored it in sheds and heated it by stoves during the winter. When summer came they dressed and cut the timber and made door and window frames by hand," he said.

Milburn said there was no water, no plumbing and the only heat came from fireplaces.

"They burned coal because there was a pocket of coal in every yard. This was coal country. There were outhouses and wells in the rear of the courthouse. Lighting came from kerosene oil lamps. The building was constructed of brick and the foundation was native stone."

Milburn said county officers were on the first floor of the courthouse. The courtroom and two jury rooms were on the second floor.

"People rode in for court or county business on horses which were tethered to a fence."

In 1890 Frank Milburn opened an office in West Virginia, but within three years moved to Winston-Salem where he was architect for the Forsyth County Courthouse and the Wachovia Bank Building.

About 1896, Milburn was named architect for the Mecklenburg County Courthouse at Charlotte. Also in Charlotte, he was appointed architect for the first steel-framed building erected in North Carolina.

Milburn next remodeled the South Carolina State Capitol and in 1901 published his first book on design. A year later he became architect for the Southern Railway Co. and moved to Washington. In his first 15 years in practice, Milburn designed 19 railroad stations for the Southern and allied railway systems, 15 residences, 26 county courthouses and nine college buildings, including five at the University of North Carolina. In addition he designed offices, churches, banks, schools and jails.

Milburn was a conscientious architect who felt that standards within the architectural profession should be as high as those in medicine and law.

He believed that an architect is more important than a doctor or lawyer since the architect is responsible for the supporting structure, practical planning, sanitary conditions, heating, ventilation, acoustics and the economics, in addition to the politics, in designing a building.

Durham buildings for which he drew plans included the courthouse, the train station, Hope Valley Country Club, the Bennett Memorial Monument, and the N. C. National Bank. He also was architect for the Buncombe County Courthouse in Asheville and the Wayne County Courthouse in Goldsboro.

Among his largest commissions were enlargements of state capitols, notably in Florida and South Carolina.

Frank Milburn put the first jail on top of

a courthouse, at Muskogee, Okla., son Yancey recalls, "and this became a general practice."

Yancey Milburn considers the Buncombe County Courthouse, an 18-story structure with a jail on top, the firm's "best effort."

Thomas Yancey Milburn was born in Staunton, Ky., on April 10, 1891. He attended the public schools of Washington and Phillips Andover in Massachusetts. He studied engineering at UNC and architecture at the University of Pennsylvania.

After graduation he joined his father in the firm of Milburn, Heister & Co., architects and engineers of Washington, D.C.

He came to Durham in 1914 to supervise construction of the First National Bank Building, now N.C. National Bank.

He remained in Durham until World War I began. In 1917, he was commissioned a first lieutenant of engineers and served in France as a member of the American Expeditionary Forces and was promoted to captain.

After World War I, he returned to Durham and his practice of architecture. In 1920 he married Mary Joseph O'Brien, the daughter of William T. O'Brien, vice president of Liggett & Myers Tobacco Co., and Catherine O'Brien.

When his father died in 1926, he was called to Washington as president of Milburn, Heister & Co.

In addition to the NCNB building, the firm designed the First Presbyterian Church, Durham senior and junior high schools, three fire stations, apartments, hospitals and many other buildings in Durham.

In 1935, Milburn became a consultant engineer and was an officer and consultant for firms in Texas, Wisconsin and Massachusetts.

During World War II, he was chairman of the Durham Army Advisory Commission and civilian advisor to the commanding general, Third Army Corps.

In 1950 he retired from active practice and returned to Durham to live.

In 1955, Durham's Committee of 100 was formed and he became executive director. Under his leadership, the Durham Industrial Park developed.

He retired again in 1962, and was given a silver bowl by the Durham Chamber of Commerce.

When Milburn announced his retirement in 1962, praise came from many quarters.

George Watts Hill, who helped guide the development of the Research Triangle Park, said, "For years, you so highly pressured numerous key people that eventually Gov. Luther Hodges assumed statewide leadership and organized the Governors' Research Triangle Committee."

Said then Mayor E. J. Evans, "I'm thoroughly familiar with the skill you have shown (as DIDCO executive director) and the revitalization of our industrial city has greatly benefitted from your knowledge, experience and understanding. The entire state will benefit from your foresight and judgment."

In December 1969, Milburn was given the Rotary Club's Distinguished Service Award. He is its last living charter member.

He recalls with pride that he developed Durham Industrial Development Park "from acreage of small pine into its present potential. Every cent of money invested by citizens has been returned with 6 per cent interest." The park, known as DIDCO, has quarters for several businesses.

Milburn lives with his wife in an apartment in the elaborate old Stag home at 618 Morehead Ave. Today he does "a lot of reading, fishing, corresponding with friends all over the world, attending Rotary meetings, and enjoying our seven grandchildren." The Milburns have one child, a daughter, Mrs. Henry S. Matthews of Augusta, Ga.

AN EXPERIENCED VOICE

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. DAVIS of Wisconsin, Mr. Speaker, Burton K. Wheeler, who served in the U.S. Senate for 24 years, and who still enjoys an active and fruitful retirement in the Washington area, is an experienced, thoughtful, and dedicated student of, and participant in, the public affairs of the 20th Century. In 1924, he was the running mate of Presidential candidate Robert M. LaFollette, Sr. That ticket carried the State of Wisconsin.

In the 1920's, Senator Wheeler was a leader of the Senate's investigation of the Teapot Dome scandal. His broad experience in national affairs, and his well-grounded reputation as a constitutional expert, lend weight to his opinions. In a recent article of his which appeared in the New York Times, Senator Wheeler cited a relevant and historic precedent. I commend it to the thoughtful reading of my colleagues.

A copy of the article from the New York Times, incidentally, was sent to me by Senator Wheeler's daughter, Mrs. Edwin Coleman, who resides in Chenequa, Waukesha County, Wis.

The article follows:

[From the New York Times, Oct. 12, 1973]

THE PRESIDENT'S INTEGRITY

(By Burton K. Wheeler)

WASHINGTON.—In the course of the consideration by the United States Senate in 1937 of President Roosevelt's proposal to increase the number of justices he could appoint to the United States Supreme Court (the Court-packing plan), an incident arose which may shed some light on the present efforts of Congress and the special prosecutor to obtain the tapes of private conversations held by the President in the White House.

I had been requested by a number of Democratic and Republican Senators to spearhead the opposition to the Court-packing bill. The proponents had alleged that the Supreme Court was delinquent in its consideration of cases. These charges of delinquency had to be answered.

Prior to my testimony before the Senate Judiciary Committee I went to see Justice Brandeis. I told him that an authoritative response to the charges being leveled at the Court by the Roosevelt Administration was imperative and that I wanted him and Chief Justice Hughes to testify before the Senate Judiciary Committee. The Justice responded that under no circumstances would he testify or recommend that the Chief Justice testify.

He quickly added, "Not because he would not be an outstanding witness fully capable of responding to any question, but it just would not be the right thing to do. It might establish an unfortunate precedent." Brandeis added, "In lieu of such testimony, ask the Chief Justice to give you a letter which will set the record straight."

Brandeis called Chief Justice Hughes and asked if he would see me on a vitally important matter. I went immediately to the Chief Justice's house. I told him of my conversation with Justice Brandeis and that Brandeis had finally suggested that he write a letter. Chief Justice Hughes said, "Did Brandeis say that?" I reassured him that he had. The Chief Justice then said, "I will see what I can do."

He called me on Sunday evening and suggested that I come to his house. I drove there immediately. He greeted me saying, "Well, the baby is born." He handed me a letter which was a complete answer to all of the charges. I thanked him and started to leave. He asked me to stay. In the course of a rather lengthy discussion he said the proposed legislation would destroy the Court as an institution.

The letter, which I presented during the course of my testimony before the committee was so devastating in effect that Vice President Garner told President Roosevelt that the Court-packing proposal was dead.

The Chief Justice's letter specifically avoided argument on the questions of policy raised by the proposed legislation and thereby avoided a demand that he appear for questioning before the Senate committee. Justice Brandeis and Chief Justice Hughes, in my view, rejected my plea to testify before Congress because they thought it improper for a justice of the Supreme Court to submit himself to questioning by the legislative branch, even though they believed that passage of the pending legislation would destroy the Court.

While I do not remember the precise words said to me by Justice Brandeis, implicit in our conversation was the thought that Congressional questioning of a member of the Supreme Court would be a serious invasion of the independence of the judiciary and would jeopardize the integrity of its decision-making processes.

It appears to me that the request of Congress for the White House tapes may constitute a similar threat to the integrity of the decisional processes of the President. If Congress, other than in an impeachment proceeding, can subpoena the documents revealing the deliberations of the President in the execution of his functions as Chief Executive, it could with equal justification subpoena the records of the justices of the Supreme Court to determine the manner and bases upon which the justices arrived at decisions in controversial cases. In my view also, the special prosecutor is no more entitled to the tapes than is Congress. If he argues that the grand jury, as part of the judicial system, is entitled to the tapes, then he is asserting the right of the judiciary to examine in an area which Brandeis and Hughes thought would be an improper invasion of the separation of powers doctrine, if exercised by Congress.

The Supreme Court, if it holds that Congress, in other than an impeachment proceeding, can obtain the records of Presidential conferences, will set a precedent for Congress to obtain records or other evidence of Court deliberations.

It seems highly unfortunate that a constitutional confrontation of this magnitude should arise over tapes when in all likelihood, they will shed little, if any, light on the Watergate controversy. Pursuit of the tapes may result in a precedent-setting decision by the Supreme Court which will ill serve the future of democracy and our form of government.

INDIANA BONUS FOR VIETNAM VETERANS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, November 27, 1973

Mr. HARTKE. Mr. President, as chairman of the Senate Committee on Veterans' Affairs, I continue to be deeply concerned with the adequacy of our Na-

tion's efforts to assist veterans of the Vietnam war in their readjustment to civilian life. Although the Congress has enacted major improvements in the GI bill, much remains to be done, and the committee which I am privileged to chair will act further on this matter early in 1974.

A number of the individual States have taken steps to aid their young veterans, including the provision of cash bonuses to assist readjustment and recognize in at least a small way the irreplaceable loss of the years spent in uniform during the Vietnam conflict. These funds, for example, can be utilized by veterans attending college to supplement GI bill educational assistance.

My home State of Indiana, for example, provides a \$200 cash bonus to veterans who served in Vietnam; a \$500 bonus to veterans with a service-connected disability rating of at least 10 percent; and a \$600 bonus to the survivors of individuals killed in the service of our country. I commend the people of Indiana for recognizing the unique obligation owed the veterans of this tragic war. I believe my colleagues will be interested in the details of Indiana's Vietnam bonus program, and therefore request unanimous consent that the law and the rules and regulations concerning the bonus be printed in the RECORD.

There being no objection, the law and rules and regulations were ordered to be printed in the RECORD, as follows:

PUBLIC LAW NO. 98

An Act to amend IC 1971, 10-5 by adding a chapter providing for the payment of a bonus to certain members of the armed services who served during the Viet Nam conflict, and making an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

Section 1. IC 1971, 10-5 is amended by adding a new chapter to be numbered 16.1 and to read as follows:

Chapter 16.1 Benefits of Veterans Serving during the Viet Nam Conflict.

Sec. 1. The electorate of this state having approved the payment of a bonus to veterans of prior wars as a means of expressing to such citizens the manifest public gratitude due them, it is the purpose of this chapter to provide for the payment of a bonus to those of her citizens qualified hereunder who served in the Armed Forces of the United States in the Viet Nam conflict on or after July 1, 1958, and prior to cessation of hostilities in Viet Nam.

Sec. 2. As used in this chapter, unless otherwise provided: (a) The term "department" means the department of veterans' affairs of the State of Indiana.

(b) The term "commission" means the veterans' affairs commission of the State of Indiana.

(c) The term "member of the armed forces of the United States" means any person who served on active military or naval service in the land, air, or naval forces of the United States. Service in the merchant marine shall not be considered for the purposes of this chapter.

(d) The term "next of kin" means the widow or widower who has not remarried, children, mother, father, and persons standing in loco parentis of any member of the Armed Forces of the United States.

Sec. 3. Subject to the provisions of sections 4 and 5 of this chapter, a bonus in the amount of two hundred dollars (\$200) shall be paid to every member of the armed forces

of the United States who has been separated or discharged from the armed forces under honorable conditions and who was on active duty with the armed forces in Southeast Asia either:

- (1) for any period between July 1, 1958 and July 3, 1965, or
- (2) for any period between July 4, 1965 and a future date to be announced by the United States Government.

Provided, that if an individual has a Veterans Administration rating; Department of Defense disability retirement benefits; or appropriate branch of the military service disability rating of ten (10%) per cent or more, and meets all other requirements of this section, the bonus shall be five hundred dollars (\$500.00).

Provided further, that if an individual killed while serving in the United States Armed Forces would otherwise have qualified for the bonus provided by this section, a bonus of six hundred dollars (\$600) shall be paid to the next of kin of said individual, in the order indicated in Section 2(d) of this chapter.

Provided, further, that if an individual has a claim against the Veterans' Administration or appropriate branch of the armed forces for a service-connected disability rate and such rating has not been determined to be ten percent (10%) or more, or such previous ruling is under appeal, the individual may file his application and request that payment hereunder be deferred until such time as a final decision has been rendered by the Veterans' Administration or appropriate branch of the Armed forces, so that he may qualify for the higher bonus under this section.

Sec. 4. A bonus shall be allowed only if the Viet Nam veteran:

- (a) had been a resident of the State of Indiana for at least six (6) months immediately prior to his enlistment, induction or call to active duty;
- (b) spent at least ninety (90) days minimum duty, unless duty was terminated for medical reasons determined to be service-connected by either the military or the Veterans Administration;
- (c) has served during the period of eligibility as evidenced by separation papers or discharge from the United States Armed Forces; and
- (d) was entitled to either the Armed Forces Expeditionary Medal or the Viet Nam Service Medal.

Sec. 5. No payment shall be made to any member of the Armed Forces of the United States who did only civilian work at civilian pay or who has received from another state a bonus or compensation of a like nature as is provided by this chapter.

Sec. 6. The Department shall administer the provisions of this chapter and shall:

- (1) receive and review all applications for compensation;
- (2) allow or reject all claims for bonuses;
- (3) hire all personnel required for administration;
- (4) promulgate all rules and regulations needed for the effective administration of this chapter; and
- (5) report annually to the governor and the General Assembly.

Sec. 7. All claims for compensation shall be filed with the Department by the member of the armed forces of the United States, or, if he is deceased, by his next of kin, in the order indicated in Section 2(d) of this chapter.

Sec. 8. The Department shall allow or reject, either in whole or in part, all claims filed under this chapter.

Sec. 9. Written notice of any rejection of a claim, either in whole or in part, shall be served on the claimant either personally or by registered mail addressed to the last known address of claimant and deposited in the United States mails. Any claimant whose

claim is so rejected may apply for a review of the determination by the Veterans' Affairs Commission at any time within four (4) months after the service of the notice of rejection. If such application is timely made the determination shall be reviewed by a reviewing officer appointed by the commission or the commission itself.

Sec. 10. After an application is filed and processed by the Department on forms prescribed by the auditor of state and the state board of accounts, it shall be forwarded to the auditor of state for payment. A duplicate copy shall be retained by the commission and a third copy shall be forwarded to the applicant to serve as a record that his application has been accepted and processed.

Sec. 11. In case any compensation is payable under this chapter to a person under eighteen (18) years of age or a mental incompetent, the compensation shall be paid to the person who is legally constituted his guardian, provided, however, if there is no such guardian, payment shall be made to the chief administrative officer of any state or federal hospital or institution in which such person under eighteen (18) years of age or an incompetent is placed where such officer is authorized to accept moneys for the benefit of the person under eighteen (18) years of age or an incompetent.

Sec. 12. Whoever makes any false or fraudulent statement of a material fact in any application, certificate or document made under the provisions of this chapter or of any regulation made by the commission shall be guilty of a felony and upon conviction thereof shall be fined not more than one thousand dollars (\$1,000) or imprisoned for any determinate term of not more than two (2) years, or both, at the discretion of the court.

Sec. 13. Any person who charges or collects or attempts to charge or collect, either directly or indirectly, any fee or other compensation for assisting in any manner a Viet Nam veteran or next of kin in obtaining any of the benefits to which they may be entitled under the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars (\$500) or imprisoned for a term of not more than six (6) months, or both, at the discretion of the court.

Sec. 14. All applications for a bonus under this chapter shall be made to the Department of Veterans Affairs on or before the three-year (3) period following the cessation of hostilities in Southeast Asia or Viet Nam as declared by the President of the United States or the United States Congress, and no payments shall be made except upon applications received by the Department of Veterans Affairs on or before that date.

Section 2. All funds needed for the effective administration of this chapter are hereby appropriated from those funds not otherwise appropriated from the general fund to the Department of Veterans' Affairs.

Section 3. If any provision of this chapter, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

STATE OF INDIANA—DEPARTMENT OF VETERANS' AFFAIRS

GENERAL RULES AND REGULATIONS GOVERNING PAYMENT OF THE "VIET NAM VETERANS BONUS" P.L. 98 ACTS OF 1973

The following general rules have been adopted by the Indiana Department of Veterans' Affairs Commission, to determine the eligibility of the applicants for the benefit of:

"An Act to amend IC 1971, 10-5, by adding

a chapter providing for the payment of a bonus to certain members of the armed services who served during the Viet Nam Conflict and making an appropriation."

The electorate of this state having approved the payment of a bonus to veterans of prior wars as a means of expressing to such citizens the manifest public gratitude due them, it is the purpose of this chapter to provide for the payment of a bonus to those of her citizens qualified hereunder who served in the Armed Forces of the United States in the Viet Nam Conflict on or after July 1, 1958, and prior to the cessation of hostilities in Viet Nam.

The Indiana Department of Veterans' Affairs therefore has these responsibilities:

- (1) Shall administer the provisions of this Public Law.
- (2) Receive and review all applications for compensation.
- (3) Allow or reject all claims for bonuses.
- (4) Hire all personnel required for administration.
- (5) Report annually to the Governor and the General Assembly.
- (6) Promulgate all rules and regulations needed for effective administration of this Public Law. To this end, the following rules, regulations, terms, and definitions are hereby published as approved by the Commission, Department of Veterans' Affairs, for the administration of this Public Law.

1. "Member of the Armed Forces of the United States"

A. The term "member of the armed forces of the United States" means any person who served on active military or naval service in the land, air or naval forces of the United States.

B. Service in the merchant marine shall not be considered for the purpose of this chapter.

C. No payment shall be made to any member of the Armed Forces of the United States who did only civilian work at civilian pay.

D. Service in the United States Public Health Service when assigned to units of the Armed Forces and qualified under all other provisions of this law, may be considered for payment of the bonus in the amount they would qualify for upon determination by the Commission, Department of Veterans' Affairs, only...

E. Service in the U.S. Coast & Geodetic Survey, when assigned to units of the Armed Forces, and qualified under all other provisions of this law, may be considered for payment of the bonus in the amount they would qualify for upon determination by the Commission, Department of Veterans' Affairs, only...

F. The definition "Member of the Armed Forces of the United States," whether in dispute or as a matter of information shall be referred to Section 101, Title 38, United States Code, as official and binding determinations, in all matters of claims before the Bonus Division, Indiana Department of Veterans' Affairs.

2. "Residency, State of Indiana"

A. Had been a resident of the State of Indiana for at least six (6) months immediately prior to enlistment, induction, or call to active duty.

B. Providing the applicant's separation or discharge records does not reflect "INDIANA" as their "Home of Record," it will be necessary to furnish the Department, three (3) separate and distinct affidavits, properly notarized, from residents of the State of Indiana that attest to the claimants actual residence in the State of Indiana at least six (6) months prior to enlistment, induction, or call to active duty.

C. Absence from the State on business or pleasure, in federal employment or service, or for reasons of education or health, is not of itself inconsistent with residence in the State if, in fact such absence is temporary

and was, or is intended to be, substantially limited to the occasion thereof. Residence of a married person is generally considered to be at the place where his spouse and children reside. Residence in Indiana cannot be gained by living temporarily in the State without evidence of intention to stay in Indiana permanently. The burden of proof rests upon the applicant.

3. "Eligibility and Applications"

A. All claims for compensation shall be filed with the Department by the member of the armed forces of the United States, or, if he (she) is deceased, by his (her) next-of-kin, in the order indicated in Section 2(d) of this Public Law.

B. Spent at least 90 (ninety) days minimum duty, unless duty was terminated for medical reasons determined to be service-connected by either the military or the Veterans Administration.

C. Has served during the period of eligibility as evidenced by separation papers or discharge from the United States Armed Forces, or proper correction thereto.

D. Earned the Armed Forces Expeditionary Medal for service in Southeast Asia for the period of July 1, 1958 through July 3, 1965, as evidenced by the separation or discharge papers, or a correction thereto.

E. For any period of service in Viet Nam between July 4, 1965, and a future date to be announced by the United States Government, as the official date for cessation of hostilities, and earned the "Viet Nam Service Medal," as evidenced by separation papers or discharge, or a correction thereto.

F. All applications for a bonus under this Public Law shall be made to the Department of Veterans Affairs on or before a three-year (3) period following the cessation of hostilities as declared by the President of the United States or the United States Congress, and no payment shall be made except upon applications furnished and received by the Department of Veterans Affairs on or before that date.

G. When the date has been officially set for termination of hostilities as referred to in the preceding paragraph (Rule 3, F), the Indiana General Assembly with the Governor concurring, may wish to amend this Public Law to advise all concerned the official ending date for applications to be received for payment of the Bonus, however, official note from the United States Government will suffice to determine the official ending date of hostilities in Southeast Asia or Viet Nam, following which the three-year (3) period will commence, as referred to in Section 14, of this Public Law.

4. "Honorable Separation or Service"

A. A bonus payment shall be allowed to every member of the Armed Forces of the United States who has been separated or discharged from the armed forces under "honorable" conditions and who was on active duty with the armed forces in Southeast Asia, according to Rule #3, of these rules.

B. The term "Honorable," also includes the term "Under Honorable Conditions" as used by the various branches of the armed forces.

C. If an applicant received an "Honorable" or "Under Honorable Conditions" separation or discharge for service as set forth in Rule #3, these Rules, and is otherwise eligible for a bonus payment, he may receive the bonus payment even though he subsequently reentered the armed forces and later received a separation or discharge of a "dishonorable" or less than "honorable" condition.

5. "Continuous Service"

A. All applicants who have continued service in the armed forces and who would otherwise qualify for a bonus payment, must have a certification signed by his (her) Commanding Officer (or designated person with their unit) as prescribed on the application form provided by the Department of Veterans Affairs. The certificate states that the appli-

cant has continued on honorable and faithful service and that the applicant was entitled to the awarding of the medals as described in Rule #3, of these Rules.

6. "Amounts of Bonus Payment"

A. All persons eligible to the preceding rules will be entitled to a bonus payment of \$200.00.

B. All persons eligible in the proceeding Rule #7 shall be entitled to a bonus payment of \$500.00.

C. All persons eligible in Rule #9, shall receive a bonus payment of \$600.00.

7. "Disability as Result of Service in the Armed Forces"

A. The applicant must have been eligible under all other provisions of this Public Law, and met the following conditions for a bonus payment of \$500.00.

(1) Provided that the applicant has a veterans Administration Rating Department of Defense disability retirement benefits; or appropriate branch of the military service disability rating of ten (10) per cent or more.

(2) Provided further, that if an applicant has a claim against the Veterans Administration or appropriate branch of the Armed Forces for a service-connected disability and the claim has not been adjudicated by either of those agencies for determination of per centum of disability or a previous finding of less than ten per centum (10%) is under appeal, the individual claimant may request that payment of his or her bonus be delayed until a final determination has been rendered by the appropriate agency, in order that they may qualify for the higher payment, under these disability provisions.

(3) An award of a disability rating of 10% or more by the appropriate agency during the periods of eligibility as set forth in other provisions of the Public Law and these Rules, even though reduced at a later date by the agency administering the rating shall qualify the claimant for the disability-payment by providing the IDVA Bonus Division with documentation that such rating did exist and was incurred during the eligibility period set forth.

(4) The applicant must provide documentation as to the disability rating from the source under which he claims such disability.

(5) In cases of doubt as to the authenticity of such documentation, the Department of Veterans Affairs will request verification from such source prior to authorizing any bonus payments.

B. Provided further, that if a veteran (or claimant) timely filed an application for the bonus and was paid the minimum of \$200.00, and later during the remaining period of entitlement to file for the bonus, establishes a service-connected disability of the ten (10) per cent or more and meets all other requirements, shall be eligible for an additional payment of \$300.00, for a maximum amount of \$500.00 as allowed under the provisions of the law and the Rules and Regulations. It is further stipulated that this additional payment will only be allowed for those persons who incurred the service-connected disability prior to the official date for cessation of hostilities as announced by the U.S. Government.

8. "Beneficiary payments."

A. Payment of the bonus under Rule 6(A) and Rule 7, these Rules will be made to the Next-of-Kin, in order named in Section 2(d), of this Public Law, of any deceased person that would be entitled to the bonus under other provisions of this Public Law, if living.

B. Beneficiary payments will be made upon proper application forms provided by the Department of Veterans Affairs, and with such documentation as provided for under other provisions of these General Rules.

9. "Service Connected Deaths"

A. Provided further, that if an individual

killed while serving in the United States Armed Forces would otherwise have qualified for the bonus provided by this Public Law, a bonus of six hundred dollars (\$600.00) shall be paid to the next of kin of said individual, in the order indicated in Section 2(d) of this Public Law.

B. For the purpose of this Public Law, a bonus shall be paid to the next-of-kin as determined under Section 2(d) if the veteran qualified under all provisions of these Rules and of this Public Law, and died while serving with the Armed Forces of the United States, and was determined to be service-connected, by either the appropriate branch of the military or the Veterans Administration.

C. The provisions of this Public Law and these Rules are extended to those persons who were wounded in Viet Nam and subsequently died as a result of such wounds or injuries and were determined to be service-connected by the appropriate branch of the military or the Veterans Administration. Documentation will be required to the effect that the injury was either the principal or contributory cause of death.

D. Death payments in the amount of \$600.00 will not be allowed when the cause of death was held to be "of willful misconduct" on the part of the serviceman, but will not be a bar to other payments allowed under other provisions of this Public Law, and these Rules, upon proper application and documentation by the next-of-kin as heretofore or hereafter stipulated.

10. "Next-of-kin Applications and Proof of Death"

A. All beneficiary payments will be made in the following order, and none other:

- (1) Widow, not remarried
- (2) Widower, not remarried
- (3) Children (See Item 2(d) below)
- (4) Mother
- (5) Father
- (6) Persons standing in loco parentis (of any member of the Armed Forces of the United States)

B. The beneficiary making application for payment of the bonus shall furnish the following proof:

(1) Husband and wife making application must prove:

- a. Death of person rendering military service. (Photostatic copy or certified copy of official notification of death shall be attached.)
- b. Marriage of the parties, and that such marriage existed at the time of death of persons through whom claim is made.

(2) Child or children making application must prove:

- a. Death of person rendering military service. (Photostatic copy or certified copy of official notification of death shall be attached.)
- b. Marriage of deceased and other parent of child or children.

c. That surviving spouse is dead, or was divorced.

d. Child or children, Definition of: The term child or children shall include all legitimate children and legally adopted children. (Photostatic copies of birth records and/or adoption records must be furnished.)

(3) Mother, father, making application must prove:

- a. Death of person rendering military service. (Photostatic copy or certified copy of official notification of death should be attached.)
- b. That such person was unmarried, or if married that spouse of such person is dead or was divorced. (Certified photostatic copy of death certificate or divorce decree shall be furnished.)

c. That if such person is married there were no children, or if there were children, all are deceased. (Photostatic copy of death certificate shall be furnished.)

d. If father is applicant that mother is deceased. (Photostatic copy of death certificate shall be furnished.)

e. That the deceased upon whose military service claim is made was the son or daughter of the claimant. (Photostatic copy of birth certificate shall be furnished.)

(4) Person standing in loco parentis must prove:

a. That he or she stood in relation of parent toward the person rendering military service and comply with the Rules 3(a) through 3(e), above section, mother, father, and etc.

11. "Assignment of Right to Bonus Payments"

A. No rights or claims to compensation under this Public Law shall be assigned and no payment shall be made to any person other than the approved applicant as determined by the Department of Veterans' Affairs.

12. "Bonus Payments (Indiana)"

A. Applications having been found to meet the requirements of eligibility payment will be made in the amounts indicated by these Rules and the Public Law.

13. "Bonus Payments from Other States"

A. No payment will be made to persons who have received from another State, a bonus or compensation of a like nature as is provided in this Public Law.

B. Requests on other States will be made in cases of doubt as determined by the Bonus Division, Department of Veterans' Affairs.

14. "Mentally Incompetent"

A. In case any compensation is payable under this Public Law to a mental incompetent, the compensation shall be paid to the person who is legally constituted his guardian, provided, however, if there is no such guardian, payment shall be made to the chief administrative officer of any State or Federal Hospital or institution in which such person (an incompetent) is placed where such officer is authorized to accept monies for the benefit of the incompetent.

B. Definition of a mentally incompetent person for the purposes of this Public Law is as follows:

(1) "A Mentally incompetent person, is a person found to be incompetent by a court of competent jurisdiction of any State or the District of Columbia, or by a proper official of the Veterans' Administration."

(2) Also, a person who voluntarily commits themselves for treatment in an institution for mentally incompetents shall cause their compensation under this Public Law to be placed with an officer of such institution for their (the veteran's) benefit.

15. "Applicants Under Age 18"

A. In case any compensation is payable under this Public Law, to a person under eighteen (18) years of age, the compensation shall be paid to the person who is legally constituted his or her guardian, provided, however, if there is no such guardian, payment shall be made to the chief administrative officer of any State or Federal Hospital or Institution in which such person under eighteen (18) years of age is placed where such officer is authorized to accept monies for the benefit of the person under eighteen (18) years of age.

B. If the person under eighteen (18) years of age is adjudged as a mental incompetent, the provisions contained in Rule 14, these General Rules and the Public Law itself, shall govern.

C. The total amount of the award by reason of the deceased veterans service will be divided by the number of children living at the time of the mailing of the order-to-pay or state warrant and each child will receive its proportionate share thereof.

16. "Rejection of the Bonus Claims"

A. The Department of Veterans' Affairs shall allow or reject, either in whole or in part, all claims filed under the provisions of this Public Law.

B. Written notice of any rejection of a

claim, either in whole or in part, shall be served on the claimant either personally or by certified mail addressed to the last known address of claimant and deposited in the United States mails.

17. "Appeal of Rejected Bonus Claims"

A. Any claimant whose claim is so rejected may apply for a review of the determination by the following procedures:

(1) Provide a written request for a review within four (4) months after the serving of the notice of rejection.

(2) If such written request for a review is timely made, the determination shall be reviewed by a reviewing officer appointed by the Commission itself.

(3) Advice from claimants that they have no further evidence to support a further consideration or review of their claim shall be cause to make permanent their rejection of a claim by the Department of Veterans' Affairs.

18. "Boards"

A. For the purposes of review and appeals, two (2) Boards are hereby created by these Rules and Regulations:

(1) All written requests by claimants for review of their rejected claim, shall be heard or reviewed by the Director, Department of Veterans' Affairs, or from time to time, such person or persons as may be appointed by the Director as disinterested parties to any claims under this Public Law, may review or publicly hear from claimants as to why their claims should be allowed.

Any or all claims reviewed by the Director, and rejected further, shall automatically be forwarded to the Appeal Board as herein-after described, and notice shall be given to the claimant or claimants as to action taken.

B. The Commission, Department of Veterans' Affairs shall constitute an "APPEAL BOARD," with three (3) of the four (4) person Commission constituting a quorum.

(1) The Commission shall consider all rejections given it by the provision of Rule 18(A) (1), heretofore described.

(2) The Commission shall determine, on appeal those instances where disagreement has arisen on the selection of beneficiary or the distribution of beneficiary funds, as hereto provided by this Public Law or these Rules and Regulations.

(3) Decisions of the Commission are final, and no further hearings will be held unless new and material evidence is presented in writing by the claimants.

19. "False or Fraudulent Statements of Material Fact"

A. Whoever makes any false or fraudulent statement of a material fact in any application, certificate or document made under the provisions of this Public Law or of any Rules and Regulations made by the Commission, Department of Veterans' Affairs, shall be guilty of a felony and upon conviction thereof be fined not more than one thousand dollars (\$1,000) or imprisoned for any determinate term of not more than two (2) years or both, at the discretion of the court.

B. The personnel of the Bonus Division, Department of Veterans' Affairs, shall advise the Director, Department of Veterans' Affairs, of any actual or attempted fraud or furnishing of false statements in connection with any claims filed with the Department. The Director, upon investigation, shall report the findings to the proper Indiana State officials for further investigation and/or prosecution.

20. "Unlawful to Charge Fees for Assisting in Filing Claims"

A. Any person who charges or collects or attempts to charge or collect, either directly or indirectly, any fee or other compensation for assisting in any manner a Vietnam veteran or next of kin in obtaining any of the benefits to which they may be entitled under the provisions of this Public Law, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred (\$500) or

imprisoned for a term of not more than six (6) months, or both, at the discretion of the court.

21. "Validity of Separate or All Provisions"

A. If any provision of this Public Law, or of these Rules and Regulations, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Public Law or these Rules and Regulations which can be given effect without the invalid provision or application, and to this end the provisions of this Public Law and Rules and Regulations thereto, are declared severable.

PROPOSED AMENDMENT TO H.R. 11010

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. REUSS. Mr. Speaker, H.R. 11010, the Comprehensive Manpower Act of 1973, will be before the House tomorrow. Mr. Hawkins and I intend to offer the following amendment to change the public service employment assistance trigger from 7 percent unemployment to 6 percent:

Page 87, line 16, strike out "7" and insert in lieu thereof "6".

The Labor Department defines 150 major labor market areas. Of these major areas, 37 now have unemployment of 6 percent or more. By setting the public service employment trigger at 7 percent rather than at 6 percent, 14 of these hard-hit major areas would receive no assistance. A list of the major labor market areas with 6 percent or more unemployment follows, with asterisks indicating those areas with more than 6 but less than 7 percent unemployment:

U.S. CITIES WITH UNEMPLOYMENT RATE OF 6 PERCENT AND HIGHER—JULY, 1973

City	Unemployment rate
Stockton, Calif.*	6.8
Bridgeport, Conn.	8.2
New Britain, Conn.	7.0
New Haven, Conn.*	6.0
Waterbury, Conn.	7.1
Baton Rouge, La.*	6.5
New Orleans, La.*	6.5
Boston, Mass.*	6.8
Brockton, Mass.	10.7
Fall River, Mass.	9.5
Lawrence-Haverhill, Mass.	10.2
Lowell, Mass.	11.7
New Bedford, Mass.	9.8
Springfield-Chicopee-Holyoke, Mass.	7.9
Worcester, Mass.*	6.7
Battle Creek, Mich.*	6.3
Detroit, Mich.	8.0
Flint, Mich.	7.3
Grand Rapids, Mich.*	6.6
Muskegon-Muskegon, Mich.	9.5
Duluth-Superior, Minn.*	6.0
Atlantic City, N.J.*	6.1
Jersey City, N.J.	9.5
Newark, N.J.	7.0
New Brunswick-Perth Amboy, N.J.	7.5
Paterson-Clifton-Passaic, N.J.	7.4
Nassau-Suffolk, N.Y.*	6.8
Utica-Rome, N.Y.*	6.0
Mayaguez, Puerto Rico	8.3
Ponce, Puerto Rico	20.0
San Juan, Puerto Rico	7.7
Providence-Warwick-Pawtucket, R.I.*	6.8
Seattle, Wash.	7.7
Spokane, Wash.*	6.5
Tacoma, Wash.	8.5
Huntington-Ashland, W. Va.	7.9
Kenosha, Wis.	7.3

GOVERNOR ROCKEFELLER'S TOUGH NEW ANTIDRUG LAW IS WORK- ING

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. KEMP. Mr. Speaker, the Nation's Governors have grappled for years with devising tough antidrug laws which would halt effectively the sale of illegal drugs.

Governor Rockefeller of New York—through the long and laborious process of initial formulation, the hammering out of intricate details, the overcoming of potential court challenges, and the enactment of its provisions by the legislature—stuck to his firm commitment to the people of New York to help make our State a better place in which to live and provide the leadership in enacting a stringent antidrug law. Some criticized the measure; others said it would not work.

Now in its third month of enforcement, it is apparent that the new law is working, and there is a growing recognition across the Nation that the Rockefeller law—attacking the problem at the level of the sale of illicit drugs—may be a model on which other States can pattern similar statutes.

At this point in the RECORD, I wish to insert, for the benefit of all my colleagues and their respective Governors, excerpts from a recent editorial, noting the success of this measure and commending the Governor:

[From the Houston Post, Nov. 17, 1973]

NEW YORK ANTIDRUG LAW A SUCCESS

Gov. Nelson Rockefeller's stringent anti-drug legislation in New York, now in its third month, shows significant signs of success despite complaints from some law enforcement officers. . . .

Under the new law, with life sentences mandatory for dealers in some instances and with users of hard drugs facing penalties almost as harsh, narcotics arrests dropped dramatically in New York in September—down 75 per cent from the average month of last year. The question immediately arose as to whether the traffic was merely being pushed further underground or whether it was actually being curtailed. By the end of October, it appeared that the law brought about both results to limited extents. . . .

Whatever the case, the law has made drugs harder to get. The pushers, operating more covertly, are harder to find and prices are up. Street corners and parks are no longer safe places for dealers to do business. They have been forced indoors, where only their old customers know where to look for them. Prices rose proportionately with the risk and the more elaborate subterfuge required to avoid arrest. Even if there is a return to business as usual between the sellers and their established customers, the law at least is making it more difficult for the dealers to create new addicts, especially among the young. That in itself makes the law worthwhile.

The true test, however, will come in the courts. The rise in arrests in October, after the September drop, gives New York's new judges, especially chosen to deal with narcotics cases, a chance to show that the law has teeth. When some life sentences for sale of heroin and other hard drugs are meted

out and the word gets around, the traffic could be forced so far underground that too few buyers would be available to make it profitable.

What happens in New York is important to the fight against the illicit drug traffic over the rest of the nation. Attempts to eliminate foreign sources of narcotics with cash and diplomacy had little effect on stemming the flow. Smuggling across our borders continues with great success.

The Governor, those who helped him through the legislative battles, those in the legislature who supported it, those now charged with the responsibility of its enforcement, and those members of the bar and bench committed to the realization of its goals are all to be commended.

CAPT. WICK R. HARLAN, JR., RECEIVES AWARD

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. CARTER. Mr. Speaker, whenever a Kentuckian distinguishes himself in the armed services of the United States, I feel it my duty to bring it to the attention of the House.

Capt. Wick R. Harlan, Jr., commanded the U.S.S. *Vulcan* (AR-5) from June 18, 1971 to June 27, 1973. During each of these 2 years, his ship was awarded the Navy "E" for excellence. Never before in the 32-year-old life of the vessel had this high award been bestowed upon it. This resulted from the leadership and command ability of Captain Harlan.

I include for the RECORD a copy of the citation by the President of the United States awarding the Meritorious Service Medal to Capt. Wick R. Harlan, Jr., of Tompkinsville, Ky.

The citation follows:

CITATION FOR CAPT. WICK R. HARLAN, JR.

The President of the United States takes pleasure in presenting the Meritorious Service Medal to Captain Wick R. Harlan, Jr., United States Navy, for services set forth in the following proposed Citation:

For outstanding meritorious service as Commanding Officer, U.S.S. *Vulcan* (AR-5) during the period 18 June 1971 to 27 July 1973. A superb and dynamic leader, Captain HARLAN was responsible for and directly supervised the planning and accomplishment of emergency and routine ship modification and maintenance to more than one hundred fifty ships of the Atlantic Fleet. The effectiveness and dispatch with which these important—often critical—tasks were completed distinguished Captain HARLAN and his ship by establishing new high standards of excellence in fleet maintenance and repair service, unique in the thirty-one year history of the Service Force, Atlantic Fleet. Additionally, he developed and implemented a bold and imaginative plan for operation of FMAG *Vulcan* that maximized productive work and effectiveness—and cost effectiveness—by taking maximum advantage of the existing ship's administrative and management structure. These splendid accomplishments, complemented by his maintenance of his own ship as a superlative first line unit, materially enhanced the readiness of the Atlantic Fleet. His untiring efforts to carry out the duties

of his demanding tasks with unfailing good judgment, effectiveness, and total devotion to duty were in keeping with the highest traditions of the United States Naval Service. For the President.

THE PROBLEM OF THE IMPERIAL RUSSIAN GOVERNMENT DOLLAR BOND DEBT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. WOLFF. Mr. Speaker, I would like to bring to the attention of my colleagues the problem of the Imperial Russian Government dollar bond debt. Recovering this debt poses a serious situation which should be resolved. I would like to insert in the RECORD the following statements about this problem:

STATEMENTS

"The czarist bonds, however, remain an outstanding issue between the U.S. and Soviet Governments. We have raised this problem with the Soviet authorities on a number of occasions, but, I regret to say, have not been successful in securing a resolution. . . . We intend to bring up the matter again as circumstances permit."—Steven Lazarus, Deputy Assistant Secretary and Director, Bureau of East-West Trade, in his Feb. 12, 1973 letter to Hon. HERMAN E. TALMADGE.

"In negotiating the lend lease settlement, we were reluctant to imperil our chances of successfully completing negotiations on claims acknowledged by the Soviets by introducing private claims they do not acknowledge.

The question of whether there are further measures which this government might take that would induce the Soviet Union to consider these private bond claims more seriously than it has in the past is currently under consideration. You may be sure the U. S. Government has no intention of abandoning claims which are valid under international law."—Deputy Under Secretary of the Treasury Jack F. Bennett, letter of March 1, 1973.

"Officials of the State Department report that the Government of the United States is of the view that the dollar bonds bearing 5½% and 6½% interest respectively, issued in 1916 by the Imperial Russian Government, which were floated in the United States by a bankers syndicate, constitute valid obligations of the USSR under international law. The Soviet Government in 1918 repudiated these and other financial obligations incurred by its predecessor governments, and has refused to recognize claims for compensation by United States nationals owning these dollar bonds. The State Department cannot predict when and in what manner such claims against the Soviet Union will be settled. They have assured my office that the Government of the United States is concerned about such matters and will endeavor to obtain an appropriate settlement of all valid claims of United States nationals at the appropriate time."—Senator WILLIAM B. SAXBE, State of Ohio, letter of October 2, 1973.

"The question of whether there are further measures which this government might take that would induce the Soviet Union to consider these private bond claims more seriously than it has done in the past is currently under consideration. You may be sure the U.S. Government has no intention of abandoning claims which are valid under international law."—George P. Shultz, Secretary of the Treasury, letter of February 16, 1973 to Hon. BARBER B. CONABLE, JR.

"... I would like to take this opportunity to assure you that the United States does not recognize the Soviet right to repudiate international obligations assumed by a predecessor government, any more than we recognize the exemption of any government which has nationalized American property from its obligation under international law to pay just compensation. We have not taken, nor do we contemplate taking, any action which might be construed as a waiver of these principles, which are fundamental to the conduct of our foreign relations."—Marshall Wright, Acting Assistant Secretary for Congressional Relations, letter of February 15, 1973 to Hon. THOMAS E. MORGAN.

SKYLAB 3, THE VIEW FROM SPACE

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. FUQUA. Mr. Speaker, man's adventure in space is not ending, it is just beginning.

Despite a lag in interest today, I firmly believe that we are at the point in space exploration where the Wright Brothers were in their development of the airplane. When Skylab 3 was rocketed into space, the Nation no longer reacted with excitement.

What seemed an improbable dream, in the words of John F. Kennedy, had become an accepted fact. There will come another time when America will develop a new dedication to space exploration.

The Washington Star-News of November 17, 1973, printed an editorial entitled "The View from Space." It is well worth reading, and I would like to have it reprinted here.

The article follows:

THE VIEW FROM SPACE

This latter chapter of the real-life space-men serial gives us, more than ever, a feeling that the old science fiction and Buck Rogers comics have come true in a very solid and settled way. The three voyagers—Carr, Gibson and Pogue—will be out there at Christmastime, and maybe three months in all, spying on a comet the likes of which none of us has ever seen, scanning the earth and heavens for answers to a thousand questions. And the amazing thing, when we think of it, is that people no longer react with any great wonderment at anyone's taking up residence in space for weeks on end.

The takeoff, though, still has the power to transfuse us. This last Skylab mission get-away on Friday morning, blessed with bright weather, somehow seemed faster and fierier than the ordinary, and more relieving in its perfection. Some apprehension had been felt because of the rather decrepit condition of the rocket, revealed just a few days earlier—the necessity to replace cracked portions. In fact this was symbolic of the whole space program's declining condition, as the Skylab program nears an end. No more Americans are scheduled for launching until mid-1975, when a joint U.S.-Soviet orbiting expedition will, if all goes well, something to applaud.

Watching the Skylab 3 team's ascent, a great many people no doubt had sober thoughts related to the energy crisis. How many miles could your average compact car travel on the fuel expended by that Saturn blowtorch? The real consequences, we ex-

pect, will be just the opposite of those suggested by such a question. Skylab's most appealing function is to map the earth's depleting natural resources, thereby indicating how to make the best uses of them. The last mission demonstrated incredible efficiency in this, which the Skylab 3 crew may well expand upon as it strives for a new record of time spent in space.

For the present, though, interest centers on the approaching comet Kohutek, whose fiery tail may span one-sixth or more of the night sky before year's end. By a stroke of fortunate coincidence, the astronauts will be giving us all an up-front seat for the celestial show of the century. And that alone may be worth the cost of the trip.

THOMAS HAYMAN

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. COLLINS of Texas. Mr. Speaker, this past week in Dallas, we had a special presentation by the Conference of Christians and Jews honoring Tom Hayman. Tom has long been recognized as one of our greatest Southern Baptists. Among the business community he has gained Distinction as one of America's great contractors.

Today, more than anytime in history, we need to have all faiths unite and work together in our domestic and our foreign relations. As a fellow Church member in the Park Cities Baptist Church, I will add an Amen to every nice commendation that was made during the evening of recognizing Tom.

The senior salute to Tom Hayman came from Dr. Luther Holcomb who is Vice Chairman of the Equal Opportunities Commission and came down from Washington for the occasion. Dr. Holcomb, as a Texan has done more in leading the way for better race relations in the South than any man. Dr. Holcomb is widely respected for his successful stimulation of the business and civic community toward closer religious and races associations.

You will be interested in the remarks of Dr. Luther Holcomb during the Salute by the Conference of Christians and Jews to Tom Hayman.

The remarks follow:

TRIBUTE TO THOMAS HAYMAN

The award that Tom is receiving tonight is a well-deserved tribute to a remarkable individual. The brief time we spend tonight presenting this award to him represents over a quarter of a century of his hard work, integrity, and honesty.

He is a leader, a builder, a creative man of rare insights and clear reasoning.

He is known among his peers in the construction industry... the architectural community... for his skilled workmanship and dedication to excellence. But all of Dallas also characterizes him as an able civic leader, a devoted churchman, a solid citizen, and a superb human being. A magnificently, simple and approachable man; his life fulfills the answer to the Biblical question: Micah 6:9

"... What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God."

Allow me to read the citation—

For his lifetime devotion to the ideal of the Brotherhood of Man under the Fatherhood of God, and devoted service to his own Baptist Church and its institutions;

For leadership in educational, cultural and civic affairs that benefit his fellow man, and will benefit generations yet unborn;

For leadership in his own profession and the maintenance of high standards of competence in his own company, reflecting credit to the entire Construction Industry;

For these reasons, and many more, we make the awarding of this Brotherhood Citation of the Construction Industry Committee, Dallas Chapter, National Conference of Christians and Jews, a matter of grateful public record at the Committee's fourteenth annual dinner in Dallas, Texas on the twelfth day of November, 1973—Congratulations Tom.

EL CENTRO LEGAL

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. ROYBAL. Mr. Speaker, I would like to take this opportunity to speak about an important undertaking inspired and developed by a handful of dedicated students. Over a year ago some 18 Spanish-speaking students from the Antioch School of Law worked together to build a legal services program for the 50,000 Latino residents living in the Adams-Morgan and Mount Pleasant communities of the District of Columbia. They envisioned a center whose goals would be to reverse the serious lack of legal aid for District of Columbia Latino residents, most of them unable to find adequate legal representation and assistance. Despite financial and institutional obstacles, they have achieved their dream.

I had the honor of meeting these student lawyers and joining them at a reception held recently in the Cannon Caucus Room to announce the opening of El Centro legal, the legal for their legal services effort. I am deeply impressed by this endeavor and the importance it holds for legal education. El Centro Legal forms an essential part of the Antioch School of Laws aim to link the educational process with community service, an approach that I believe is essential to making our institutions responsive to local community needs and demands. This "clinical" approach also benefits the student who can test the knowledge he has gained in the classroom—and arrive at a deeper understanding of community problems.

The founders of El Centro Legal firmly believe that their program will accomplish these goals and provide competent legal services to residents who cannot afford to be properly represented. These residents many of them newly arrived immigrants, face serious problems of adjustment, language difficulties and substantial unfamiliarity with U.S. laws. El Centro Legal will offer free assistance to Spanish-speaking clients in various areas, including immigration, landlord-tenant relations, employment discrimi-

nation, consumer law, family law, and traffic court. The program will also work closely together with other District of Columbia legal aid groups to prevent duplication of effort.

Mr. Speaker, I cannot overemphasize the importance of this program and the vital meaning it has for our educational and legal system. I congratulate the dedication of these Latino students and wish them success in achieving their vision.

CORRECTIONS AND NEW APPROACHES

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. RAILSBACK. Mr. Speaker, we have a crisis in our corrections system. Recidivism rates mock the traditional methods of crime prevention and incarceration. As a member of the House Judiciary Committee, I have had the opportunity to visit many prisons, and two recommendations kept being mentioned as imperative by those expert in the field of corrections.

First. Reform our present parole system, and

Second. Provide rehabilitation in terms of the employability of ex-offenders.

As a result, I cosponsored legislation to overhaul our present system by establishing an independent and regionalized Federal Board of Parole and by providing for more equitable parole procedures, and legislation to authorize the employment and training of criminal offenders.

Fortunately, two developments have recently occurred which are of encouragement to those of us who have been trying to reverse the crisis in our corrections system.

First, the U.S. Parole Board has spelled out a national parole policy whereby an inmate will know the range of time he must serve. Although these will be guidelines, they will nevertheless assist in alleviating a major frustration of Federal prisoners.

Also of encouragement is a new approach taken by courts, government agencies, and State legislatures in insisting that employers disregard criminal records unless they are distinctly relevant to the position. Society does have a right to be protected from those who would violate its laws. However, it is in the best interests of society to successfully rehabilitate such individuals so that society does not continue to bear the burden of supporting them indefinitely.

Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following articles which will explain in more detail these new initiatives:

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

U.S. POLICY ON PAROLES IS ISSUED

(By William Claiborne)

A national parole policy, spelling out for the first time to the inmates of 34 federal prisons when they can expect consideration for release after serving time for various of-

fenses, was issued yesterday by the U.S. Parole Board.

The new policy, according to leaders of the prison reform movement, is a significant step toward alleviating a major frustration of federal prisoners—not knowing the range of time that must be served under the parole board's heretofore secret guidelines.

The seemingly arbitrary nature of granting parole consideration has contributed to much of the turmoil in the nation's prisons, according to some penal reformers.

The guidelines published yesterday in the Federal Register list the lengths of "customary time" to be served, include pre-sentence jail time, for offenses ranging from immigration law violations to extortion and armed robbery.

The most serious crimes—murder, kidnapping, espionage, aircraft hijacking and aggravated assault resulting in serious injury—are not listed because of the broad range of severity possible in each category, according to the parole board.

Maurice H. Sigler, chairman of the U.S. Parole Board, stressed that the ranges of recommended prison terms are "merely guidelines" and are not legally binding. They are based on good institutional behavior, and can be raised or lowered in individual cases.

Nevertheless, Sigler called the guidelines a "major development in parole that has never been done before." He said the system will help "take some of the prejudices out" of the system.

The customary time to be served under the guidelines in most offense categories is generally lower than the U.S. Bureau of Prisons' statistics for average time served for the same category. Parole board officials attributed the deviation to variables, such as multiple offenses and sentence conditions specified by the courts.

For an adult offender with good prison behavior and "very good parole prognosis," the guidelines call for parole consideration of a convicted robber after he has served 26 to 36 months. According to the Bureau of Prisons' 1972 statistics, the average time served for robbery was 53.7 months.

For burglary, the guidelines call for a parole decision between 16 and 20 months, while the average time served in 1972 was 33.7 months.

Sale of narcotics by an adult, under the Parole Board's guidelines, should result in 26 to 36 months before parole consideration. In 1972 the average time actually served was 33.3 months.

Some other "customary total times" listed by the Parole Board for adults with very good parole prognosis:

Theft (less than \$1,000), six to 10 months; possession of marijuana, eight to 10 months; passing counterfeit money, 12 to 16 months; embezzlement of less than \$20,000, 12 to 16 months; theft, forgery or fraud involving \$20,000 to \$100,000, 16 to 20 months, and extortion, 26 to 36 months.

Alvin Bronstein, director of the American Civil Liberties Union's national prison project, called the board's disclosure of the guidelines "an important development, with the caveat that there is always a difference between the written word and what actually happens."

He said the release of the guidelines appeared to stem from a ruling in U.S. District Court here last July 25, in which Judge June L. Green held that the Parole Board is a rule-making agency and could be compelled to publish its decisions in the Federal Register.

Her decision followed a suit brought by the ACLU on behalf of three federal prisoners.

However, Sigler said yesterday the board is appealing that ruling, and that publication of the guidelines was not in acquiescence to the District Court.

Sigler said the parole policy is part of a reorganization plan begun last August which, when completed, will divide the parole board into five regions, provide speedier decision on parole questions and prove more "satisfying" to prison inmates.

The guidelines were first released, on an experimental basis, in the board's northeast region, which includes institutions at Petersburg, Va., Lewisburg, Pa., Danbury, Conn., Alderson W. Va. and Morgantown, W. Va.

Sigler said inmates of those institutions had already been advised of the guidelines, and that the board planned to follow suit in other federal prisons across the country.

The guidelines also provide minimum and maximum customary-time recommendations for offenses by youths and persons convicted under the government's rehabilitation act for narcotics users.

[From the Wall Street Journal, Nov. 13, 1973]

ERASING THE PAST: EFFORT GROWS TO ASSIST JOB HUNTERS HAUNTED BY CRIMINAL RECORDS—SOME STATES BEGIN INSISTING THAT EMPLOYERS CONSIDER ONLY RELEVANT INFORMATION; WHY ONE MAN SCRUBBED POTS

(By Richard A. Shaffer)

A Vietnam veteran in his early 20s, long out of work, applied for a job a few months ago as a letter carrier with the New York post office. He scored high on the qualifying test. Nevertheless he was turned down because he had once been arrested, for possession of marijuana. He hadn't been convicted of the crime.

In Georgia last year, Unice Harbor, an experienced driver, was denied a job by Bowman Transportation Co., a Decatur trucking firm, because he had once been convicted of a felony. More than 10 years earlier he had pleaded guilty of robbery and been put on probation for a year.

Such frustrating experiences aren't news to anyone ever convicted of a crime or even charged with one. Law-enforcement records are readily available from local authorities and are widely used by employers. Millions of otherwise qualified workers find themselves last in line for decent jobs—or not in line at all.

As a result of campaigns against this sort of treatment, most states have passed laws sealing or annulling the records of some categories of criminals, such as first offenders who were granted probation. But because the records aren't actually destroyed, employers have routinely uncovered them anyway.

A NEW APPROACH

Now a new approach is emerging that promises to be more effective. A number of courts, state legislatures and government agencies are insisting that employers disregard criminal records unless they are clearly relevant to the job. While no one is advocating that banks be required to hire convicted embezzlers as tellers, plenty of people are advocating that a former drug addict, say, shouldn't be denied a job as a welder.

The new approach stems partly from a desire to improve job opportunities for members of minority groups. When Litton Systems Inc., a subsidiary of Litton Industries, refused to hire a black sheet-metal mechanic because he had a record of 14 arrests, a federal court ruled that to disqualify job applicants on the basis of arrest records was racially discriminatory because blacks were more commonly arrested than whites. This particular job applicant had never been convicted of any criminal offense.

In the wake of the Litton case—and of similar decisions by the federal Equal Employment Opportunity Commission—New York's Commission on Human Rights and the State of Illinois have recently declared it an unfair labor practice to turn down a job applicant merely because of an arrest record, unless state law makes a specific exception.

OPENING DOORS

Some observers believe that the new leniency will eventually open many doors that now are closed to the rehabilitated and the unjustly accused.

The Federal Bureau of Investigation says that at least two million of the 8.7 million Americans arrested annually for nontraffic offenses are never convicted. Legally they are presumed innocent, but most employers spurn them. The job-seeker with a mere arrest record is excluded by nearly a fifth of the several hundred state and local government agencies surveyed last year by Georgetown University's Institute of Criminal Law and Procedure. Such job-seekers are even more unwelcome in private industry, according to a 1962 study by sociologists at Yale University Law School who believe that the study is still valid.

Even bleaker are the job prospects of those actually convicted. For them, government agencies are among the worst places to go job hunting. Over half the states bar public employment to anyone with a criminal record, and while the federal government encourages others to hire former criminals, it often hesitates to do so itself. Few private companies ban such hiring, but experts believe that a widespread reluctance to hire ex-convicts has the same result as a ban.

OTHER BARRIERS

In addition to these barriers, myriad licensing requirements in various states bar ex-convicts from more than 350 different occupations ranging from fortune teller, barber and junk dealer to electrician, mortician and bartender, according to a study published this year by the American Bar Association's National Clearinghouse on Offender Employment Restrictions. (In the last two years, nine states have barred denial of such licenses solely because of a criminal record.)

These barriers undoubtedly contribute to the 15% unemployment rate among ex-convicts. It is largely because of this trouble finding jobs, penologists say, that one out of three ex-convicts soon returns to crime.

Probably few understand these frustrations better than Melvin Rivers, a director of the Fortune Society, an organization of ex-convicts. As a teen-ager, Mr. Rivers was convicted of assault and robbery. "When I got out, the one thing I want to do was go straight, get a job and settle down," he recalls. But that was far from easy to do.

Mr. Rivers found construction work closed off because, with a record, he couldn't get into the union. He could no longer sing with a group as he used to do because he couldn't get a cabaret license to sing anywhere that alcoholic beverages were sold. Most ironically, he couldn't even get a license to practice the one trade he had learned in prison, barbering.

At last, by lying about his past, he got a job scrubbing pots in a hospital. Five weeks later the truth was discovered. He was fired.

Mr. Rivers might have an easier time of it today because of the softening attitude. The softening, says E. Preston Sharp, general secretary of the American Correctional Society, is "no panacea, but it's an important step in the right direction."

BUMPER STICKER: "50 TODAY—
FUEL TOMORROW!"

HON. CHARLES W. WHALEN, JR.
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 27, 1973

Mr. WHALEN. Mr. Speaker, following the President's remarks on the energy crisis on November 8, the Dayton Auto-

mobile Club has responded with great speed and imagination. The club has made a commitment to develop a strong and positive program to educate motorists toward more efficient fuel consumption, a commitment which I fully support.

According to Mr. Gene Satchell, general manager, the initial action of the Dayton AAA was to adopt a slogan, "50 Today—Fuel Tomorrow," which caught on immediately through its use on bumper stickers. Within the short span of 2½ days after the President's message, 5,000 of the bumper stickers were printed.

While the stickers were being produced, the Dayton AAA contacted the other major AAA offices in Ohio, and more than 200,000 stickers were sold for distribution throughout Ohio. Since then, the enthusiasm and acceptance of the idea have continued to grow, as evidenced by the fact that the Dayton AAA continues to be swamped by requests for stickers from individuals and groups throughout the Nation.

The bumper stickers have several functions. First, when a motorist accepts and applies the sticker to his car, he essentially endorses the idea of driving 50 miles an hour. Second, the appearance of the sticker publicizes the slogan to thousands of motorists. Third, it warns the driver in the rear that the car in front will be driving at reduced speeds.

All Americans have been asked to help alleviate the fuel shortage, and certainly, reducing auto speeds to 50 miles an hour will be one big step in this direction. I would like to commend Mr. Satchell and the Dayton Automobile Club for their prompt and effective actions in encouraging motorists to slow down and save on fuel consumption. It provides a good example of the effectiveness that such organizations can have in promoting this national effort. Further, they have been effective in mobilizing support from individual motorists who must voluntarily cooperate in order to minimize the impact of the fuel shortage affecting us. I fully endorse this program which the Dayton Automobile Club has begun.

CHRISTMAS WILL BE LONELY TIME
FOR MIA FAMILIES

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 27, 1973

Mr. FUQUA. Mr. Speaker, the Christmas season is fast approaching.

For over 1,000 American families, it will be a continuation of a tragedy. Many children will not know the fate of their fathers, many wives will only know that their loved one is missing in action.

This Nation should not forget those families.

The more than 1,000 American servicemen listed as missing in action in Southeast Asia is a matter which should concern all citizens of these United States. At this season of the year, I believe our Government should redouble its efforts to determine the fate of these

men who served their Nation. To spare any possible effort is to break faith with these men and their families. The lonely feeling of not knowing is perhaps the most terrible fate of all.

My friend, the very able mayor of Lake City, Fla., the Honorable James R. Tison, has just sent me a telegram expressing his concern at the plight of our missing in action. I would like to quote him as an example of the concern which is being felt by so many Americans who share the genuine concern of Mayor Tison.

He said:

The citizens of Lake City, Florida, are deeply concerned that more than 1,200 Americans are still missing and have not been accounted for in the aftermath of the Vietnam conflict. Please use your good offices to urge President Nixon and our Representatives and Senators in Washington to take whatever steps are necessary to find a solution to this problem without delay. Any missing men who are still alive should be speedily repatriated. The bodies of missing men who have died should be speedily exhumed and returned to their families and us. Teams seeking to uncover the fate of all other missing men should be given immediate authority to search areas where the men were last known to be alive.

To that I add my sincere support.

The finest thing this Nation could do at this season of the year is to redouble its efforts to find the fate of our missing in action and bring some peace of mind to their loved ones.

So many of them gave all they had to give. It seems to me that this Nation can do this for their families.

BLACKS WERE LOSERS IN ELECTION

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 27, 1973

Mr. STOKES. Mr. Speaker, the Cleveland Press of November 9 published a letter to the editor by Ms. Martha L. Smith. It is an eloquent analysis of the significance of the recent city elections for black people.

Ms. Smith evidently has eyes as keen as her heart. What she says about Cleveland is also true for black and other minority people throughout the cities of America. And the pity and sorrow she expresses bear an implicit warning to politicians of all political parties.

To my colleagues in the House I say: Listen—and what do you hear?

BLACKS WERE LOSERS IN ELECTION
(By Martha L. Smith)

Perk won, Pinkney won, Forbes won. Since the latter two are non-white, it is rather ironic that it can be unconditionally stated that the losers in this race are the black people of Greater Cleveland.

Perhaps I am naive. Perhaps it is too much to expect that the winner in a mayoral, councilmanic or school board election should do more than profit personally from his victory. A strong Democratic Party is nothing new to Cleveland and that a few black politicians have wielded a certain amount of power and lined their own pockets is nothing new either.

Whether the party was strong or not, whether there have been strong Democratic

or Republican black candidates, one situation has remained constant. The black population of Cleveland has been unemployed or underemployed, poorly housed, undernourished and lacked proper health and welfare benefits. Black children of Cleveland have attended overcrowded schools, with inadequate facilities. Many graduates of black high schools cannot read and write well enough to complete job applications; reading scores for children in inner city schools compare unfavorably with the state averages.

George Forbes and Arnold Pinkney's reelection have not affected the fate of black people in Cleveland. A few of their personal favorites, henchmen and sycophants will probably profit, but not the black masses.

The 21st District Caucus, representing hope for the disenfranchised whatever their party affiliation, falters. Maybe one day the black voters will realize that partisan politics will benefit only a few. One day we will learn to support the party or politician that offers us the best deal.

Forbes and Pinkney, like me, are black. I wish I could feel warm and proud and joyful. But I feel cold, pity for the black children of Cleveland whose sole black representative parrots the will of Paul Briggs, who has demonstrated singular unconcern and arrogant evasion regarding their education.

I feel compassion for the dedicated parents and citizens of many wards who worked long and hard in the only way they knew to elect those they felt would represent them in the truest sense of the word. They were powerless against the machine—and humanity lost another round.

Let those who can, rejoice.

MORAL SELL-OUT TO PORTUGAL?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. RANGEL. Mr. Speaker, there are disturbing rumors afloat that the United States will more strongly back the repressive Portuguese Government in its suppression of the liberation movements in its African colonies.

Portugal has refused to grant independence to its African colonies. Instead, it bleeds the colonies economically, stifles the colonies politically and denies the right of the black majorities there to freedom. The U.S. Government already sanctions the export of deadly herbicides and pesticides to Portugal for use in the colonies. This in itself is moral complicity by our Government in the slaughter and starvation of African liberation forces and innocent farmers. The sale of these chemicals would be outlawed by legislation which I have introduced.

Now, however, the Portuguese Government is asking even more. It is asking the United States to help block the admission of Guinea-Bissau, a West African colony, into the United Nations. It is asking for military equipment to be used against the liberation forces in Africa. It is asking the United States to abandon our 12-year-old policy of prohibiting the use of arms supplied to Portugal in its capacity as a NATO ally against the guerilla movements in its African colonies.

The United States already suffers from a poor reputation in international af-

fairs. Other nations are fully aware of our aggression in Southeast Asia and our providing economic and military aid to dictatorships around the world. The illegality of our violation of international law through the purchasing of Rhodesian chrome, in defiance of the United Nations, certainly has not gone unnoticed. If the United States now aligns itself with the Portuguese Government against the just wishes of the African colonies for independence, our stock in world opinion will plummet even further.

URBAN EDUCATION: THE FISCAL CRISIS

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mrs. CHISHOLM. Mr. Speaker, during the debate on title I of the Elementary and Secondary Education Amendments by the Committee on Education and Labor, and during discussion of the treatment of the title I formula in the Labor HEW appropriations conference report, there has been much talk about the fact that the most urbanized States receive the highest proportion of title I funds, and that the large city school districts within those States get proportionately more funds than the smaller school districts in the same State. This discussion has been characterized by a great deal of grumbling and complaint about the "inequity" of this state of affairs.

These discussions have made me think about the larger picture—the desperate situation most big cities continuously face in financing public education. I would like to shed some light on this problem by explaining what the situation actually is in regard to the needs of cities for Federal aid for education.

In the largest cities of the United States exists a crisis in education finance that is unmatched in either suburb or rural area. It is true that in most communities school boards are faced with increased demands for educational services, higher costs, and higher salaries on one hand, while at the same time taxpayers are refusing additional support for their schools. Federal aid is not increasing and State governments have not come up with any financial solutions. While these problems extend across city boundaries into suburbs and rural areas as well, no areas are as threatened as are the large cities.

Urban fiscal problems are overwhelming for a number of reasons. The major effect seems to have come from a gradual shift in population that has left cities densely inhabited by a large proportion of low-income or unemployed minority group residents who are in greater need of special educational and other services than any other group of people in this country. It is as though cities have said "give me your tired, your poor, your huddled masses yearning to breathe free" and now that they have come and stayed and have borne children, the city can no

longer adequately support them or educate them, and they are certainly not breathing free.

There is an additional problem that large cities face; the desertion of economic activities that, along with higher income residents, formerly provided a tax base that helped to support the public schools. As a result, the primary support for urban education has become the property tax.

However, in the excellent book, "Federal Aid to Education" by Joel Berke and Michael Kirst, Berke points out that:

It is the property tax base that is tapped for virtually all locally raised revenue for education. The traditionally higher city property tax base has been threatened in recent decades by a very slow rate of growth. In the northeast, the most recent studies show that suburban property values climbed an average of three times as much as did those of the central cities; in the midwest, suburban property appreciation was more than six times that in the core cities. For all sections of the nation, suburban property growth rate was more than two and one-half times that of the central cities.

Growth in educational expenditures has far outstripped this slow rate of growth in the urban property tax base. Professors James, Kelly, and Garms documented this phenomenon in fourteen large cities between 1930 and 1960. They found that per pupil educational expenditures rose three times as fast as property values.

Thus, the situation, as you can clearly see, is grave.

But wait, there is even more. At the same time that the tax base of support for the cities' services is being eroded, the cities' residents are in need of and demanding greater expenditures for health services, welfare, sanitation, transportation, public housing and all the other services required by a high-cost urban population. Thus, a smaller proportion of the city budget is available for public education than is available for educating the children in wealthier communities.

And, to quote Berke once again,

Cities raise about 30 percent less per capita for education from local taxes. On the other hand, central city residents tax themselves considerably more heavily than is the case with their suburban counterparts; city per capita tax effort (taxes as a percent of income) is over 40 percent higher than in surrounding areas. In short, core cities spend less per pupil than do other parts of metropolitan areas while taxing themselves more heavily.

There are two more very important factors that contribute substantially to urban fiscal problems in providing educational services. There are, first, the higher cost of city education budget items, and second, the socio-economic characteristics of the urban school population. This combination results in less education per dollar in the city than in the suburb or rural area.

We all know that such high cost items as teachers salaries, for example, keep the urban education budget somewhere close to the sky. Urban teachers command high pay not only because of aggressive union tactics, but also because they tend to have more seniority than teachers in other places. Administrative and other education personnel in cities command higher salaries as well.

Urban children are more often poor,

handicapped, nonwhite, foreign-born, non-English speaking, and from families with fewer average years of schooling than children living elsewhere. Concentrated among city children are those who have traditionally been victims of poverty and prejudice. Benign neglect has become malignant disregard. Education for these children necessarily must have a higher price tag. It must include compensatory assistance in reading and math; English as a second language; special classes for the emotionally and physically handicapped; summer recreation programs; summer academic programs; vocational education programs; adult education; supplementary nutritional programs; preschool classes; and special training of all kinds for teachers.

To summarize the fiscal context of urban education Joel Berke says:

Though raising adequate revenues for education is a serious problem in all areas of the nation, we have found that the fiscal crisis is most threatening in the larger cities of the nation. The trend in metropolitan development has left them with a less affluent population and a resource base that is falling to grow at a rate sufficient to meet increasing needs. Because large urban areas have higher public service needs, a much lower proportion of their expenditures can be devoted to education than is true in suburban areas. The result is, of course, proportionately lower educational expenditures in cities than in their environs despite higher tax efforts in the cities. Unfortunately these problems are compounded by the inherently more costly nature of urban education; expenses are higher in big cities and pupil populations there include more children in need of expensive supplementary educational techniques. State regulations and state aid rather than compensating for these urban disadvantages often act to exacerbate them.

I hope this brief description of one aspect of the plight of urban education—the fiscal aspect—will help members of the Education and Labor Committee and the Congress as a whole to understand why those of us whose districts contain urban areas like those described above are pushing for a title I formula that will not take money for education away from our children.

SUPPORT OF H.R. 11238

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. FRENZEL. Mr. Speaker, I strongly support H.R. 11238 passed yesterday. I commend the actions of Representative Gude and the entire District Committee in bringing this bill to the floor.

The incorporation of an adoption subsidy into our District's human services programs is a very sound addition. It provides a family with limited means, but much love and human kindness, the opportunity to adopt permanently a child who may previously have been a ward of the State. It is our duty and privilege to encourage this kind of behavior whenever possible.

However, Mr. Speaker, I am hopeful that we will not stop here in our efforts

to improve the adoption system. Problems of a similar nature exist in every State in the Union. I hope that the Members of this body will encourage the efforts of their own areas to deal with this problem.

I, along with other Members of this body, have long been concerned with the rights and responsibilities of the adopted child in various parts of this country. In many States it is extremely difficult and frequently illegal for the adoptee, regardless of age or legal status, to obtain access to their personal or medical histories. This situation should be improved. In instances where it would be useful if not imperative to locate that information for either physical or psychological medical purposes, a coordination system must be initiated. Research into the proper methods should be encouraged at the earliest possible point.

In short, I am urging that this body thoroughly examine and evaluate the statutes governing adoption in general and the legal relationships inherent in our system.

A DECISION FOR THE DECADE

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. SYMMS. Mr. Speaker, many people are proposing that we ration gasoline in an effort to equitably distribute our short supplies of fuel. However, I wonder if the advocates of rationing really understand what they are asking for.

At least the Wall Street Journal editors seem to understand that a return to a free market is the only real solution to the energy shortage. A recent editorial pointed out the pitfalls of rationing; I would like to insert a copy of the article in the RECORD for the benefit of my colleagues in the Congress:

A DECISION FOR THE DECADE

The most important thing for Washington policymakers to remember as they debate immediate steps to deal with the energy shortages is that the problem is not a temporary one. The course the government chooses to deal with the current "emergency" will more than likely lock the nation into that solution for at least the remainder of the decade.

We wonder if Senator Mansfield, Senator Proxmire, Chase Manhattan's David Rockefeller and all the others urging rationing have fully considered that prospect. The current energy problem, as Lindley Clark notes today, is not a temporary wartime emergency. Since no energy surplus is in sight this side of the development of nuclear fusion, there will be no time at which the end of rationing will be politically logical. If politicians will not let the price of fuel go up now, why should we expect them to be braver later on?

So if temporary rationing is imposed, it will be succeeded by Phase 2 rationing and Phase 3 rationing and on and on through the decade. But as we have so painfully learned with price controls, no group of bureaucrats is wise enough to take the place of market mechanisms in curbing wasteful

use of resources with minimum economic disruption.

Relatively mild mandatory allocation plans are already in place for fuel oil, and are already providing a taste of the economic effects of rationing. Allocations, naturally, are based on last year's usage. This means coal mines can't get the extra diesel fuel they need to boost production to help out with the energy crisis. If the government now expands this kind of economic decision to other products, and extends it through a decade, the effect will be to strangle the economy.

Treasury Secretary Shultz and the President's economic advisers realize rationing would have calamitous results, but their suggestions of a federal gasoline surtax to cut into demand is only reasonable by comparison. While such a tax would not damage the economy by distorting resource allocation, it would also be more than temporary. Once supply and demand equilibrates around the surtax, removal of the tax at some future date would cause price disruptions the politicians would not want to face.

While not as bad as rationing, the surtax scheme would also push the nation further away from self-sufficiency in energy. Shale oil, for example, might become economically feasible if the price of crude oil reaches \$8.50 a barrel, but only if industry can capture that \$8.50. If the equivalent price of crude is pushed to that level with a surtax, the government gets the revenues and shale will remain unprofitable and thus undeveloped. A 10-cent per gallon surtax would roughly mean the price of crude would have to go to \$12.50 a barrel before shale oil became an economically attractive energy source.

Even in the very short run, either rationing or surtax would discourage an increase in domestic crude production. There is not much excess production capacity in the nation, but there is some that could be realized through secondary recovery of oil pools. These are not being tapped because it's not profitable to do so at government-controlled crude prices. A surtax would not change this picture for the better and conceivably could force some operators out of production; if the surtax is set too high, it would force net revenues from crude production downward.

The surest way to cut demand and at the same time maximize production is to free the price of oil and oil products. Both the White House and Congress know this will work, we're sure. But they are afraid that supply will meet demand at fantastically high prices, that the oil companies will reap windfall profits, and the public will be outraged.

The best guesses on elasticity of demand for petroleum products suggest that a 3% increase in price will result in a 1% drop in sales. In other words, to cut gasoline consumption 15% without rationing, the price would have to increase to something like 57 cents a gallon. The increase might be more for a short period as the market adjusts, and perhaps special measures could be taken to ease the burden on the car-owning poor. (Why not make food stamps redeemable in filling stations?) But the gasoline price could go far above 57 cents without reaching the levels Europeans have tolerated for many years. Compared with rationing, it's a bargain.

The rationing advocates, who also include Sen. Henry Jackson, are only deceiving themselves if they genuinely believe such a program will both minimize U.S. dependence on Arab oil and also protect poor Americans by guaranteeing them a fair share of low-price gasoline. The economic destructiveness of rationing would simply create a lot more poor people, and public opinion would form around the idea of peace at any price with the sheiks. The rationing advocates also delude themselves if they act out of hazy memories of how well the World War II experience with coupons worked. There were

roughly 32 million motor vehicles in the United States during World War II and a black market was rampant then. There are now 118 million vehicles, and they are used in ways much more central to both daily life and economic growth.

Congress at least is not mandating rationing, leaving that decision to the President. Mr. Nixon already has it within his power to decontrol prices in the petroleum industry, although Congress persists in denying him that authority over natural gas. The decision Mr. Nixon makes will be among the most important of his presidency. It will mean a free market or ration coupons into the 1980s.

AFRICA AND THE BYRD AMENDMENT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. FRASER. Mr. Speaker, two House Foreign Affairs Committee members have recently issued their "Report of Special Study Mission to East and West Africa." The report of the gentleman from New York (Mr. BINGHAM) and the gentleman from Pennsylvania (Mr. BIESTER) deserves the attention of Members, and I commend it to them. I was especially impressed by the introductory remarks of our colleagues. They, as have others involved in Africa affairs, stress the negative effect of the Rhodesian chrome amendment, the so-called Byrd amendment.

The entire introduction to the report follows:

INTRODUCTION

Africa is an enormous continent of incredible diversity. Few generalizations about it are possible. Each country is different from every other.

Therefore the bulk of this report will consist of our comments on the situation in individual countries. In the case of Liberia, South Africa, Lesotho, and Kenya, these comments will represent a synthesis of our joint views. The sections on Tanzania and Somalia represent the individual comments of Hon. Jonathan Bingham, and the section on Nigeria those of Hon. Edward Biester.

There is one matter affecting our relations with all of Africa which deserves comment at this point. We can report most emphatically that the action of the U.S. Congress in directing the President to permit importation of chrome from Rhodesia has gravely damaged the U.S. image in most of Africa. By this action the United States is made to appear as a nation that deliberately violates its international legal obligations and even more importantly, as a nation which supports a white minority regime universally regarded as illegal against the interest of the approximately five million blacks in Rhodesia and against the profound sensibilities of black Africans throughout the continent. This conclusion was based on numerous conversations with Americans and Africans in all the countries we visited, including many South African whites.

In addition to interfering with the pursuit of U.S. objectives in Africa, the effect of the Byrd amendment has been to weaken seriously the ability of the United States to persuade other nations to live up to their international obligations.

The damage to U.S. interests from the adoption of the Byrd amendment has been accentuated by the fact that all the argu-

ments made for the adoption of the Byrd amendment have been proven false.

Repeal of this pernicious legislative action would open new opportunities for the improvement of U.S.-African relationships with a variety of beneficial consequences.

The order of the sections of this report which follow is based upon the chronology of our visits and has no other significance.

The Congress has before it legislation to negate the Rhodesian chrome amendment. This legislation, if passed, would mean that the United States would again be in compliance with the United Nations Security Council sanctions against Southern Rhodesia.

VETERANS EDUCATION PROJECT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. KEMP. Mr. Speaker, in these post-Vietnam days, it is important to recognize the contributions being made by various groups and individuals in providing counseling, training, and special services to the Vietnam-era veteran. The American Association of Community and Junior Colleges in conjunction with the U.S. Office of Education has made significant contribution in this area with their veterans education project. Under the capable guidance of Mr. William E. Lawson, the veterans education project is well on its way toward providing a national clearinghouse and assistance program for colleges in all parts of the country who are working with veterans, as well as providing special services for educationally and economically disadvantaged veterans.

Bill Lawson and the veterans education project has tried, with much success, to make the concept of one-stop centers for veterans' services a reality for all veterans.

I include a brief synopsis of the veterans education project for the perusal of my colleagues:

VETERANS EDUCATION PROJECT OF THE AMERICAN ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES AND THE U.S. OFFICE OF EDUCATION GOALS OF THE PROJECT

The Veterans Education Project (VEP) was established to provide a national clearinghouse and assistance program for colleges in all parts of the country who are working with veterans, as well as to provide special services for educationally and economically disadvantaged veterans.

The principal components of the program are:

(1) a series of regional conferences around the country held early in the project and again after six months;

(2) the establishment of an informational clearinghouse serving college personnel, and other postsecondary organizations and agencies throughout the year.

These goals are facilitated by working through the American Association of Community and Junior Colleges (AACJC) which enrolls over 1,100 2-year community and junior colleges (2,700,000 students) throughout the country. The Project also maintains a close working relationship with other national organizations in such fields as higher education, vocational education, personnel

and guidance work, admissions and testing, as well as with veterans organizations, of which one is the National Association of Concerned Veterans (NACV).

The goals would be accomplished by coordinating and working as directly as possible with:

(1) the new veterans education program at colleges throughout the U.S.—complementing that program and, at the same time, serving many of the hundreds of other colleges throughout the U.S. which are working with veterans;

(2) the work of the new veterans education regional coordinators who are appointed in the ten regional offices of the United States Office of Education (USOE) whose duty will be to assist colleges, military bases and other institutions and agencies in each region to develop better programs for veterans;

(3) the work of other USOE personnel in the regional offices, including staffs of the Talent Search, Upward Bound, Special Services for the Disadvantaged and student financial aid personnel who will be working with colleges on problems of veterans education;

(4) college directors of veterans programs to provide information to bear on programs and needs of veterans in each region;

(5) other personnel who are working with veterans and servicemen providing them with veterans information.

DEVELOPMENT

Since the project originated on January 2, 1973, many of the proposed goals have been accomplished:

REGIONAL CONFERENCES

Under the directorship of Patrick McLaughlin, the initial phase of the project was completed on March 8 and 9, 1973, in Atlanta, the last of five regional conferences. The other cities hosting the conferences were New York, Chicago, Dallas, and San Francisco. The second group of conferences were held between the dates of September 20 and November 9, 1973. This second series of two-day conferences were held in Albuquerque, Atlanta, Chicago, Philadelphia and San Francisco. Both series utilized a multitude of excellent resource people assembled from throughout the country to share their expertise with the educational representatives. In addition, many Vietnam veterans, active at the local, state and national levels, played major roles in each of the regional conferences.

A total of 1,200 representatives, mainly college administrators from various offices of guidance, personnel and student affairs, from over 900 institutions of higher education and associations active in veterans' affairs attended the first series of conferences. However, after the VCOI amendment, veterans' offices were established and therefore, the attendees at the second series of conferences were mainly veterans' counselors, advisors, veterans' affairs officers and coordinators.

These conferences provided information on current problems confronting young veterans and presented models stressing particular approaches to deal with those problems. Resource specialists made presentations and conducted seminars on everything from federal legislation to the role of a campus veterans' association. Seminars also focused on the needs of disabled, educationally disadvantaged and minority veterans along with the problems of rural and statewide outreach and other than honorable discharges. As already mentioned, there were presentations by keynote speakers, Dr. James Bowman, the Director of Financial Aid Studies and Programs at Princeton, New Jersey who was delegated as the project director for the Educational Testing Service (ETS) Study, spoke on the special study done on *Educational Assistance to Vets: A Comparative*

Study of Three G.I. Bills. This was one aspect whereby a completed study mandated by special funds from Congress via the Veterans Administration, was taken to the community. Another presentation was given by Jerry Miller, Director of the Commission on Accreditation of Service Experience (CASE).

Other prominent speakers were Dr. Walter Gale, Director of the Veterans Program Unit of the USOE; M. Robert Ruffner, Secretary of the President's Committee on Employment of the Handicapped; Committee on Disabled Veterans; Mr. James Mayer, President of NACV; Mr. Guy McMichael, General Counsel, Senate Veterans Affairs Committee.

All seminars and speakers at the conferences were structured to serve both those attendees who knew absolutely nothing about the Vietnam era veterans and others who were extremely knowledgeable about most aspects. Variety and scheduling provided such adaptability for the attendees. According to the comments from conference participants, these conferences were the most extensive and productive held to date on higher education and the Vietnam era veteran.

INFORMATION CLEARINGHOUSE

The second part of the project's program was directed toward the establishment and operation of an informational clearinghouse. The most important aspect of this clearinghouse is that it provided for thousands of institutions, agencies, and individuals an accessible bureau to provide them with various publications, periodicals, and resources of information prepared by groups such as the President's Committee on Disabled Veterans, National Association of Concerned Veterans, The American Veterans Committee, Veterans Education and Training Services (of the National League of Cities/Council of Mayors), the National Council of Churches, National Jobs for Veterans Committee, USOE and others. This information is sent to those seeking knowledge of various kinds of veterans' programs and services throughout the year. The project has also developed *Operation Vet*, an action publication for higher education. The veterans staff, along with selected experts from around the nation have also authored a handbook for programs, staffing and assistance, called *Veterans on Campus*. The cost of this vital resource book was absorbed by the VEP as part of their clearinghouse concept.

HAROLD L. CRANE HONORED BY NASSAU COUNTY PRESS ASSOCIATION

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. LENT. Mr. Speaker, on October 26 one of my constituents, Mr. Harold L. Crane, received the "Good Neighbor" award from the Nassau County Press Association of Long Island. Mr. Crane has a record of distinguished community service, and I am pleased to include a summary of his accomplishments in the RECORD at this point:

LIONS CLUB OF WANTAGH,
Wantagh, N.Y.

The Nassau County Press Association of Long Island—New York honored Harold L. Crane, a Certified Residential Broker, of 2950 Merrick Road, Wantagh, Long Island with a dinner October 26th, 1973 at the Lido Golf Club, Lido Beach, Long Island, New York. His Good Neighbor award took into account the towns of Merrick, Bellmore, Wantagh and

Seaford, Long Island where he has been most active all of his life.

His past accomplishments include being a Past Commander of the Wantagh American Legion Post 1273 in 1951-2. Past President of South Shore Chapter of the Long Island Real Estate Board 1954-5, Past President of the Lions Clubs 20 K 2 Wantagh for 1957-8 and again 1972-3. Chairman of Cerebral Palsy Association 1969. Director of Wantagh's Chamber of Commerce, 1947-8-9 and 50. Chairman of the Bishop's Special Gifts Committee for St. William the Abbot R. C. Parish 1972 and Co-Chairman 1973. Executive of Boy Scout Troop 95 1951-5 Wantagh American Legion Sponsored. Executive of the Boy Scout Troop at St. William R. C. Church 1956-61. Realtor Crane has been Vice President of the National Association of Real Estate Brokers and a Governor of this Institute for five years 1967-72. Now a Council Member.

THE UGLY AMERICAN IN INDIA

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. ROUSSELOT. Mr. Speaker, throughout its sordid history, the foreign aid program has permitted private interests, both in this country and abroad, to reap enormous profits at the expense of American taxpayers. Moreover, foreign aid has achieved little in terms of international friendship. In fact, Indiana, one of the chief recipients of our benevolence, has been notoriously ungrateful.

A recent example of the folly of foreign aid was the construction of a nuclear powerplant at Turapur, India. Although millions of American aid dollars have been spent for construction, the project was a fiasco which contributed to anti-American sentiment in India.

Mr. Robert D. Mandt, a former employee of C. F. Braun & Co., has prepared a paper which he has requested I place in the CONGRESSIONAL RECORD to describe the major problems which the powerplant project encountered. I am inserting excerpts of Mr. Mandt's paper:

WHY FOREIGN AID SHOULD BE DISCONTINUED, ESPECIALLY IN INDIA

Facts concerning engineering and construction of the Tarapur Nuclear Power Plant in India:

General Electric Co., of San Jose, California, was the prime contractor for the Government of India.

Bechtel Corp., of San Francisco, California, was the subcontractor for conventional engineering and site construction under General Electric.

The power plant consisted of two reactors and two electric generators. The combined output is 400,000 kilowatts. Two dual cycle boiling water reactors. The nuclear system was designed by G.E. in San Jose, at their atomic division. Reactor vessels were built by Combustion Engineering Co., electrical generators by G.E.

Foreign aid to India so far is \$10 billion. I was on the job two weeks when I fired an American technician. About 50 per cent of his job had to be reworked, including the scrapping of 25,000 feet of stateside Foreign Aid copper tubing. Where was management here? The man was on the job over six months. Tubing racks were torn out and

rebuilt. The air conditioning system was changed considerable in the design in the field. Some of the ducting was rusting. Humidity is very high here.

About 85% of the 4-inch and 6-inch fire water lines had to be redoped and rehung. Some fittings were only hand tight. The system extended from the ground level to top level, about 6 storeys. The lines were painted but not tested. The extra work required to make the system operable required two months and delayed the fire protective safety system. Where was management?

Bechtel, San Francisco, told me to complete instrument engineering in the field the best manner I could as the engineering budget had run out. Costs were then charged to field engineering. It is felt a great amount was spent on complicated instruments, whereas a selection of a more basic type would be more feasible. Bear in mind you are dealing with operational personnel in India that aren't fully trained for complicated controls.

Instruments are purchased with spare parts. When an instrument or control is deleted and replaced with another, plus spare parts, you have a warehouse of deleted spare parts.

The water demineralization make-up system was indeed a fiasco. It was rusting out when I left the project (December 1967). It was purchased in India to cut costs. A pile of junk. The panel board for an American made system was left to rust by atmospheric conditions or urine rust. All American Aid Dollars.

Project was a year behind schedule. One setback came when cracks were discovered in the fuel section. This required reworking. If these rewelds break out again a very serious situation would develop since the reactor is running full thermal power. G.E. found similar cracks in the fuel rods at a stateside project. Cracks were also in the vessel cladding.

Customs duty was paid out for American Aid material such as copper tubing and stainless steel tubing.

Mr. Mathew J. Harvey, Director, Office of Legislative Affairs, stated in his letter dated October 18, 1971, to Congressman John H. Rousselet as follows, in part:

"Any taxes or revenue measures which India applied to imports are paid by the private Indian importer. The U.S. Government and the U.S. exporter do not pay Indian duties."

Who paid the duty on the copper tubing mentioned above?

The Project was increased by 30 percent from the original estimates. Part of this cost was due to the Government of India imposing import duty on nuclear fuel plus the Indian devaluation of their rupee which occurred after signing of the agreement between U.S. and India.

American Aid also furnished 15 million dollars worth of fuel under a long term deferred payment. Under this agreement the U.S. will continue to furnish nuclear fuel. It will take India 15-20 years before they can supply their own nuclear fuel. American Aid loan was originally 75 million dollars.

Delays run up salaries and living expenses. On September, 1967, there were 79 expatriates on the job site. The figure went as high as 90 or more at the peak, depending upon visiting stateside management or specialists.

I venture to state all the mentioned problems or fiascos cost the U.S. taxpayer in excess of 5 million dollars.

There was also incompetency of top management.

MEXICO WANTS THE UNITED STATES TO ADMIT BRACEROS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 1973

Mr. FISHER. Mr. Speaker, the Congress by scrapping the Mexican bracero program several years ago must share much of the responsibility for the estimated 1,000,000 illegal aliens who work in this country.

Under the bracero program Mexican farm workers were brought in to work in those areas where there was a shortage of people to do that kind of work. They were admitted under contract with employers, at going wage levels. The program worked very well, and relatively few people came in illegally. But the Congress, yielding to labor union and Labor Department pressure, refused to allow the program to be continued.

The result was a mounting influx of "wetbacks" or illegals who crossed the border to gain employment in agriculture and in industry, and they are found throughout the country.

It is imperative that this influx be curbed. One way to achieve that objective would be to restore the contract bracero program. Certainly that would help. More border patrolmen are needed, and more cooperation from the Government of Mexico should be sought in beefing up the border controls.

Fortunately, Mexico is now anxious to resume the bracero program, as indicated by the news report which follows:

MEXICO WANTS UNITED STATES TO ADMIT BRACEROS

MEXICO CITY.—Mexico is going to ask that the United States admit 300,000 temporary farm workers, called braceros, each year, Foreign Minister Emilio Rabasa is quoted as saying.

He disclosed this in an interview carried by Mexico City newspapers.

They quoted Rabasa as telling them he is negotiating with U.S. Secretary of State Henry Kissinger in an effort to cope with the problem of more than one million Mexicans a year who cross the border illegally to hunt work in the United States.

Rabasa was quoted as saying Mexico also will ask the United States for:

—Legal treatment for Mexican workers equal to that now received by U.S. farm workers.

—Authorization to let Mexican consulates defend braceros in U.S. courts.

The newspapers gave these further details:

Rabasa is looking for social and legal security for the braceros who now lack protection under U.S. law because they cross the border illegally.

He noted there is opposition to these proposals in the United States from organized labor and Mexican-American groups which argue a bracero program would lower wages and increase unemployment.

Farmers who hire braceros argue they do work no one else wants to take.

Higher farm wages in the United States and heavy rural unemployment in Mexico are blamed for the bracero situation.

In 1943 the first official bracero program was started so Mexican laborers could fill the U.S. manpower shortage caused by World War II. In 1952 the agreement was revised to limit braceros to U.S. agricultural

work and in 1964 the program was abolished. About 300,000 illegal aliens are deported yearly from the U.S. side of the 2,000-mile border. Unofficial estimates say more than one million Mexicans continue to work illegally in the United States.

FLORIDA SAID HEALTHIEST

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. YOUNG of Florida. Mr. Speaker, the State of Florida is many things to many people, but to everyone, Florida connotes sunshine. I wish to call to the attention of my colleagues in the Congress, one more reason why fabulous Florida is known as the "Sunshine State." A study by the Metropolitan Life Insurance Co. indicates that activity in sunny Florida may prolong life. The St. Petersburg Evening Independent has printed the story of Metropolitan's survey, which I am pleased to share with the Members of Congress.

The newspaper article follows:

FLORIDA SAID HEALTHIEST

You may not know it, but you are going to live longer—by simply living here.

Of course, if you have lived in Florida a long time—you knew this all along—but, a new Metropolitan Life Insurance Co. survey makes Florida's high longevity rate official.

The survey says the smartest retirement move of all for Americans is Florida.

Of course, this probably is no secret to many of the 35 per cent of St. Petersburg's residents over 65, as reported by the 1970 census, who are of the opinion that the best place to spend their twilight years is in the sunshine the year around.

The insurance company report notes that longevity varies appreciably from region to region, but that highest life expectancy is in the Sunshine State. The company said that men 65 living in Florida can expect to live an average of 14 additional years, and women, an additional 17.9 years.

South Carolina, which receives its share of the sun, has the lowest life expectancy for males, according to the company survey. The lowest life expectancy rates for women were reported in Pennsylvania.

One reason for Florida's high standing, according to the company, conceivably could be influenced by socioeconomic factors.

"A retirement state's number of senior citizens continues to be swelled," the report said, "by the migration of upper middle class persons from other states who may enjoy higher life expectancy as a result of the economic and social advantages they have enjoyed all their lives."

And socioeconomic factors, including diet and work, were contributory factors to the low expectancy ratings for men in South Carolina and women in Pennsylvania.

The insurance company study, which based its findings upon the 1968 death rate, said that the chances of surviving from age 65 to 85 are best for men in Florida, about 250 per 1,000. And women in Arizona and Florida—with rates of 455 and 443 respectively, could more realistically look forward to eyeing 85 candles on the cake.

The company said that in each of the 37 states its statisticians reviewed, females had a distinct survival advantage over males and, in a few instances, their chances of living two decades beyond age 65 were more than twice as great.

TRIBUTE TO EUELL GIBBONS

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. REES. Mr. Speaker, we are all very much aware of our great country's need to strike an ecological balance before what is left of our natural wilderness is so depleted that there will soon be nothing left for our children to enjoy.

No one knows this better than Euell Gibbons, the naturalist who, through his best-selling books and personal appearances, has caused many of us to understand why it is imperative that we learn to live in harmony with nature.

Euell Gibbons, at the age of 12, saved his family from certain starvation when he managed to kill two rabbits and find enough wild garlic, potatoes and thistles to make a stew. Thus began the offbeat career that has since propelled Gibbons to become the Nation's No. 1 back-to-nature hero. Now in his sixties, Gibbons represents a different breed of conservationist, for he knows how to utilize nature to mutual advantage.

Gibbons believes that it is essential for us to treat plants so as to help them survive. He does not hesitate to eat of the persimmon tree, for when he is done, he scatters the seed and adds to nature's bounty.

And, for the same reason, he does not eat Indian cucumber because in order to eat it, he would have to destroy the plant.

This man, who, like Emerson, points out that weeds are plants whose virtues have not yet been discovered, believes that if we educate ourselves to understand that nature is not something to be conquered, we might not only learn to survive in the wilds, should we have to do so, but also enjoy doing so.

Gibbons has learned much about our great country through his experience as a wild food forager. He has subsisted on wild foods from Maine to Hawaii, from Seattle to Miami—in all seasons and weather. His is a truly historic craft, for he not only learned the rudiments of foraging from his mother who had learned in turn how to hunt, trap, choose and eat wild plants from her mother before her, but he learned also from the American Indian. The Navajo, the Iroquois, the Zuni, and other American Indian tribes taught Gibbons their arts of survival, so that the Indian lore which would probably have been lost over the years is now safely preserved in Gibbons' "Stalking the Wild Asparagus," "Stalking the Blue-Eyed Scallop," "Stalking the Healthful Herbs," "The Beachcomber's Handbook," "Stalking the Good Life," "Stalking the Far Away Places" and future works.

This man has given much of our great Nation's natural heritage back to us. And it is for this reason, and the fact that he presents a way by which we can utilize nature while preserving our national wilderness, that I feel it is a fitting time for this legislative body to pay him official tribute.

ON THE NEED FOR DEATH BENEFITS LEGISLATION FOR POLICE WIDOWS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. BIAGGI. Mr. Speaker, it is with a sense of deep personal outrage that I relate to my colleagues still another case of a policeman being shot while on duty.

The latest victim was Patrolman George McGuinness of Brooklyn who last week was brutally gunned down by two of three youths who were being pursued by McGuinness and his partner. I am pleased to report however, that as of this writing, Patrolman McGuinness continues to recover satisfactorily from the wounds received in this skirmish.

This latest shooting brings to life once again the dangerous daily position our brave policemen face every day in the normal execution of their duties. I cannot stress enough the need to pass legislation in the Congress to insure that the widows and dependents of these policemen are compensated in the event that their husbands and fathers are killed in the line of duty. In light of the fact that this Nation has already lost 107 policemen, I strongly urge that the Judiciary Committee report out the death benefits legislation which has been pending for too long.

As a former 23-year veteran of the New York City Police Department, I feel it is time that we as a nation begin to take steps to assure that the policemen of America are better protected from the depraved fringe of our society. Good law enforcement is the backbone of a successful democracy. Each time a policeman dies, so do we hasten our own downfall as a nation.

Mr. Speaker, at this point in the RECORD I submit the full account of this latest tragedy as reported in the New York Daily News:

[From the New York Daily News, Nov. 20, 1973]

YOUTH IS SEIZED IN SHOOTING OF COP

(By Richard Meserole and Paul Meskil)

An unemployed Brooklyn youth was charged yesterday with having attempted to murder a policeman with a shotgun.

The shooting occurred about 1:25 a.m. yesterday at Fulton St. and Verona Place in the Bedford-Stuyvesant section of Brooklyn. The police gave this account.

Police Officers Thomas McGuinness and Henry Goodwin of the Utica Ave. station saw three suspicious youths in a car. After a brief chase, the car was halted, and the policemen ordered the youths to get out. Then two of the youths grabbed McGuinness, and the third attacked Goodwin, seizing his revolver.

As Goodwin struggled to keep his weapon, the youths fighting with McGuinness pulled a 20-gauge shotgun and a sawed-off 16-gauge shotgun.

A blast from one of the shotguns sprayed more than 70 birdshot pellets into McGuinness' back. As he fell, the gunmen grabbed his revolver.

Meanwhile, Goodwin had wrestled his revolver from his attacker, and he fired at the gunmen, spending every round. They returned his fire, but missed him.

As the three youths fled on foot, Goodwin drew his backup revolver, and fired five shots

at them. He chased one of the gunmen into a lot at 944 Marcy Ave., off Fulton St., and held him there at gunpoint until police reinforcements had arrived.

The suspect, James Harrison, 20, of 80 Dwight St., Brooklyn, was charged with attempted murder, assault, robbery and possession of a dangerous weapon.

After emergency treatment at Kings County Hospital, McGuinness was transferred to Midwood Hospital in satisfactory condition.

MURDER BY HANDGUN: "THE CASE FOR GUN CONTROL"—NO. 48

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. HARRINGTON. Mr. Speaker, on November 25, Ethel P. Higonnet, Radcliffe College scholar, wife of a Harvard University professor, and stepmother of two children, was attacked and dragged off the street by a man with a gun. Mrs. Higonnet struggled, her assailant fired his gun, and 2 hours later she died.

Quite possibly, if adequate handgun control laws had been in effect, Mrs. Higonnet would be alive today. I urge my colleagues to address themselves now to the numerous firearms control bills pending in Congress. There is no excuse for another day of the senseless slaughter which lax gun control laws allow.

The following is the November 26 article in the Boston Globe.

RADCLIFFE SLAYER'S DESCRIPTION GIVEN

(By Robert Ward and Al Larkin)

Police detectives yesterday released a composite sketch of a man being sought in Saturday's murder in Cambridge of Ethel P. Higonnet, 30, a Radcliffe College scholar and the wife of a Harvard University professor.

Mrs. Higonnet, who received her doctorate in history from Harvard in June, died at 7:25 p.m. Saturday while in emergency surgery at Mount Auburn Hospital, Cambridge. She had been shot once in the head.

Police said the sketch of the suspect was drawn from a description provided by a 14-year-old witness who saw Mrs. Higonnet being attacked and dragged away on Brattle street at 5:45 p.m.

The young witness told police he saw the assailant, staggering as though he were drunk, walk up as she passed the Church of Jesus Christ of Latter Day Saints at Longfellow Park.

Both the assailant and Mrs. Higonnet fell to the ground struggling, the witness said, but the man forced her to her feet and began dragging and pushing her across the park.

Police reports said the young witness told them Mrs. Higonnet repeatedly screamed, "Let me go," and fell to the ground several times during the struggle, but each time she was forced to her feet and pushed deeper into the park.

Radcliffe officials said the attack on Mrs. Higonnet was apparently not related to the knifing of two Radcliffe students 2½ weeks ago.

A spokesman for the college said both women were recovering from wounds inflicted by an assailant who bore no resemblance to the suspect in the Higonnet slaying.

Longfellow Park is an exclusive Cambridge neighborhood occupied by many scholars and Harvard professors. It is surrounded by the church parsonage, three houses and The Society of Friends meeting house.

Police said that despite the early evening hour, no one in the neighborhood reported hearing Mrs. Higonnet's screams.

Police believe she was pushed about 500 feet across the grassy park, then down a set of 10 stairs and dragged another 100 feet to a small clump of trees and bushes less than 20 feet from the window of a house facing on Mount Auburn street.

Police said they believe the attacker planned to rape Mrs. Higonnet and fired the single shot as she struggled with him.

The sound of the shot attracted the attention of neighbors, who notified police. When found, Mrs. Higonnet was nude from the waist down, lying in a pool of blood, with her clothing scattered nearby.

Detectives were awaiting the results of an autopsy to determine if she had been sexually assaulted.

Friends described the dead woman, a highly respected member of the Cambridge academic community, as "a vibrant, generous person who was dedicated to her work and her family."

They said she had spent much of Saturday afternoon at Harvard's Widener Library before going to her office at Radcliffe Institute to drop off some books.

At the time of the attack, they said, she was on the way home to her apartment on Bradbury street for dinner with her husband, Patrice Higonnet, a professor of history at Harvard, and her stepchildren, Anne, 14, and Philip, 12. The apartment is just two blocks from where the attack occurred.

Prof. Higonnet was unaware of the attack until police contacted him at 7 p.m., but he said he became concerned about his wife's whereabouts at 6 p.m. after two Harvard students told him they had found her purse and a book belonging to her on the Brattle street sidewalk.

The professor met the students on Harvard street but, unaware of what had happened, returned home with the purse and book to await his wife's arrival.

Mrs. Higonnet was a 1965 graduate of Bryn Mawr College and was the daughter of Mr. and Mrs. Guy A. Cardwell of 984 Memorial drive, Cambridge. Her father is a well-known English scholar and professor emeritus at Washington University in St. Louis.

Private funeral services will be held tomorrow.

JAMES GERITY, JR., "A GIANT OF A MAN"

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. HARVEY. Mr. Speaker, we in political life have rare opportunities and privileges to meet and know outstanding personalities. Certainly one of the finest and perhaps most remarkable individuals that I have ever known would be James Gerity, Jr. I can best describe Jim Gerity simply as a giant of a man.

A giant not only in his business which he loved and knew so well—television—but a giant in all other aspects of life—be it higher education, cultural developments, charity endeavors, and political affairs of our Nation and, in particular, the Republican Party.

It was with extreme personal sadness that my wife, June, and I have been notified of Jim Gerity's death yesterday at St. Vincent Hospital in Toledo, Ohio. We valued his friendship over these many years. We were close to him and his lovely

wife, Virginia, who unfortunately is presently hospitalized.

Jim Gerity was described as an affable, warm-hearted man by his friends, generous with his wealth and his time. This is so true. But, of even greater importance, he had great love and affection for his country's well being.

His greatness in the broadcast industry was launched nearly 30 years ago when he founded WNEB-TV, serving northeastern Michigan. He later acquired radio station WABJ-AM in Adrian, Mich., as well as WGER-FM in Bay City, Mich. In recent years, after selling WNEB-TV in 1969, he established Gerity Cable Vision serving the Bay City-Essexville area.

He truly was a pioneer in broadcasting—and he became a giant.

But he did not restrict his business effort just to radio and television. To show you the immense talents and energy of this man, his business interests also included Gerity Products of Toledo, manufacturers of silver flatware and gifts; Gerity-Schultz Die Casting of Toledo, makers of automotive hardware; and Lee's Travel Bureau in the Bay City area.

Between his great business interests, he traveled extensively and from his Adrian home to his winter residence in Miami. He and Virginia revitalized the Surf Club of Miami Beach in the 1950's. Virginia became president of the Miami Opera Guild and he served as chairman of the Surf Club in 1959. Jim Gerity loved the Committee of 100, a prominent Miami civic and cultural organization which he served as president.

But perhaps one of his greatest loves was the University of Notre Dame. He served on the advisory council of the College of Commerce and was the recipient of an honorary doctor of laws degree last May. And, he loved the football as played by the "Fighting Irish."

The other remarkable facet of Jim Gerity is that in every community in which he had an interest he became involved in community affairs. In Toledo he was a member of the Toledo Clinic Foundation; in Michigan a director of the Greater Michigan Foundation; and again in Florida a trustee of the University of Miami.

Yes, truly a remarkable man. A giant of a man whom I shall miss very much. He touched many lives and made it better for thousands who now shall never have the privilege and the benefit of knowing him personally. Jim Gerity gave far more to our country than he took. But, that was Jim Gerity—a pixie, Irish man with a big heart and a generous spirit.

I would like to include at this time a news article on the passing of Jim Gerity which appeared in today's edition of the Detroit Free Press, Detroit, Mich., which follows:

JAMES GERITY JR. DIES AT 69

James Gerity Jr., a wealthy 69-year-old industrialist and broadcaster in Michigan and Ohio and social and civic leader in Miami, died Monday in St. Vincent Hospital in Toledo.

A friend to government officials and a ben-

efactor to a host of political, medical, religious and educational institutions, Mr. Gerity was an active leader in his business and social interests until a recent illness.

Death was attributed to complications after abdominal surgery. Funeral arrangements and burial will be handled in Toledo by the Coyle Mortuary.

Mr. Gerity was born in Toledo and raised in Adrian, Mich., where he met Virginia Bowman. She became his wife after both attended Western Reserve University in Cleveland.

In 1946, Mr. Gerity entered broadcasting when he founded WNEB Channel 5, in Bay City. He subsequently became the owner and manager of WABJ-AM, Adrian; of WGER-FM, Bay City, and of Gerity Cable Vision serving the Bay City-Essexville area. He sold WNEB in 1969.

Mr. Gerity's business interests also included Gerity Products of Toledo, manufacturers of silver flatware and gifts; Gerity-Schultz Die Casting of Toledo, makers of automotive hardware, and Lee's Travel Bureau in the Bay City area.

Mr. Gerity traveled extensively between his broadcasting stations, businesses, his 20-acre Deer Park estate in Adrian where he spent his summers, and another residence in Miami where he spent much of the winter.

Mr. Gerity was hailed on the Miami social scene when he and his wife revitalized the failing Surf Club of Miami Beach in the '50s.

Mrs. Gerity became president of the Miami Opera Guild while her husband was elected chairman of the Surf Club in 1959. Mr. Gerity also became president of the Committee of 100, a prominent Miami civic and cultural organization.

He was described as an affable, warm-hearted man by his friends, generous with his wealth and his time.

At the University of Notre Dame in South Bend, Ind., Mr. Gerity served on the advisory council of the College of Commerce and was the recipient of an honorary doctor of laws degree last May.

He was a director of the Miami Heart Institute and St. Francis Hospital in Miami Beach.

He also served as a board member of the Toledo Clinic Foundation; as a director of the Detroit Press Club Foundation; as a director of the Greater Michigan Foundation, and as a trustee of the University of Miami.

He was invited several times to the White House for social affairs and was a loyal Republican fund raiser.

The Geritys had no children. He is survived by his wife and one sister.

LEGACY OF TOM PELLY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, from 1952 to 1972, Tom Pelly served as a Member of Congress from the State of Washington. When he left, it was with a record of conservative stability on behalf of the Nation's taxpayers.

He died on November 21 far from the Capitol where he served so long and faithfully. His strong voice of concern over excessive Federal spending will be remembered, I fervently hope, in this time of national crisis.

We need to heed, Mr. Speaker, with

more care than ever the legacy of Tom Pelly, a man we shall all miss, a man his State and his constituents owe a great debt of respect for his untiring leadership on their behalf, as well as on behalf of all citizens of this country.

SUPPORT FOR PRESIDENT NIXON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. MICHEL. Mr. Speaker, yesterday I inserted into the RECORD several letters from my constituents expressing their strong support for President Nixon. Another batch of similar mail has been received and I place in the RECORD at this point several examples of that mail expressing support for the President:

RUSHVILLE, ILL., November 19, 1973.

DEAR MR. MICHEL: As one of the silent majority, I want you to know I am very much for our President, Richard M. Nixon.

Thanks for this movement to clear his name.

My prayers will be for you and our country which is so badly in need of help today.

Sincerely,

ORA A. DOYLE.

PEORIA, ILL., November 20, 1973.

MR. ROBERT MICHEL: You are right about the new 73, emission control system. I get about five miles less per gal.

Support our President, he has done more & received less credit than any man in history.

RAYMOND HEATER.

TIMEWELL, ILL., November 15, 1973.

ROBERT H. MICHEL,
House of Representatives,
Washington, D.C.

DEAR SIR: It is with regret that I hear threats of impeachment for our president and some asking for his resignation. There seems to be no just reason for this and Mr. Nixon was the choice of the people.

Now I think we should stand behind him and as our president the people of our nation owe him respect and support.

I would appreciate anything you may do to help bring this about, and I thank you.

MRS. HATTIE WALKER.

BUSHNELL, ILL., November 18, 1973.

Representative ROBERT MICHEL: I wish at this time to express my support of President Richard M. Nixon.

I believe we, without a doubt, need his kind of leadership in our nation and also with foreign policy issues today.

I disagree with those who would impeach or suggest resignation of our president.

These are my personal feelings.

Sincerely,

W. CAVITT HOLLIS

RUSHVILLE, ILL., November 18, 1973.

Congressman ROBERT H. MICHEL,
Washington, D.C.

DEAR SIR: We wish to protest this movement of impeaching our President. We want you people to get on with the business of running our country. We have always voted in the Democratic primaries, but we are for our President.

We are also in favor of the bill S. 1231. Most of the people in our town feel as we do. Our country is in danger.

Yours respectfully,

Mr. and Mrs. HOWARD BARTLOW.

VIRGINIA, ILL., November 15, 1973.

DEAR CONGRESSMAN: For your own information I am also against any move to impeach Richard Nixon. I feel that the news media has made him pay enough for the incompetent people he appointed. Let us solve our energy crisis, and high cost of living problem.

Sincerely,

RICHARD DAMBACHER.

MAQUON, ILL., November 21, 1973.

Congressman ROBERT H. MICHEL,
Capitol Building,
Washington, D.C.

DEAR CONGRESSMAN MICHEL: I wish to express my opinion on the impeachment of Pres. Nixon. Without a doubt the radicals who never were for the Nixon administration are the ones desiring the impeachment and writing to Washington.

Also the news media certainly is doing its part by keeping every thing stirred up regardless as of the importance. I feel much of this information should never reach them.

I do not feel we should impeach the President—he is an honest, sincere, strong man who will do us more good than anyone else. He is not a quitter! All of this corruption did not start in the Nixon administration. It was there!

Thanks.

Sincerely,

Mrs. DALE (FRANCES) DREDGE.

MAQUON, ILL., November 21, 1973.

Congressman ROBERT H. MICHEL,
Capitol Building,
Washington, D.C.

DEAR CONGRESSMAN MICHEL: Without a doubt "Watergate" and everything else concerning our President has gone beyond control on Capitol Hill mainly due to the unfair news media and radicals.

I certainly do not feel we should impeach a good man like the President, who will do all possible to bring our Nation to amiable understanding.

All this corruption did not start with "Watergate"—it has been going on in the Democratic administration—people are tired of hearing all this nonsense—lets stop the news media on some of this.

Thanks.

Sincerely,

DALE W. DREDGE,

Representative Precinct Committeeman.

RUSHVILLE, ILL., November 20, 1973.

HON. ROBERT MICHEL,
House Office Building,
Washington, D.C.

DEAR SIR: We feel that 90% of the Watergate affair is fantasy and the court can and is taking care of the other 10%.

We note with some satisfaction that you in general have supported our president through this Watergate affair.

We are of the opinion that President Nixon is doing an excellent job in his office. With full support of Congress he could have an outstanding record.

We understand that the house is planning to spend a million dollars in an attempt to find some excuse for bringing impeachment. This we feel is a waste of money and time of representatives who apparently can not find time now to get their work done. Furthermore the senate has already wasted a million dollars on this project. The Court will finally have to rule on this matter. Leave it to them.

Mr. and Mrs. PHIL ALLEN, Sr.

WILLIAM S. KOCH,

Tremont, Ill., November 21, 1973.

HON. ROBERT H. MICHEL,
House of Representatives,
Washington, D.C.

DEAR BOB: Herewith is a copy of a letter I today mailed to President Nixon. Talking to

many of our people here in Tremont I find that this pretty well expresses their feelings and that they are sick and tired of hearing the word Watergate. In this matter I am sure that you feel just as we do.

Best regards,

BILL.

TREMONT, ILL., November 20, 1973.

HON. RICHARD M. NIXON,
President of the United States,
Washington, D.C.

DEAR MR. PRESIDENT: We live within eight miles of Pekin and our thoughts go back to the time last Summer when you and your dear wife Pat were there for the dedication of the Dirksen Library. And how, Mr. President, you and your wife, both radiant with joy and happiness greeted that huge and enthusiastic and cheering crowd.

Later as we read of this wonderful occasion in the papers, we were appalled as to how the news media in some cases described this most wonderful day. We could hardly believe our eyes at the distortions and downright untruths that were printed in describing this wonderful occasion.

I know that I am expressing the feelings of many others when I say that we are concerned about what we believe is some communistic news media, media which we believe is trying to destroy both you and our form of Government.

We know that no man is perfect, but many of us do trust you, do believe in you and do like you and want you as our President. May God Bless you.

Very sincerely,

WILLIAM S. KOCH.

BUSHNELL, ILL., November 19, 1973.

DEAR MR. MICHEL: We are 100% behind our President Nixon. Get behind him and give him the support he has every right to expect. The courtesy and respect shown the British monarchy during Princess Anne's wedding made ours seem a shoddy country indeed, the way our leader has been treated.

The credit for airing out all of one's dirty linen can go directly to the news media. It is theirs, 100%. If our country has been discredited at home and abroad, it is their doing. There's a time to speak out, & there's a time to shut up, and it takes a wise man to know when. That bit of wisdom has been far from them.

Sincerely,

JUANITA BRYAN,

LATVIAN INDEPENDENCE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. WOLFF. Mr. Speaker, the 18th of November marked the 55th Anniversary of the Independence of Latvia. This occasion should remind us that everyone is not able to enjoy the freedoms which we consider so important.

On November 18, 1918, the Latvian people declared their independence and signed a treaty saying "Russia unreservedly recognizes the independence, self-subsistency and sovereignty of the Latvian State and voluntarily and forever renounces all sovereign rights over the Latvian people and territory which formerly belonged to Russia." Latvians enjoyed self-government until 1939, when an agreement was reached between Hitler and Stalin and Latvia was annexed by the Soviet Union. With for-

eign domination, the strong economic and cultural growth enjoyed since independence came to an end.

The continued colonization of Latvia should make us appreciate the benefits of the freedoms we cherish and reaffirm our commitment to self-determination for all people. We all hope that someday the people of Latvia will be able to enjoy these basic human freedoms.

THE TAX ISSUE IS HERE TO STAY

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. TREEN. Mr. Speaker, I have been a long-time spokesman for fiscal responsibility and I have introduced various legislation which I believe could do much to solve the runaway Federal budgets this country faces year after year.

For too long the American public has been caught in the crosswind of inflation and taxation. Many believe that the solution to our fiscal problems lies in tax reform. And indeed, the present tax structure can stand some overhaul. However, there is a tendency by many to overlook the real source of our current financial plight. As Mr. Evans points out:

Our tax is huge not because special interests are evading taxes, but because the spenders in Washington have been running amok. . . . In the world of the suffering taxpayer. . . . The problem is not to raise taxes on anybody but to lower them for everybody and to curtail, not enlarge, the flow of revenue to government.

Mr. Speaker, I would like to take this opportunity to recommend the following article by Mr. Stan Evans to my colleagues.

[From the Indianapolis News, Nov. 16, 1973]

THE TAX ISSUE IS HERE TO STAY

(By Stan Evans)

Defeat of California Gov. Ronald Reagan's proposal to limit the scope of statewide taxes was a victory for spending forces in the Golden State and elsewhere in the nation—but the smart betting has it that the win is only temporary.

Too many signs suggest the issue of taxation is here to stay. Conservatives like Reagan will of course continue to stress the theme, but it is especially instructive to note that spokesmen for the liberal-left have begun to take it up as well. Populist Democrats such as former Sen. Fred Harris are pounding the issue for all it is worth, arguing the need for "tax reform" and telling voters they are paying too much because the special interests have escaped their rightful burden.

The nature of the problem is apparent if we consult the economic record. In 1929, the total level of taxation amounted to 10 per cent of America's Gross National Product. It has risen steadily in the intervening decades, and in 1971 it stood at 32.2 per cent—with further increases on the way. Expressed as a share of personal income, the governmental take was 44 per cent.

By anybody's reckoning, this is a rather painful burden, not only for voters who pay the bills but for politicians wedded to

the concept of something for nothing. Countless careers have been erected on that promise, and a dawning perception that the costs of government have begun to outweigh the benefits could be politically disastrous. It is therefore necessary for the spenders to invent some scapegoats—and "tax reform" as usually discussed is a method of accomplishing this.

The message conveyed by Harris and other asserted reformers is that little guy pay heavy taxes because big guys are getting away with murder. It is argued we must do away with "loopholes" which permit the wealthy to get off scot-free, impose different rates of taxation on capital gains, and reduce depletion allowances for oil and other extractive minerals.

All of this, however, is sheerest poppycock. The fact of the matter is the most of the so-called "loopholes" in our tax laws accrue to those of modest income, not the wealthy. Some three-quarters of the untaxed income in our country (\$352 billion out of \$465 billion in 1970) consists of personal exemptions, social benefits, mortgage interest and the like—with the result that 97 per cent of nontaxable returns were filed by people with annual incomes of \$5,000 or less.

Conversely, the number of wealthy taxpayers who escape the IRS is microscopic. A periodic hullabaloo goes up about people with enormous incomes who manage to avoid payment of taxes, but as noted by Roger Freeman of the Hoover Institution, the argument is nonsensical: Of 15,323 individual returns filed in 1970 with adjusted gross incomes of \$200,000 and up 15,211 paid taxes. On the average, these citizens paid 60 per cent of their taxable income to the Federal government—and 99.3 per cent did the paying.

Exactly the same is true respecting alleged revenue hikes from "reforms" of capital gains or depletion allowances. It is widely believed, for example, that capital gains are a plaything of the rich, and that people of modest incomes obtain no benefit from these provisions. In 1970, however, more than two-thirds of those who realized capital gains on investments had adjusted gross incomes of less than \$15,000.

Put together, all these asserted "loopholes" would yield only a modest revenue—\$5 to \$10 billion at the outside—compared to a Federal budget that is running more than \$260 billion annually, \$143 billion in income and profit taxes, \$46 billion in Social Security and related levies, and a Federal tax load that amounts to more than \$1,000 per capita. That burden is huge not because special interests are evading taxes, but because the spenders in Washington have been running amok.

It is this conclusion the spending politicians hope to obscure. In their world of fiscal and rhetorical legerdemain, the problem before us is one of getting revenue, the solution a further hike in taxes for this or that alleged malefactor.

In the world of the suffering taxpayer, the situation is reversed: The problem is not to raise taxes on anybody but to lower them for everybody, and to curtail, not enlarge, the flow of revenue to government.

CRIME CONTROL NO. 12

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. LANDGREBE. Mr. Speaker, in a recent extension placed in the RECORD by my distinguished colleague from Massachusetts, Representative MICHAEL

HARRINGTON, it was said that opponents of strict gun control legislation "claim that privately owned firearms are not a contributing factor to the crime problem. This allegation is tragically easy to refute. In almost any newspaper you pick up these days there is a story of an accidental shooting, which often results in death." Following these statements were a newspaper article and a radio editorial about the accidental misuse of handguns.

I have called attention to the statements and insertions made by my distinguished colleague precisely because they so graphically illustrate the confusion that reigns among proponents of a government monopoly on guns. The first statement quoted above attributes to opponents of a government gun monopoly a position on privately owned guns and the "crime problem." The remainder of the argument, which is billed as a refutation of this position, speaks only of accidental, not criminal deaths. It is this verbal sleight of hand that vitiates the entire argument; for, unless the gun control lobbyists wish to maintain against all logic that accidental and intentional—criminal—killings are identical, the argument for nationalization of guns collapses.

I have pointed out before that the arguments against private ownership of guns are based upon the pathetic fallacy, which is the ascription of human characteristics to inanimate objects like guns. Might I also point out that the arguments of the gun control lobbyists rest upon another fallacy: attributing characteristics of inanimate objects to human beings. This fallacy is well-illustrated by the refusal to distinguish between accidental and intentional killings, and the consequent belief that instances of accidental death can refute a position on private gun ownership and crime. Once again the gun control lobbyists have given us a prime example of their unwillingness to think logically. It is a shame that such poorly constructed arguments can pass for logical debate on such an important issue as this.

FORCED RESIGNATION—A NATIONAL TRAGEDY

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. DAVIS of Wisconsin. Mr. Speaker, all of our offices have been flooded with messages relating to "putting the pressure" to force the President to resign. Some of these messages, I am sure, are coming from sincere people who are expressing real concerns, but I suspect more of them are coming as expressions of frustration, placing responsibility for all of our ills at the doorstep of "the man at the top."

I suspect, too, that some of the clamor is motivated and encouraged by pure partisanship.

It is time to take a calmer look at the consequences of emotional or partisan clamor. James Butler, of Elm Grove,

general manager of WISN-TV, has taken this calmer look in an editorial which he published earlier this month. I commend it to the attention of my colleagues:

FORCED RESIGNATION—A NATIONAL TRAGEDY

It seems to us that the worst tragedy this nation could face would be the resignation of President Nixon. First of all, in our democratic society a man is innocent until proven guilty. What proof? What hard, actual proof exists or has been uncovered that the President has acted illegally or that the President has not acted in accordance with what he believes to be in the best interest of the people, and in the best performance, as he sees that performance of the office of the president?

How can a man be presumed guilty, when none of the investigative committees have so far turned up actual verification of wrong doing? Should we act as a howling mob and just flatly disbelieve every statement made by the White House? Shall we allow this nation to be swept along in a frenzy that may very well be purposely designed by those factions of our society that now see a golden opportunity to destroy a man that it could not defeat at the polls a year ago? If the President is forced to resign . . . then forever more . . . no politician will dare do anything that would displease either the public or his powerful opponents . . . or even the news media. No elected official will ever be able to act forthrightly. He will be subject to actions only that please, whether he believes these actions to be in the best interest of the office he holds, or of the people he represents.

Channel 12 sincerely hopes that we reconsider long and hard the consequences of a forced resignation. When all of the facts, all of the evidence, all of the truth of the matter has not yet been exposed.

I guess what it gets down to is a simple question? Do we have justice in the American system . . . or do we not?

ABA HEAD SAYS COX ACTIONS WARRANT INVESTIGATION

HON. E. G. SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. SHUSTER. Mr. Speaker, on November 7, 1973, I wrote to Mr. Chesterfield Smith, president of the American Bar Association, enclosing a copy of my resolution calling for a House investigation of Archibald Cox in light of his confessed "indiscretions" in revealing confidential information to Senator TEDDY KENNEDY and others. I urged Mr. Smith to begin an immediate and thorough investigation into the potential illegal and certainly unethical activities of Cox, leading to possible disbarment, censorship, or other action deemed appropriate by the ABA. A copy of my letter appeared in the November 12, 1973, CONGRESSIONAL RECORD.

Yesterday I received a response from Mr. Smith, which I am inserting in its entirety.

I was pleased to see that Mr. Smith shares my views and my concerns. He indicated that Cox's activities have raised questions "which are serious enough to warrant further investigation."

That is exactly what I have tried to

impress upon the U.S. House of Representatives and the American public. There can be no question that an investigation is in order.

Mr. Speaker, I am transmitting a copy of Mr. Smith's letter to Frederick G. Fisher, president of the Massachusetts Bar Association, since Mr. Cox is a member of that association.

I ask permission to have Mr. Smith's letter inserted in the RECORD at this time:

AMERICAN BAR ASSOCIATION,
November 20, 1973.

HON. E. G. SHUSTER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SHUSTER: I have your letter of November 7 which apparently was delayed in the mail as I did not receive it until the 16th of November.

Without attempting to prejudge the matter, I believe that the newspaper accounts dealing with the alleged statements of Archibald Cox to Senator Kennedy and others raise questions which are serious enough to warrant further investigation. It would, of course, be inappropriate for any authority to determine, in advance of a full and complete hearing consistent with the requirement for due process, whether Mr. Cox has violated provisions of the Federal law or the Code of Professional Responsibility. The first task of such competent authority would be to determine whether sufficient evidence exists to justify such a hearing.

As you may know, the American Bar Association is a national, voluntary professional association. It has no direct jurisdiction or authority over any lawyer with respect to professional conduct. It is without subpoena power or other means to compel testimony. Because the practice of law, admission to practice and professional discipline are matters regulated on the state level, it is the state bar association which usually exercises primary jurisdiction with ultimate authority resting in the highest court of each state. The American Bar Association has neither the right nor the tools to conduct an investigation of any lawyer or any appointed or elected official.

I was pleased to note in the *Congressional Record* that in your statement of November 12, you indicated you had written to the President of the Massachusetts Bar Association. I have every confidence that the Massachusetts Bar will proceed in an appropriate manner.

Finally, I would associate myself wholeheartedly with your observation that no man can place himself above the law. It is this basic principle which has guided the American Bar Association in taking the position it has with respect to the desirability of a totally independent Special Prosecutor.

Sincerely yours,

CHESTERFIELD SMITH.

COMMEMORATION OF LINCOLN'S GETTYSBURG ADDRESS

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. SMITH of New York. Mr. Speaker, on Monday morning, November 19, the Chaplain P. G. Cook Camp No. 223, Sons of Union Veterans of the Civil War, and Company D, 100th Eagle Regiment, New York Volunteers Infantry, presented a

public reading of President Abraham Lincoln's Gettysburg Address on the 110th anniversary of its first delivery November 19, 1863, dedicating Gettysburg battlefield as a national cemetery to the Civil War soldiers slain in the Battle of Gettysburg. This occasion should spark a great renewal of the patriotism and spirit of sacrifice so prominently embodied in that historic message.

SHORTAGES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. ZWACH. Mr. Speaker, now that we are facing the stark reality of shortages of not only fuel, but many other essentials as well, our people are wondering what happened to the vaunted American industrial leadership that allowed this condition to develop.

Dennis Baker, publisher and editor of several weekly newspapers in our Minnesota Sixth Congressional District, recently wrote of this problem in an editorial in the *Lake Lillian Crier*, which, with your permission, I would like to share with my colleagues by inserting it in the *CONGRESSIONAL RECORD* at this point:

SHORTAGES!

Our nation—the people are really becoming aware of the shortages on products which affect our life style.

Seemingly the biggest threat we hear about today is heating fuel and gasoline for our autos and farm machinery.

I, for one, still have a hard time to fathom how this can hit so fast and hard. While we were fighting a war, there seemed to be no shortage of these commodities.

Now, the war is over and bang—numerous items are unexplainably short. How much and who should we believe.

Certainly, we will all be believers in the shortages of fuel oil when we call our fuel oil distributors and he says "Sorry, I'm all out of fuel."

It was interesting to see on the front page of the *Minneapolis Tribune* some proposed legislation or requirements for auto manufacturers and their products.

This is really a little hind sighted. First through legislation, auto manufacturers were forced to put on pollution controls which caused our autos to consume more gas than they had in the past. Now, gasoline is in supposedly short supply and politicians will pass legislation to require some cars to run 20 miles per gallon or better on gasoline.

Seemingly, we do things a little backwards.

I'm for cutting back or turning down the thermostats in our homes and business, turning off all unnecessary lights and items which draw electrical current which are needlessly left on.

State schools have received complete details and temperature levels for all areas of our schools. Administrators are instructed to maintain these levels, as well as file a plan with the State Dept. for shutting down the school if no fuel is available.

Regardless of how short the products are, it will not harm any of us to be a little conservative in our everyday life.

Now, we have to ride the situation out—as best we can.

SINCLAIR OF CANADA SAYS THANKS
U.S.A.

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. COLLINS of Texas. Mr. Speaker, when I want the facts, I read the viewpoint of Felix R. McKnight of the *Dallas Times Herald*. His Sunday reprint was quoting a Canadian broadcaster named Gordon Sinclair. I admire the positive side of which America needs more today. You will agree with the editorial in the November 18 issue of the *Dallas Times Herald* written by Felix R. McKnight. The article follows:

FROM CANADA, WITH LOVE

Flag waving has become a timid exercise. Maybe it is the ripe time to hoist a few for the U.S.—this time from a Canadian broadcasting commentator, Gordon Sinclair.

His comments have arrived from many sources—letters, the *Congressional Record*, newspaper and magazine reprints. He is here this week as vacation guest columnist:

This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth . . .

Germany, Japan, and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris.

I was there. I saw it.

When distant cities are hit by earthquakes, it is the United States that hurries in to help . . . This spring, 59 American communities were flattened by tornadoes. Nobody helped.

The Marshall Plan and the Truman Policy pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, warmongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes.

Come on, let's hear it!

Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tristar or the Douglas 10?

If so, why don't they fly them? Why do all the international lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles.

You talk about American technocracy, and you find men on the moon—and safely home again.

You talk about scandals, and the Americans put theirs right in the store window for everybody to look at.

Even their draft-dodgers are not pursued and hounded. They are here on our streets, and most of them—unless they are breaking Canadian laws—are getting American dollars from Ma and Pa at home to spend here. . . .

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble.

I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damned tired of hearing them kicked around.

They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles.

I hope Canada is not one of these.

CONGRESSMAN DANIELS HAILS BAYONNE CITY COUNCIL FOR ENERGY RESOLUTION; SAYS BAYONNE PEOPLE "DO NOT HAVE TO BE ASKED TO SERVE—THEY VOLUNTEER"

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, there is no city in America where the people are more willing to make sacrifices for their country than Bayonne, N.J. When this Nation has gone to war, the men and women of Bayonne have not needed to be asked to serve. They volunteer.

Today, Mr. Speaker, with a critical energy shortage facing the Nation, the governing body of Bayonne has called for action to conserve energy wherever possible. I salute them for their sense of concern. In a resolution adopted November 12, 1973, the Municipal Council of the city of Bayonne went on record as supporting steps to save energy. In addition, they called for the establishment of year-round daylight saving time which I also support.

For the benefit of all Members, I insert at this point in the RECORD the text of the resolution referred to above in its entirety.

The resolution follows:

Whereas, the President of the United States did on national television recently request all the citizens, employers and members of the federal, state, county and municipal governments to make every effort to conserve electricity, gas, gasoline and oil, particularly during the winter period; and

Whereas, the President suggested that if his request for the curtailment of the unnecessary use of electricity, gas, gasoline and oil by all of the people mentioned above was complied with, there would be no need for rationing said energy products; and

Whereas, President Nixon in said speech did suggest the possibility of reverting to daylight saving time in order to meet the energy and fuel crisis; now, therefore, be it

Resolved, By the Mayor and Council that all of the citizens of the City of Bayonne are urged to take every precaution in order to conserve on the unnecessary use of electricity, gas, gasoline and oil in these critical times; and be it further

Resolved, That the Mayor and Council do hereby urge and request all of the directors and department heads in municipal government to stress upon their employees to conserve on the unnecessary use of electricity and to conserve on gasoline and automobile

fuel oil on vehicles owned by the City of Bayonne and those which are owned by them privately; and be it further

Resolved, That the Mayor and Council do hereby urge that the federal government take proper steps in order to initiate daylight saving time as soon as possible so that the fuel energy crisis may be alleviated; and be it further

Resolved, That a copy of this resolution be forwarded to Senator Clifford Case, Senator Harrison Williams, Representative Dominick Daniels, Governor William T. Cahill, Governor-Elect Brendan Byrne, Senator James P. Dugan, Assemblyman Joseph A. LeFante, and to the Directors of all Departments in the City of Bayonne.

OPPOSITION TO INCREASED TAX ON GASOLINE

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mrs. HOLT. Mr. Speaker, President Nixon addressed the Nation on the initial restrictions to be implemented for conservation of energy. A proposal which was not mentioned last night, but which has received a great deal of publicity, is the imposition of a per gallon tax on gas. This proposed measure is of considerable concern to my constituents.

I would like to take this opportunity to express my vigorous opposition to any increased tax on gasoline. The price of this vital commodity is rising fast enough due to market forces; it hardly needs any added impetus from the Federal Government.

If we are to meet and surmount this energy crisis, we obviously will have to reduce our consumption of petroleum products. Commonsense and fairness demand that such reductions be applied across the board; that the burden be shouldered equally by every American. The imposition of a special tax will not achieve this objective; rather, it will have the net effect of creating a special class, based on income, which will be allowed to purchase gasoline while denying poorer Americans access to this necessary commodity of 20th century life.

I would hope that the regressivity and inequity of this tax approach is obvious to the Members of this body. I would also hope that we recognize the implications of establishing a precedent whereby some Americans are allowed to buy their way out of a crisis while the remainder of the population carries a double burden. A brief review of history will show that the last time this was allowed was during the Civil War when inductees could avoid serving through payment of a set fee.

Today we all recognize that patriotic obligations are not something that can be bought and sold in the open market; let us apply a similar philosophy to the energy crisis and demand that everyone share equally in the shortages which will occur in the months ahead.

I strongly urge my colleagues to join with me in opposing the imposition of a tax on gasoline.

SHOOTING FOR MOON ENRICHES U.S. WAY OF LIFE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the benefits we derive from our national space program continue to grow. Without the highly technical programs of our national space effort, our economy over the years will not grow and prosper as it needs to maintain our quality of living. A recent article in the San Gabriel Valley Tribune, Sunday, September 30, 1973, describes well the high technical contributions derived from our space program. The article follows:

SHOOTING FOR MOON ENRICHES U.S. WAY OF LIFE

"If we can go to the moon, why can't we . . . ?" Perhaps no single phrase better sums up the sense of frustration felt by so many Americans in their daily lives.

It is uttered in anger by commuters who encounter frequent traffic delays on the way to and from work, in alarm by environmentalists, in hope by medical researchers, in outrage by those concerned with the pressing needs of society, and in exasperation by countless citizens in response to thousands of major and minor irritants or inconveniences.

Implicit in the statement is admiration for the technological prowess and management skill that allowed us to land men on the lunar surface and return them safely to earth.

But possibly because space-related developments have been swiftly introduced into the mainstream of modern life, few Americans appear to appreciate the extent to which space age technology has already helped to improve the quality of life on earth.

In fact, the knowledge gained in the 15 years since NASA's founding in 1958 is now being applied across the board in virtually every field of human activity: science, medicine, navigation, communications, agriculture, crime prevention and commerce.

NASA-developed ways of doing things are producing safer skyscrapers, bridges and airplanes. Americans ride to work daily on tires, roads and railbeds that have been vastly improved by space age technology.

The wood pulp that has become their morning newspapers is produced more swiftly and safely because NASA-developed technology has balanced huge "chipper wheels," reducing the hazards of pulp mill operations.

When citizens find themselves needing medical attention, space technology may lengthen or even save their lives in many ways.

So you or a friend or relative face prolonged surgery to replace a hip joint? Chances are that surgery will be performed in an ultra-clean operating room where the air is "scrubbed" by a NASA laminar air-flow technique, ridding it of bacteria and dust particles.

Improved, long-lived rechargeable heart pacers, tiny swallowable radio transmitters the size of a vitamin capsule, eye and tongue-operated appliances for paralytics are only a few of the space age items used daily in medical therapy and diagnosis.

When NASA was established by Congress, the National Aeronautics and Space Act (October, 1958) gave the agency two basic instructions:

To learn how to operate vehicles, both automated and manned, in space beyond

earth's atmosphere; to explore our solar system and the universe for the advancement of human knowledge.

To make certain that all NASA discoveries and technical advancements are made promptly available for bettering human lives—for peaceful use "by all mankind."

NASA has made great strides in fulfilling the first mandate in its charter during its initial decade and a half.

For Americans, they provided a new and welcome source of national pride. More pragmatic citizens usually want to hear more of the space program's short-term, practical benefits.

While space limitations preclude complete listing of even the collateral or spin-off benefits from NASA's efforts in its first 15 years, many of them deserve brief mention.

Medicine has put more NASA-developed technology to use than perhaps any other discipline—mainly because of space-age advances in miniaturization and sophisticated electronics circuitry.

A small "temperature pill," no larger than a vitamin capsule, is actually a radio transmitter that can be swallowed. In its passage through human alimentary tracts, the tiny device can detect and transmit data on very small temperature variations, revealing the presence of infections and other disorders.

A miniaturized blood analysis system has been developed and is in clinical use. The compact, lightweight device can perform 16 different studies on human blood samples and requires only 1/10 cc of blood, compared to existing analyzers which need up to 5 cc to perform single analysis.

Other research is under way on a breathing machine capable of being sterilized against spreading infections to patients, entirely by dry heat methods. The new device can function at high temperatures, because several new, highly-heat-resistant, space-proven polymers are used in its construction.

An advanced manipulator system, operated by paralysis victims through a tongue-switch control device, was demonstrated this spring before a Congressional committee in Washington.

Electrical pulses capable of imparting motion to paralyzed human muscles may soon be transmitted successfully to muscles inside the human body through new surgically implanted connector terminals fabricated from high-purity vitreous carbon.

This substance permits growth of the patient's skin around the implant with reduced danger of rejection by the human body.

A compact, fully automatic gas analyzer is now on the commercial market. It measures the composition of air breathed in and exhaled from the lungs as an aid in monitoring pulmonary and cardiovascular activity in human patients.

It affords prompt information on human respiratory and metabolic functions, previously unavailable or too time consuming to obtain.

In hospital intensive care units, the same instrument can be used to monitor the breathing of acutely ill patients. In surgeries, the anesthesiologist can monitor the patient's progress.

Ultra-clean laminar air-flow techniques developed by NASA for assembling spacecraft and their components are helping surgeons avoid infection in hospital surgeries. Ultra-fine filters purge dust and particles from the air during surgery.

The number of these special "clean room" surgeries has risen from less than 50 two years ago to more than 200 today. In many instances, the surgical teams wear helmets resembling those worn by astronauts, plus specially treated non-woven surgical garments that bacteria cannot penetrate.

A rechargeable cardiac pacer developed recently by the Johns Hopkins Applied Phys-

Laboratory, when implanted in humans, can be recharged from outside the body.

It will function up to 20 years instead of the two years usual with earlier devices. Electronic components in the pacer were developed in the space program.

Law enforcement has had significant assists from NASA-developed technology, including devices for recovering indented handwriting, long-distance rapid transmission of fingerprints and several novel alarm devices.

Schools throughout the United States are installing a silent communications and alarm system (SCAN). Already in use in New York City and other major systems, SCAN summons help quickly when a teacher or other staff member presses a button on a pen-like ultrasonic transmitter.

Technology assembled by engineers at the Jet Propulsion Laboratory, Pasadena, was used in developing this equipment.

Another warning system to detect intruders entering parked aircraft was developed from a blood pressure measurement device.

NASA recently announced the development of a radar-reflective, self-inflating life raft using space technology. It is being used and tested by the U.S. Coast Guard and offered to the Merchant Marine and to private boat owners and operators.

When American automobile manufacturers market their version of cars powered by the wankel-type rotary engine, a new fluoride-metal self-lubricating composite will be ready to withstand its high operating temperatures.

A rapid-scan infrared tire tester is being used daily by a major U.S. tire manufacturer. The ultra-sensitive optical device affords a non-destructive testing method for checking out new designs in aircraft and automobile tires.

NASTRAN, a computer program designed by NASA to analyze the behavior of structures under stress, is now a design tool familiar to more than 600 American engineers outside the space agency.

A hundred or more U.S. industrial firms, universities, laboratories and government agencies are using it to solve their structural engineering problems.

Components for "anything that shakes, rattles or rolls," can be designed using NASTRAN to predict their performance.

Front suspension and steering linkages in a line of American automobiles and light trucks are now being designed with NASTRAN assistance. NASTRAN analysis can also be applied in the construction of bridges, power plants, skyscrapers and airplanes.

New computer analysis techniques result in a 60 per cent improvement in predicting the behavior of components under stress and a time saving of two-thirds in achieving such calculations, industry officials report.

Items of fireproof or fire protective clothing and fire-retardant or fire-resistant building materials are beginning to appear on the commercial market, spurred by NASA research.

Fire safety, a prime concern since the agency was organized, has been advanced by a variety of NASA-sponsored research. In 1970 alone, more than 12,000 people were killed in 2.5 million preventable fires in the United States. Fire losses in the same year were estimated at more than \$10 billion.

NASA has developed several fire retardant or non-flammable foams, paints, fabrics and glass fiber laminates.

Paints that emit a flame-retarding gas when heat is applied have been studied by NASA's Ames Research Center and are being evaluated by the National Association of Home Builders. Foams developed at Ames also retard fire propagation and many have excellent insulation properties.

Extensive tests are in progress at NASA's

Johnson Space Center in Houston for applying these and other materials to fire-resistant carpeting, seats, head rests, paneling, curtains and fire walls.

NASA has under test two basic types of improved fire-fighters' clothing. Several types of proximity suits have also been developed and are being tested for close-in fire fighting.

Two recent laser applications have gained wide attention—one as an aid to land surveyors and the other shows promise of providing a real help to commercial fishermen.

The laser land-surveying system consists of two back-packable, rugged 400-pound field type units. One unit is the vertical firing laser, the other a telescope receiver which views the laser pulse above all obstructions. Surveyors are thus able to lay out property lines over terrain obstacles.

The result is faster determination of boundary lines with considerably reduced land clearance costs. The U.S. Forest Service now has such a problem with some 270,000 miles of property lines involving more than 1,150,000 property corners.

Another laser device is being tested to measure the presence of tiny drifting plankton plant forms in Chesapeake Bay. Mounted on a helicopter, an orange light flash beamed from the laser is absorbed by the plankton in the water. The plankton then gives off a very faint infrared radiation beam which is measured and recorded through a telescope on the helicopter.

Drifting plankton is an important source of food for marine animal life. New ways of locating and measuring plankton in sea water could help fishermen and others dependent on the sea for their livelihood.

Plankton have additional ecological importance because they replenish an estimated 70 per cent of the earth's fresh oxygen supply.

New high-energy-output batteries are appearing on the commercial market, providing sure, fast starts for portable power tools and sports equipment. The basic technology was originally developed by NASA.

Both lead-acid and nickel-cadmium batteries are now capable of being recharged 90 to 100 times faster than existing batteries. Compared with most commercial batteries requiring 14 to 16 hours for full recharge, the new batteries can be recharged in 15 to 20 minutes without damage to the cells. Some nickel-cadmium units can be recharged in as little as six minutes.

Another practical, time-saving development is flat electrical conductor cable developed by NASA, and first used in spacecraft.

Inconspicuous, low voltage switching circuits are now being marketed. The adhesive-backed flat cable and switches are applied on walls, ceilings and floor surfaces with no need for costly installation inside walls or ceilings. They are readily concealed by paint, wall paper, tile or carpeting.

Designed to control overhead room lights and appliances served by conventional 110-volt electric power, the system operates on only two volts. Builders estimate that up to \$35 per room can be saved in masonry construction by using the new quickly applied circuitry.

LATVIAN INDEPENDENCE

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1973

Mr. SARASIN. Mr. Speaker, today as we find ourselves on the threshold of lasting peace with the Soviet Union, I

suggest that we take the time to consider and perhaps reassess the importance we have placed on this fragile bond of peace. While we hail moves aimed at strengthening our relations with the Soviet Union for our mutual benefit, we must not overlook the stark reality that several non-Russian republics within the Soviet Union have not willingly agreed to their particular affiliation with the Soviet Union.

Among these states is Latvia, which, like its sister states of Lithuania and Estonia, came under control of the Soviet Union over three decades ago. With the Soviet takeover, Latvians were scattered throughout northern Russia and Siberia in a deportation scheme designed to weaken nationalistic bonds. Nevertheless, that nationalistic spirit has not died in Latvia. In fact, November 18 was celebrated as the 55th anniversary of that nation's independence, which was subsequently thwarted by Soviet domination.

Here in the United States citizens of Latvian descent are anxiously awaiting the day when their relatives in Latvia will be given the freedom to choose their own system of government. I join them in urging the Soviet Union to grant that freedom before yet another decade goes by.

U.S.S.R. APPARENTLY VIOLATED AGREEMENTS DURING MIDDLE EAST CRISIS—A YAWNING CREDIBILITY GAP ENSUES

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. HUBER. Mr. Speaker, last June 22, President Nixon and General Secretary Brezhnev signed an Agreement on Prevention of Nuclear War. Article I states:

The United States and the Soviet Union agree that an objective of their policies is to remove the danger of nuclear war and of the use of nuclear weapons.

Accordingly, the Parties agree that they will act in such a manner as to prevent the development of situations capable of causing a dangerous exacerbation of their relations, as to avoid military confrontations, and as to exclude the outbreak of nuclear war between them and between either of the Parties and other countries.

It is plain to everyone at this moment that the renewed war could not have broken out without the Soviet Union's tacit, if not explicit approval. The massive amounts of advanced weapons furnished to the Arab side of the conflict adds weight to this argument. If these things were not self-evident enough, the mammoth resupply of weapons to the Arabs furnished further confirmation of Soviet aims. Certainly, the Soviets were not unaware of our interest in Israel being preserved as a nation, and that their actions could not help but cause "a dangerous exacerbation of their—United States-U.S.S.R.—relations." Again, note article II of the same agreement which says:

The Parties agree, in accordance with Article I and to realize the objective stated in

that Article, to proceed from the premise that each Party will refrain from the threat or use of force against the other Party, against the allies of the other Party and against other countries, in circumstances which may endanger international peace and security. The Parties agree that they will be guided by these considerations in the formulation of their foreign policies and in their actions in the field of international relations.

Was the rapid buildup of the Soviet fleet in the Mediterranean to some 80 to 90 ships and the placing of all their airborne divisions on alert a contribution to peace? Is this a sample of "proceeding from the premise that each party will refrain from the threat or use of force against the other party, against the allies of the other party?"

The lesson in all of this, I feel, is that the Soviet Union has changed neither its ways nor its tactics. The United States needs to remain strong and alert. It also needs to be more careful of the agreements it signs with the Soviet Union. Détente is a yawning credibility gap.

LATVIAN INDEPENDENCE DAY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1973

Mrs. GRASSO. Mr. Speaker, November 18 marked the 55th anniversary of the proclamation of independence by the people of the small yet spirited Baltic Nation of Latvia.

For Latvians and their descendants in the United States and elsewhere, the day symbolizes the devotion and dedication of all Latvians to the priceless ideals of independence, personal freedom, and self-determination.

The history of Latvia relates the achievements of men and women continually striving and struggling for that precious right of liberty. Forged from the chaos that engulfed Eastern Europe following the collapse of Czarist Russia, Latvian independence lasted only 22 years from that glorious November 18, 1918. In 1940 this small republic and its neighbors of Lithuania and Estonia were ruthlessly occupied by the armed forces of the Soviet Union and incorporated into the U.S.S.R. Since that time Latvians have known only suffering, misery, totalitarianism, and russification efforts.

Over the years, however, the industry and energy of the Latvian people has been exhibited in the resourcefulness and accomplishments of Latvian-Americans. These hardworking citizens have contributed to numerous communities throughout our country, and their belief in our democratic form of government has increased the strength of the fiber of American society.

The continued loss of Latvian freedom grieves all people who cherish the right of peoples to determine their own fate. On this 55th anniversary of Latvian independence, it is my hope that one day soon the Latvian people will be able to celebrate this important occasion free from the bonds that now shackle them.

THE PRESIDENT, CONGRESS, AND THE ENERGY CRISIS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. LEGGETT. Mr. Speaker, yesterday's Washington Post carried an excellent editorial on the energy crisis, with which I am in complete agreement.

The thrust of the editorial is this:

First, Mr. Nixon's claim, made November 17 in the course of his question-and-answer session, that Congress had not acted on six out of seven of his major energy proposals, was more appropriate to its Disneyland location than to the gravity of the situation. That is, it was made up of five parts fantasy and one part questionable substance.

Second, the most effective initiatives in the energy field have in fact come from Congress. These include the Eagleton allocation amendment and the Jackson rationing bill.

Third, all of Mr. Nixon's proposals have tended to favor the major oil companies at the expense of the average American citizen. This is unacceptable.

Before inserting the editorial into the RECORD, I would like to add a fourth point of my own:

It is time the President and Congress stopped trying to fix the blame on each other and began fixing the problem. I do not mean to suggest, of course, that I am any the less convinced of the necessity for impeachment. But as long as Mr. Nixon occupies the White House we must do our best to deal with the energy crisis together.

Mr. Nixon's television message last night was commendably free of the name-calling which marked his presentation a week earlier. It was, in this respect, a good sign. However, I see considerable room for improvement in the substance of his plan, which I shall discuss tomorrow.

I insert the editorial entitled "The President, Congress, and Energy," from the Washington Post of November 25, 1973, in the RECORD at this point:

THE PRESIDENT, CONGRESS, AND ENERGY

To get through the coming year without excessive economic damage, the country is going to need new energy legislation of great range and strength. It is legislation that will sharply affect all of us, and public attitudes toward the rules will be crucial. That kind of legislation requires close and continuous cooperation between the White House and Congress. Since these statements are obvious to the point of being truisms, Mr. Nixon's current aggressive hostility toward Congress becomes all the more mystifying. He is now pursuing a vehement campaign to blame as much as possible of the energy shortages on Congress and its Democratic leaders, while simultaneously asking them for more help. His appearance before the Associated Press managing editors a week ago was a particularly egregious example.

He sent Congress a message last April, he said. And what happened? "I asked them for seven pieces of legislation to deal with energy. One has reached my desk, the Alaska pipeline. I signed it. The other six, I hope they act before they go home for Christmas . . . The President warned in April, the

Congress did not act and now, it is time for the Congress to get away from some of these other diversions if they have time and get on to this energy crisis." This accusation suggests Mr. Nixon is not fully briefed on his own program.

One of those six pending bills of which he spoke would provide compensation for the companies that held the canceled drilling leases in the Santa Barbara Channel. It is not an energy bill at all, but rather a compensation bill. And where is it now? The administration withdrew it, four days before Mr. Nixon's appearance before the managing editors.

Another of the six April proposals was a tax credit to encourage exploratory oil drilling. But rising oil prices over the last six months have set off a tremendous exploration boom that is currently limited only by the severe shortages in drilling equipment and casing pipe. Whatever the circumstances of last April, further tax credits are hardly required now. Still another of the April proposals was to develop deep water ports to unload huge tankers bringing us crude oil from, mainly, the Arab countries. Current developments in the Mideast seem to have diminished the urgency of the superport bill. Mr. Nixon has quite rightly proclaimed independence in fuel supply to be a national goal. But if we are building toward independence of supply, do we also need superports for Arabian oil? It does not appear that anyone in the administration has seriously addressed the question. Mr. Nixon was merely scoring a polemical point reflexively and recklessly.

One of the April proposals would have simplified site selection and approval for electric generating plants. Another would have set new standards for strip miners. Both are moving slowly because they raise difficult issues of environmental protection, conservation and safety. Neither of them offers any very sudden relief of the shortages.

Of all seven of Mr. Nixon's April proposals, there was only one—the bill to deregulate natural gas—that would have helped the country this winter. It might have helped quite a lot. But it is stalemated for reasons that illustrate the central defect in the administration's whole approach to energy legislation.

The case for deregulating gas gets stronger as the price of oil rises. Of the three basic fuels—coal, oil and gas—only one is regulated. The wider the gap between the low price of gas and the high prices of competing fuels, the more the gas shortage is aggravated. But the issue of deregulation is a familiar one, and it is perfectly clear that Congress will not act until it has a bill that adequately responds to the legitimate and well-founded fears of consumers.

Any successful bill will have to contain guarantees that gas rates will not continue to favor industry by loading the whole rise on householders. It will also have to assure consumers that the continental pipelines cannot be used to destroy competition among producers. Several congressional committees are working on legislation that can answer those doubts. But they are not getting much help from the administration, which tends to view amendments as evidence of insubordination.

The most valuable energy legislation enacted this year has been the oil allocation authority, which was neither sought nor, until last week, even supported by the Nixon administration. It was originally put forward by Sen. Thomas F. Eagleton (D-Mo.) and tacked as an amendment onto the wage and price control bill last April. The administration disliked the idea at the time, but that legislation enabled them to begin fuel oil allocation last month.

Last week the Senate passed a bill to authorize gasoline rationing. President Nixon

first asked for this authorization on Nov. 7. The bill that the Senate passed was introduced by Sen. Henry Jackson (D-Wash.) on Oct. 18. We are seeing, in fact, an extraordinary demonstration of congressional initiative.

Mr. Nixon's April message had, in general, one pervasive defect that explains the meager response. It is a matter of balance. All of his proposals benefited the oil and coal companies, heavily and obviously. Some of them clearly benefited the public as well. But the circumstance that they all came down in favor of the same set of interests gave the message a dismaying lopsidedness. If citizens are going to have to pay much higher prices and tolerate lower environmental standards, they would like to see some sign that the companies are going to have to give a little too. There was no hint of it in Mr. Nixon's April address, and not much in any of the subsequent addresses. That, at bottom, is why his proposals do not get rapid action in the midst of shortages that even he now acknowledges do constitute a crisis.

FEDERAL GOVERNMENT SHOULD SET BETTER EXAMPLE—POSTAL RATE COMMISSION SHOULD HOLD LINE ON MAIL RATES

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. HUDNUT. Mr. Speaker, many of us have spoken out from time to time to express alarm about the constantly spiraling rate of inflation. As stated on these occasions, the key to controlling inflation is to curtail Government spending. Another step has been to try to influence business and industry to hold down prices through voluntary means. To get this job done the Federal Government must set a better example than it has been doing.

It is my understanding that, barring action by the Cost of Living Council, postal rates will increase as of January 5, 1974, as follows: First-class mail from 8 to 10 cents; airmail from 11 to 13 cents; post cards from 6 to 8 cents; airmail post cards from 8 to 11 cents; second-class mail will rise by an average of 38 percent; third class by 25 percent; and parcel post by 6 percent.

While an additional 2 cents to mail a letter may not seem excessive for the average working person, it can mean a great deal to a retired elderly couple living on social security. Furthermore, it will mean additional costs to business and industry which will be passed on to consumers; thereby contributing to the growth of inflation.

Today we see excessive Federal spending resulting in high prices for meats and other products, increased rents and interest costs, as well as the devaluation of our dollar in foreign trade. The family budget must allow a high percentage of its expendable income for basic necessities as food, rent, clothes, and transportation. This increased spending contributes toward the inflationary spiral. Even though the Postal Service is facing increased spending, there must be an interruption to this trend. Higher postal

rates is just one more additional expense that families on fixed incomes will have to deal with. If ever there was a time ripe for corrective action, surely it is now.

In discussions with my constituents, I find the vast majority are opposed to additional price rises. I believe they represent the views of most Americans who are fed up with high prices and inflation and feel that the Nation's budget should be controlled—as they must do with their own family budget.

I urge the U.S. Postal Rate Commission to hold the line on increasing postal rates and take into consideration the economic concerns of the American people.

ALLEGHENY COUNTY LABOR COUNCIL HONORS SCHOLARSHIP WINNERS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. GAYDOS. Mr. Speaker, each year high school students in Allegheny County, Pa., are offered the opportunity to compete for educational scholarships in an essay contest sponsored by the Allegheny County Labor Council, AFL-CIO.

This year the competition centered on a subject of great concern to me and many Americans: "What Is the Impact of Imports on the Labor Force in America." I am proud to announce that several winners in the competition, including the recipient of the highest award, a scholarship offered by the Lieutenant Governor of Pennsylvania, Hon. Ernest P. Kline, are residents of the 20th Congressional District, which I have the honor of representing in the House.

The winner of the Lieutenant Governor's Scholarship was Miss Judith Mary Manns, a daughter of Mr. and Mrs. Joseph R. Manns of 1704 Highland Ave., West Mifflin. An attractive, intelligent young lady, Miss Manns represented West Mifflin North High School in the contest and was sponsored by her father, a member of Local 1256, United Steelworkers of America.

Other winners from the 20th District were Miss Luanne Starr, a daughter of Mr. and Mrs. Wesley R. Starr of 410 Franklin Heights Drive, Monroeville, and Curtiss W. Jones, son of Mr. and Mrs. Moses Jones of 5-D Millvue Acres, Clairton. Miss Starr was sponsored by Charles A. Maniccia of Local 1219, USWA, and represented Gateway Senior High School. She received the 44th State Senatorial District Scholarship from Pennsylvania Senator Thomas M. Nolan. Mr. Jones, sponsored by his father, a member of Local 1557, USWA, represented Clairton High School and was presented the 45th Senatorial District Scholarship by Senator Edward P. Zemprelli.

In her article, Miss Manns pointed out a certain amount of import competition is necessary to keep American products

up to standard. But, she warns, if allowed to come into the country uncontrolled, imports can severely damage our labor force, resulting in high unemployment and huge trade deficits. She said:

The experience of recent years, should teach U.S. Consumers that a certain amount of competition from foreign companies is advantageous but must never be permitted to become as damaging as it has in the past.

Miss Starr cited facts and figures to support her claim that imports have created massive unemployment in American based industries. She wrote:

When jobs are displaced for any reason, more people begin to depend on government aid, such as unemployment compensation, and worse, welfare checks. Gradually, the general standard of living is lowered.

Mr. Jones punctured the theory that imports are the best buy for the consumer because they are cheaper. He declared:

Imported goods cost more money because their real cost is the destruction of our economy.

He explained when American jobs go unfilled, because of imports, it means a growing number of American consumers are unable to consume. Their buying power is diminished, he observes, and that buying power is the cornerstone of our economy.

I might add the principal speaker at the scholarship award dinner was my good friend and esteemed colleague, who is an expert on the impact of imports on the American worker, the Honorable JOHN H. DENT.

I congratulate Miss Manns, Miss Starr, and Mr. Jones on their insight into one of the most serious problems facing our Nation today. I know their families, friends, and schools are proud of their achievement. I also commend the officers and members of the Allegheny County Labor Council for stimulating the interest of young adults in national affairs, recognizing their ability and assisting them in furthering their education.

Mr. Speaker, it is with pride and pleasure that I bring to the attention of my colleagues the accomplishments of these outstanding young Americans.

UNIVERSITY OF BUFFALO STUDENTS BOUND FOR WORK IN ISRAEL

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. KEMP. Mr. Speaker, the recent Middle East conflict was a brief one, by historical standards, but the fierce fighting still took a very heavy toll on both sides, with Israel suffering casualties for in excess, considering the population differential, of those the United States suffered in Southeast Asia.

While we hope and pray that the present cease-fire will hold, Israel must, in lieu of a negotiated settlement, continue to remain mobilized—in spite of the strain this places on an economy dependent upon a healthy civilian work force.

To help alleviate this situation, 12 students of the University of Buffalo have responded to a call for volunteers to work in hospitals or on Kibbutzim, filling position vacated by Israelis now on active duty in Israel's armed services.

Mr. Speaker, we should be very proud of these young volunteers, for they have committed themselves not to a glamorous, romantic adventure, but to long and hard hours for a cause in which they firmly believe. It is this spirit of volunteerism—a willingness to sacrifice a semester's tuition, to give up the comforts of home—that makes their journey so meaningful. One of the young men, Murray Sackman, is the son of my friends, Sam and Phyllis Sackman of Erie County's Township of Tonawanda. In a recent letter, Sam tells me that his son is among several of the volunteers in Kibbutz Yot Vatah, only two kilometers from the Jordanian border. Along with several of the other University of Buffalo students, Robert Alt, Neil Bluestein, Elizabeth Bolt, Randi Gottfried, and Perris Merlin, Murray is kept busy working on the dairy farm and picking melons. I know how proud his parents are, and I also know how very rewarding this experience will be for Murray.

Mr. Speaker, an article in the October 27, 1973 Buffalo Courier Express provides further information about this program in which these students are engaged. I insert it at this point:

UB STUDENTS BOUND FOR WORK IN ISRAEL

Twelve University of Buffalo students are bound for Israel this weekend in a special volunteer program sponsored by Kibbutz Aliya Desk and Sherut La'Am, organizations which arrange trips to Israel. They will not depart in a single group.

The students, who will be in Israel for periods ranging from three months to one year, will be working in hospitals or on kibbutzes doing mainly farming work. Robert A. Chertock, an interviewer for Sherut La'Am, said the students will be filling non-military positions.

Two days after the present Middle East conflict began, Sherut La'Am launched a special program calling for volunteers to fill positions left vacant by those involved in the war, Chertock said.

The students, who will pay their own transportation costs, will live on kibbutzes or receive stipends to support themselves while in Israel. The volunteers, not all of whom are Jewish, are losing their tuition for the fall term at U.B., because they are leaving at midsemester, Chertock said.

All the students shared at least one motivation for going—"the need to protect a very small country they feel is under attack," Chertock said.

Students who will be in Israel for three months are: Robert Alt, 486 Elmwood Ave.; Miss Perrie Merlin, 2463 Kensington Ave.; Snyder; Miss Randi Gottfried, 8 Gettysburg Ave., Town of Tonawanda; Miss Elizabeth Bolt, 164 Traverse Blvd., Town of Tonawanda; Neil Bluestein, 201 Sunrise Blvd., Williams-ville, and Murray Sackman, 198 Carpenter Ave., Town of Tonawanda.

Students volunteering for six months are: Miss Barbara Bolot, 116 Irving Ter., Kenmore; Miss Hanah Friedler, 34 Blantyre Rd.; brother and sister Samuel and Faith Prince, 90 Parkside Ct., and Sherwin DeMayo, 612 Woodlawn Dr., Town of Tonawanda.

Gene Robinson, 34 Carpenter Ave., Town of Tonawanda, will be in Israel for one year. Already serving a one-year volunteer stint are brothers Efrem and Aaron Back, 56 Covington Rd.

MISSOURI SOUTHERN STATE COLLEGE: CONSERVATION CAMPUS

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, the work of the Soil Conservation Service has long been known for the effective way it has helped to preserve and enhance our environment long before the word ecology came into prominence.

A prime example of its efforts can be found on the campus of Missouri Southern State College, located in the Missouri Seventh Congressional District, which I am privileged to represent.

I would like to direct my colleagues' attention to the article, "Conservation Campus," which appears in the September 1973 issue of Soil Conservation, a publication of the U.S. Department of Agriculture.

The article follows:

CONSERVATION CAMPUS

(By James E. Callahan)

Schools, including colleges and universities, in many places are turning their grounds and campuses into environmental learning areas with help from resource conservation and development (RC&D) projects.

RC&D projects are administered by the Soil Conservation Service for the U.S. Department of Agriculture. They are designed to help local people improve the social and economic conditions in the project area by developing and utilizing to the fullest extent the area's resources.

RC&D project leaders throughout the country are recognizing schools as important community resources.

At Missouri Southern State College, near Joplin, college administrators, RC&D officials, faculty members, and students had a part in developing a campus conservation plan to protect natural resources on the 310-acre campus and at the same time offer first-hand conservation learning opportunities for 3,200 students.

The conservation plan has brought about many improvements. For example, water runoff from roofs and parking lots that once cut gullies down a steep bluff flanking many of the campus buildings is now intercepted and diverted into a grassed waterway that safely carries it into nearby Turkey Creek. And eroding banks along the creek have been turned into wildlife management areas by planting soil-holding trees and shrubs that also serve as food and shelter for wildlife. Other critically eroding areas have been seeded to 'Emerald' crownvetch and fescue.

Because the campus occupies almost the entire land area of a small watershed, students, as well as teachers who are enrolled in environmental education summer workshops, can study watershed resource management right on their own campus.

A unique study area that includes a half-acre spring-fed, cold-water pond, which slowly overflows into a 5-acre warm-water marsh, also provides opportunities for on-campus studies of plants and animals native to the cold- and warm-water habitats of southwestern Missouri.

The pond was once a spring-fed swimming pool on the estate of Frank Carmany Wal-lower, an early pioneer in the lead and zinc mining industry in Missouri. By the time the college acquired the estate, undercurrents from the spring had created "blow outs" beneath the abandoned swimming pool, blocking the water flow and creating erosion

problems and dangerous swampy areas. Furthermore, according to Dr. Leon Billingsly, president of MSSC, "the old pool was polluted and a blemish on our new campus."

Igneous, sedimentary, and metamorphic rocks will be placed around the pond to stabilize the banks and outlet and to provide opportunities for geological studies. A border planting of trees and shrubs around the pond and marsh will eventually help abate wind and noise. The effectiveness of these wind-breaks will be determined and measured over the years by MSSC students.

The pond area alone is "invaluable," according to Dr. Gerald Ellick, assistant professor of biology. "It is an ever-present teaching aid within a few hundred feet of every classroom on campus."

Technical help in developing and implementing the campus conservation plan was provided through the Southwest Missouri RC&D Project by the Soil Conservation Service, the Jasper County Soil and Water Conservation District with which the college is a cooperator, the Missouri Department of Conservation, and the Missouri Extension Service.

Helping schools and colleges tie together sound land use and educational opportunities brings RC&D project leaders closer to the goal of properly developing, utilizing, and conserving the natural resources of their area for the benefit of the people.

A VOTE AGAINST IMPEACHMENT

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. BAUMAN. Mr. Speaker, one of our most thoughtful and well-respected writers in the Maryland press is Mr. Louis Azrael of the Baltimore News American. For many years his commentary on national and State issues has been followed by many thousands of Marylanders.

While I have not always shared Mr. Azrael's views, I commend to the House a recent column in which he discusses the question of whether or not the President should be impeached. His thoughtful analysis deserves careful consideration. The column follows:

A VOTE AGAINST IMPEACHMENT

This column yesterday contained 17 short paragraphs, each expressing an opinion on a different subject, and one of them evoked more comment, pro and con, than all the others combined. The opinion it expressed was, "It would be better for the nation's long-range good if President Nixon should finish his term."

Most of the responses, by far, were in disagreement. But many persons complained, "When you come out with such an opinion you should at least give reasons."

It is a fair request.

The feeling that Nixon should not be impeached or pressured to resign isn't based on argument that Congress has no valid grounds upon which to act against him. It probably has.

"Should we punish Nixon?" however, is not the important question. The real question is, "What is best for the nation, not only immediately but in the long run?"

And that question leads inevitably to another: if Nixon is forced out, what are the likely consequences.

Americans are impatient people. They let things go badly and when the troubles reach a dramatic point they want quick, summary

remedies. But this government has lived for 185 years without ousting a president or having one resign. We have had, at times, weak presidents, overstrong presidents, probably incompetent presidents. It has been a great element of stability in this highly volatile country that we have not disrupted administrations when national emotions were aroused.

Nixon has three more years to serve. Three years, in the perspective of history, is but a moment.

It is wise, therefore, to ask: can Nixon do such harm during the three years as to outweigh the effects of ousting him?

Let us assume (though many dispute it) that Nixon has permitted, perhaps been party to, many misdeeds. Let us assume, which few dispute, that he has grabbed so much executive power that Constitutional checks and balances have been distorted. Let us assume the truth of many charges leveled against his administration.

It is hardly likely these activities can continue if he remains in office for three more years. Congress is re-asserting its neglected powers. The public, startled by revelations of governmental skulduggery, is more alert, more vocal. The press and other media have learned to do more probing and are more outspoken than they have been in recent history.

And Nixon would be under their constant, suspicious watch. The degree to which his tendencies might harm the country would be enormously curtailed. And after three years he would go out of office in the normal American course to become a questionable figure in history.

Suppose, on the other hand, he is impeached.

Politics, inevitably, would play a large role in the impeachment proceedings. Many in the country, believing the ouster was for vicious reasons, would be incensed. It is not unlikely that rational discussion in the next presidential election would be submerged in angry debate about Nixon.

Perhaps more importantly, a precedent for ousting presidents would be set. It is true that some other countries, such as England and France, live under systems which permit mid-term dismissal of their heads of government. But they also call for elections of their legislative bodies when this is done. Nor is there any reason to think their systems have proved to be preferable.

Which, then, is better; to let a sharply-watched, power-curtailed Nixon finish out his moment in history? Or to heighten national dissension, disrupt great national and international policies and establish a precedent that could, from time to time, shatter the harmonious transitions of power that have served this nation well?

The answer seems clear.

LATVIAN FREEDOM—A HOPE AND AN INSPIRATION

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1973

Mr. FISH. Mr. Speaker, November 18 was the 55th anniversary of the Latvian declaration of independence. Since Congress was not in session on that date, I want to take this opportunity to pay a personal tribute to the valiant Latvian people.

It was on November 18, 1918, that Latvia took its rightful place among the free and sovereign nations of the world. But, as we know all too well, their in-

dependence was to be short-lived. Since 1940, these gallant and courageous people have suffered under the yoke of Soviet Communist domination.

So, it is particularly important for those of us in the free world to remember and commemorate this anniversary. It is, appropriately, an occasion both for sadness and for hope. While the people in Latvia were unable to publicly celebrate their day of independence, those of Latvian origin here in the United States and throughout the world still demonstrated a spirit and determination that their country will again one day be free.

So, I call on my colleagues in the House of Representatives to join with me in honoring the Latvian nation and its people. A belief in human rights and self-determination demands that we rededicate ourselves to the cause of Latvian freedom and the freedom of the other captive nations.

A TRIBUTE TO JUDGE LOUIS B. DEMATTEIS

HON. LEO J. RYAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. RYAN. Mr. Speaker, on December 1, Judge Louis B. Dematteis will be honored with a testimonial dinner on the occasion of his retirement from the Superior Court bench of San Mateo County.

I have known Judge Dematteis for 20 years now, and I am sorry to see our community lose a judge of such high calibre and judicial ability. His is, however, retiring from a career of over 20 distinguished years as a judge. He was known as a careful judge who brought to the bench a combination of even-handed judgment and sympathetic understanding of the community and the citizens of our county.

A native of San Mateo County, he was born in Redwood City on September 6, 1911. He was admitted to the California bar on November 15, 1932, after receiving his LLB in 1931 from Lincoln University in San Francisco. He also received from that institution his LLD after receiving his LLM from the University of San Francisco Law School.

He was in private practice from 1932 until 1935 when he was appointed deputy district attorney, a position he held from 1935 until he joined the Navy during World War II.

After the war he was again in private practice of law until he was appointed to assistant district attorney in 1948 and district attorney in 1949. On September 17, 1953, he was appointed by Gov. Earl Warren to the San Mateo Superior Court. His appointment was hailed by all who knew him either personally or by reputation.

He has distinguished himself not only on the bench but also in the service of his community. He is the former board chairman of the Sequoia District of the Red Cross; 1965 president of the United Fund of San Mateo County; from 1950 to 1957, chairman of the San Mateo Co-

ordinating Committee on Youth; the former board chairman of the Catholic Social Services of San Mateo County; and past board member of the Boy Scouts.

His present participation in community affairs includes the Conference of California Judges; Benevolent and Protective Order of Elks; Sierra Club; American Legion; Knights of Columbus; San Mateo County Area Council, Boy Scouts of America, and Native Sons of the Golden West.

Judge Dematteis also maintains an active involvement in the Order of the Sons of Italy in America and the Italian-American Federation of California. He was honored for his participation in Italian-American activities in 1954 by the Italian-American organizations of San Mateo County at another testimonial dinner attended by over 1,000 appreciative people.

Judge Dematteis was married to Lillian M. Valente on May 29, 1938, and they have five children: Marilyn, Lillian, Dolores, Louis F., and Robert.

I join with thousands of others in this county and this State who wish him well in his retirement. It pleases us all to know that he will continue to be available for his wisdom and advice. It pleases me personally to know that I can continue to call him a friend and to look forward to many more years of a most pleasant association.

SUGGESTIONS FOR A SAUDI ARABIA ECONOMIC FUTURE

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1973

Mr. HANNA. Mr. Speaker, one of the most important, interesting, and challenging parallels in today's world is the juxtaposition of the world's energy needs and the bountiful supply of oil sequestered beneath the sands of Saudi Arabia. This imposing pair of facts presents an impressive question of policy for King Faisal. How does a small and relatively underdeveloped nation project a wise and safe policy for a stable and improved future? Oil can be a safer shield for an economic future than a continually reliable sword for a political present. To gain the advantages of this shield, however, would require an early adoption of a policy for the future parallel to the use of oil in the present. Unfortunately, no such alternative is now visible. We see a possibility of such a policy, however, if the Saudi government appreciates the following basic facts:

First, the complex world of supply and demand affords the threat of transition from a condition of uneasy stability toward a condition of increasing competitive conflict. It is historically true that economic conflict, when escalated sufficiently, leads to a more violent form of conflict.

We cannot foresee, for instance, that Europe would peacefully accept the

grinding to a halt of its total economy. Predictably, some of such violence could threaten all who are ingredients in the competitive mix, including Saudi Arabia. The availability of an alternative future oriented to a policy of oil for economic benefit would under the existing condition seem extremely attractive.

Second, another underlying fact dictating the alternative lies in the acceptance of expert opinion that the predominance of oil in the world's energy mix is projected to extend from 1973 to 1985. This certainly suggests that other than a short-range political policy should be considered. Oil will be increasingly less important in part due to the shock the Arab producing nations themselves have visited upon the industrial nations by recent actions. The long-term good news is that Europe, Japan, and the United States are irrevocably committed to finding alternative sources of energy to the extent possible. Also, these countries will be much more restrictive and selective in their use of energy. Especially, in the United States we have received a stern and impressive warning and we can no longer be profligate in our use of energy.

If the government of King Faisal can use the present unique advantage of their possession of oil to build and assure a strong and continuing energy-oriented future, then such opportunity must surely be evaluated and exploited. To do otherwise minimizes the obvious economic benefits in favor of a very questionable political advantage.

Now to make specific some of the ingredients of a longer-term alternative economic policy. We believe that the Arab oil producing countries should use their relative short-run position in oil reserves as a base for building a long-run position in atomic and solar energy. Also, in the interim they could financially participate in the coal-oriented technology for new energy sources. This would establish a base for Saudi Arabia's importance in energy in terms of centuries rather than in terms of years.

Unquestionably all industrialized countries will be committing substantial segments of their technology and science to evolving less dependent and depletable sources of energy. It would seem to me that with the shortage of capital in the world, the Arab oil nations have a remarkable opportunity to be partners in these new areas of energy if they contribute financially to the efforts to evolve and establish these alternatives. Particularly in solar energy does this seem intelligent for the Saudis. In no place in the world is there a wider window to the sun available over more hours of more days of the year than in that country, and to have a part in the research and development and, in fact, to encourage part of the experimentation to occur on Saudi soil seems patently the better part of wisdom.

As a part of such a move, the Saudi Government should consider expanding the resources, the faculty, and the facilities of their present Petroleum University to include solar science and engineering and, perhaps some work in nuclear fission. Such a participation in consort with the more advanced countries could in-

sure a downstream front position in new energy potential. This would call for a trade-off from the short-term present advantage toward the longer-run posture in the years that lie in the future.

There is one other aspect of the present position of the Saudis and other Arab oil-producing countries and that is the constructive and intelligent absorption of income from present and projected production into other aspects of resources that have a longer future. I am thinking here of water and water management development, so that the agriculture potentials, particularly of the south of Saudi near the Yemen border, can be developed; the potential for partnership in industry, such as steel and others that would use the presently burned-off gas surplus to a profitable benefit; and the possibilities for some of the production and byproduct utilization associated with refining. All of these, of course, would require not only the importation of technicians, technology, and equipment from the advanced nations, but, in addition, suggest that the most needed investment is in the most important resource any country has and that is the investment in education for the human resources of the Saudis.

All of this is to suggest that with all of the negativism associated with the present political policy, however strongly justified in the eyes of Arab interests as the Arabs see them, this should not blind these countries to the positive potentials of a progressive future in which cooperation rather than competition is the keynote and where peace is more possible and conflict and tension more surely reduced.

We have that faith in the wisdom and the characteristic of long-term thinking that has been evident in the Arab race. That suggests to us that this alternative policy we have perhaps poorly described will soon emerge and we can only earnestly hope for hastening of the day of its realization.

TRIBUTE TO LES ARENDS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. RAILSBACK. Mr. Speaker, I would like to take this opportunity to pay tribute to my colleague and good friend from Illinois, LES ARENDS. It has been a great privilege for me to have served with him during my last 7 years in the Congress.

It would seem unnecessary to summarize the many contributions which LES has made since he first entered the House of Representatives almost 40 years ago. His record speaks for itself. But we who have had the privilege and pleasure of working with LES can best realize his ability and devotion to his job and to his country. I know I speak for all my colleagues when I say LES will be deeply missed.

LES once said:

No citizen, no matter what his or her calling, should ever cease to be concerned about

good government and the welfare of our Nation.

That statement perhaps best describes himself. Although he will be retiring from the Congress, I know that LES ARENDS will continue to be concerned about the welfare of our country. But he can retire with the feeling of pride and satisfaction in knowing that he served his Nation well.

I wish LES all the best of luck and happiness in the years to come.

CONGRESSMAN NIX PETITIONS THE PRESIDENT TO ACT WITH EXPEDITION ON THE RESOLUTION OF THE CITY COUNCIL OF PHILADELPHIA

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. NIX. Mr. Speaker, the City Council of Philadelphia on November 15, 1973, adopted a resolution memorializing the President to utilize his good offices to seek an accounting of the servicemen missing in action in Vietnam and other Southeast Asian countries. I will request this resolution, No. 225, be included in full in the Record at the conclusion of my remarks.

The importance of a resolution in support of locating and identifying those of our brave servicemen who are still missing is that official representatives of one of America's largest and most famous cities demonstrate that we shall never forget nor neglect the sacrifice of these brave men who are perhaps even now incarcerated in some foul Communist prison, but who undoubtedly hope, day by day, that we here in the States will not cease to exert every effort to free them and return them to their loved ones at home.

Though we face some minor tribulations today, they are as naught compared to what those missing in action who are still alive in Southeast Asia are facing this very day. One cannot help, too, but feeling a maximum compassion for the families of these men who apparently disappeared without a trace. We urge President Nixon to direct all possible action within this country's power to discover the identity of these lost soldiers, and to exert every possible energy and stratagem to return those men who are still living.

The resolution of the city council of Philadelphia, led by its president, George X. Schwartz, is most commendable. It is in the long and laudable tradition of this country that we do not forget our valiant sons who have gone into battle to safeguard our precious liberties.

Mr. Speaker, I wish to join my Philadelphia colleagues in petitioning the President of the United States to reinvigorate the search of those Americans still missing in action and to utilize all the powers of his office to effectuate a

full accounting of those men of ever-honored memory who are missing in Southeast Asia.

Mr. Speaker, the resolution of the city council of Philadelphia is as follows:

RESOLUTION No. 225

Memorializing the President of the United States to utilize his good offices to seek an accounting of the servicemen "missing in action" in Viet Nam and other Southeast Asian countries.

Whereas, Less than six hundred servicemen of the more than 1,900 men who were lost while on active duty in Southeast Asia have been identified by the enemy as alive and captive; but some 1,326 men are still missing; thirty-one are Pennsylvanians, five from Philadelphia; and

Whereas, On November 15, 1973, the Eastern Pennsylvania Chapter of the National League of Families will participate in a "Walk for Freedom" from Independence Hall to John F. Kennedy Plaza to focus national concern on the plight of our missing men; and

Whereas, Until these missing men are accounted for, their families continue to suffer the anxiety, grief and frustration experienced by the relatives of those who disappear without a trace; therefore

Resolved, By the Council of the City of Philadelphia, That we hereby memorialize the President of the United States to utilize his good offices to seek an accounting of the servicemen "missing in action" in Viet Nam and other Southeast Asian countries, to help alleviate the grief and uncertainty of their families and loved ones.

Resolved, That certified copies of this Resolution be forwarded to the President of the United States, the Secretary of State, President Pro-Tempore of the Senate, Speaker of the House of Representatives, the Senators from Pennsylvania, and the Congressmen representing Philadelphia, as evidence of the sincere sentiments of this legislative body.

POOR, INNOCENT TRUDEAU

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. BRASCO. Mr. Speaker, recently, after a long silence in the face of significant provocation, a number of sources in this country, including some in the Congress, spoke out publicly against Canada's emerging policy of anti-Americanism. I was one of those Members who spoke out, and I see no reason for retracting any part of my statement after Prime Minister Trudeau of Canada responded in pained innocence to such comments.

What has happened is simple. Canada produces about 2 million barrels of oil daily, exporting about half of that to this country. That oil is of critical importance to the Northeastern United States, representing more than 5 percent of total American consumption.

Canada has twice raised its oil export taxes on oil being shipped to us. In October, that tax was 40 cents per barrel. Today it stands at \$1.90 per barrel. This of course requires this country to pay and pay again for the privilege of obtaining this product from the nation we extend

unique trade advantages to in a number of areas, particularly automobiles.

Trudeau's statement is self-serving and unacceptable, for he does not address himself to the two main points raised by my statement and those of a number of other people. No one maintains that Trudeau's policy is to keep any and all oil from Canada out of the United States. That was the straw man he set up and knocked down in his public statement of a few days ago.

The fact remains that a rise in a matter of weeks from 40 cents to \$1.90 per barrel is unconscionable profiteering, inexcusable on its face. Why were these hikes instituted so swiftly and in such succession? Why was the policy of tax hikes so conveniently orchestrated with the Arab oil embargo?

Trudeau's pious blatherings about preventing windfall profits for oil companies is hypocritical on its face. He has never moved to prevent them from making such profits in the past. Why now? It seems to me his excuses are lame, late, and without logic.

Nor does he address himself to the other major accusation; slavish acquiescence to the Arab oil boycott. The policies followed and enunciated by his energy minister, Macdonald, could not serve the Arabs better if the shiekdoms had written them out for him.

What we have across the border is a national leader who is in intellectual and philosophical tune with Mrs. Ghandi of India, Boumedienne of Algeria, Pompidou of France, and others of their persuasion. He leans to the New Left as far as he dares.

We know that in the so-called Third World, there exists a dominant theme of anti-Americanism, led by so-called neutralists. These national leaders, alining themselves with Soviet international policies, are great ones for using what they like to call, "moral suasion." Such moral suasion halts at their national boundaries when it comes time to suppress internal dissent, but it offers marvelous opportunities to pose and strut before international gatherings.

Among the more developed nations there exists a second group of heads of state who, concealing their hostility in pious protestations of friendship, oppose the United States in any way possible while seeking economic advantage from us and sheltering behind American military strength. France best epitomizes these states.

In the United Nations and other forums, these groupings of states came together consistently in an anti-U.S. posture, no matter what the question might be. Their aim is to harm us at any cost. And no matter what camouflage is assumed or excuse offered by their apologists in this country, the net result of their endeavors harms the interests of the United States.

Recently, several national leaders have emerged in developed nations, such as Australia, who have joined in these efforts. Sometimes they have done so grudgingly. Occasionally, one can ascertain the outlines of a methodically de-

veloped and followed policy. In Trudeau's case, it is more than obvious.

He has done what he could up till now, not daring to reveal his true colors. However, any analysis of his activities, public positions, policies, and postures reveal a determination on his part to harm traditional Western interests. His anti-Israel policy should have given us an early clue, for in fact, Canada, under Trudeau, has followed such a policy. Like Britain, Trudeau hit Israel in a vital manner, denying her any opportunity to purchase any Canadian materiel that might conceivably be construed as adding to her warmaking potential. That policy hurt Israel as much as Kreisky's capitulation to the terrorists over Schoenau Castle and Britain's embargo during the late war on any and all weapons shipments to the Israelis. Now it is America's turn.

The net effect of Trudeau's policy is to do the Arab's work for them. By raising his oil tax and honoring the Arab's policies regarding shipment of oil to the Northeastern United States, he has added a new dimension in the United States to the Arab boycott, giving it teeth in a critical area of the Nation. So, whatever he says to the contrary, the effect of his policy speaks for itself. Trudeau is anti-American, and is using the resources at his command to harm us. We should retaliate immediately in kind, starting with auto trade preferences.

ONE CORPORATION'S ANSWER TO THE ENERGY CRISIS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. PATTEN. Mr. Speaker, at a time when the energy consumption of this country is great, we find ourselves confronting a situation where we expect a great number of our schools to be closed for lack of fuel oil, our hospitals and medical facilities a bit colder than should be and our transit systems to be running on half-tanks.

This is a time for the American people to cooperate in the conservation of our Nation's energy supply, and to start turning the thermostat down and driving the car a bit slower. Mr. Speaker, Supermarkets General Corp. has already started to practice conservation even before the President's energy message of November 7.

The Pathmark Division of Supermarkets General Corp., Woodbridge, N.J., under the leadership of Mr. John O. Whitney, president, developed an energy conservation position paper containing measures which would be practiced in each of the division's stores. Mr. Whitney and Pathmark are to be congratulated for the positive attitude taken in the effort to conserve our energy supply. I submit the position paper for all my colleagues to read:

POSITION PAPER ON ACTIONS RELATING TO ENERGY CONSERVATION

PATHMARK DIVISION,
SUPERMARKETS GENERAL CORP.,
November 7, 1973.

SUMMARY

I. What Pathmark is doing

We, at Pathmark, in recognition of the energy crisis, have taken the following steps to drastically reduce our use of energy:

A. Effective Immediately:

1. We have reduced electrical consumption for lighting at our stores and offices by approximately 20%.

2. We have reduced our consumption of natural gas at all locations by approximately 10% by reducing the internal temperatures at our stores, distribution centers and offices.

3. We have adjusted the temperature in our Perishable Distribution Center by 5°, which results in a savings of 450-million watts for each month of operation.

4. We have implemented employee car pools.

5. We have imposed a maximum speed limit of 50 miles per hour on all company owned cars, and have reduced the size of our standard company car.

6. As a result of a special study conducted by our engineering staff, we have taken steps to minimize the use of fuel consumption by our Trucking Division by:

i. Reducing the horsepower of all new trucks, which our engineers estimate will result in a 10% fuel reduction.

ii. The use of radial tires on all trucks, which could result in a 3% reduction in fuel use.

iii. Maximizing trailer capacity to reduce the total number of trips per day—and wherever possible, we have eliminated empty mileage.

iv. We have installed cold weather preheating equipment at our terminals to reduce engine warm-up idling time.

II. Long range goals

1. We have revised our specifications for the construction of new stores to reduce lighting requirements from 150 foot candles to 85 foot candles by the use of new lighting techniques, fixtures and improved design.

2. We are also studying the possibility of offering premiums at our stores to customers who share the ride.

3. Other considerations under review are:

i. Multi-zone heating and cooling.

ii. The use of doors on frozen food cases located in the stores.

iii. Decentralization and alternative methods of distribution of food products to the stores.

iv. Our Trucking Division is experimenting with other fuel saving devices, such as airshields and stabilizers.

v. Heat reclamation from refrigerator compressors located in the stores.

We believe Supermarkets General Corporation, Pathmark Division, through the operation of its Energy Conservation Task Force, has taken dramatic steps in reducing its use of energy.

We have dimmed our lights

As part of our existing and continuing program to conserve energy, Pathmark has reduced lighting at its supermarkets by eliminating an average of 250 90-watt fluorescent tubes from each store. This savings chain-wide has resulted in a reduction of 25,000 fluorescent tubes, or 2,250,000 watts for each hour of operation. Pathmark engineers estimate that this reduction, over a one month period, could provide electricity for approximately 18,000 people in approximately 5,000 homes for one month.

We have reduced heat

In addition, the temperature at all Pathmark stores, distribution centers and offices has been reduced to effect a 10% savings. This reduction results in an overall savings of 4-billion British Thermal Units of natural gas, which is estimated to be the equivalent source of energy to heat 160 single family homes at approximately 70° for one month.

Projecting these energy reductions on a National basis, if other concerned establishments followed the curtailments made by Pathmark, the overall effect would result in a meaningful national conservation of energy and greatly aid in minimizing the energy crisis which threatens the public well-being and safety.

We have formed employee car-pools

We are working towards the immediate implementation of employee car pools. Our personnel departments are bringing employee neighbors together through the use of postal zip codes, and we are encouraging employees to share the ride. Company parking lots have been realigned to reserve 96 premium spaces for car pool vehicles. We feel confident that our employees will share the ride not merely to gain premium parking spaces, but more importantly, because they wish to do their part to conserve energy.

As part of our long-range approach, our merchandising people are working on a special consideration for customers who share the ride to our stores. We hope to be in a position to announce this program shortly.

Pathmark's hot line

Our consumer information service (Pathmark's Hot Line), will be used by the Company during this critical period to keep the public advised of what action they can take to conserve energy. Of course, our long-range goal as a nation should be to acquire new techniques and habits of conserving energy so that we may achieve the national goal set by President Nixon of becoming self-sufficient in satisfying our energy needs as soon as possible.

We have reduced the fuel use by our trucks

Our trucking division has been studying fuel conservation measures since January 1973. As a result of this study, we have reduced the horsepower requirements of new trucks and have equipped our trucking fleet with radial tires. Our engineers estimate that these two steps could result in a 13% overall fuel reduction.

In addition, we have increased the capacity of our trailers in order to reduce the total number of trips from our distribution centers to the stores. Our engineers are studying alternative methods of distribution in order to minimize and wherever possible, eliminate empty trailer mileage.

OUR 24-HOUR PROGRAM

The movement of food from its source to various distribution centers and finally to the consumer at the stores is perhaps one of the most important factors to be considered in keeping food prices down. The only method of a food retailer has for keeping prices low is through efficiencies in buying, distributing and handling of their products. The supermarket industry is the most efficient user of physical space measured in terms of sales per square foot.

In 1972, for instance, the industry achieved over \$225 in sales per selling square foot. To put this in a proper perspective, in 1972 the average general merchandise retailer achieved only \$100 in sales per square foot of selling space.

Moreover, Pathmark is significantly more efficient than the supermarket industry as a whole, and has achieved approximately \$396

in sales per square foot of selling space in 1972.

Certainly, over the long term, an efficient user as compared with over development in the form of new facilities.

As a matter of fact, even in the short term, Pathmark has experienced greater efficiencies of energy consumption in connection with its policy of extended hours of operation. Surprisingly enough, in recent studies of our 24-hour program in regard to energy conservation, we have found that our extended hours do not result in the improper utilization of that energy in relation to the movement of food units to the consumer.

The following discussion illustrates that when energy is used at Pathmark, it is used efficiently by maximizing the utilization of existing facilities to distribute food products to the public. Certainly, an analogy can be drawn here from the mounting pressures to use existing school buildings more efficiently. We believe it is far more important in the national drive to conserve energy to maximize the use of existing facilities rather than to build new facilities.

Our recent studies reveal that Pathmark's average annual sales per square foot soon after the implementation of our 24-hour program was \$403., compared to \$370. for the same period during the preceding year. Our current average annual sales per square foot is approximately \$408.

Any analysis regarding energy conservation in the food industry must take into consideration units of energy employed for each unit of food distributed. Expressed in another way, kilowatt hours employed per ton of food distributed to the consumer. Our figures reflect that during a sample period, we consumed 275 kilowatt hours for each ton of food distributed in 1973, compared to 278 kilowatt hours during a comparable period in 1972 for the same stores. The figures are more dramatic when we adjust the total tonnage of food distributed in 1973 to reflect the tonnage reduction of meat and produce which resulted from consumer reaction to higher prices. With the adjustment figure in the computation, we find that we have experienced a 4% reduction in the use of kilowatt hours for each ton of food distributed since the implementation of our 24 hour program.

Moreover, the issue of large, high-volume supermarkets being open to the public 24 hours a day is moot. Our stores and those of most other high-volume supermarket chains, must remain open at night to re-stock and to perform necessary cleaning functions. It is virtually impossible for any high-volume supermarket chain, and particularly Pathmark, having the highest volume stores in the nation, to replenish its shelves during the day. Hence, Pathmark stores are, and have always been, in operation 24 hours a day and all we did when we implemented our 24 hour program was to open our doors to the public.

As we have previously indicated, even before President Nixon's address to the public on November 7, 1973, Pathmark had taken steps to voluntarily reduce its consumption of electrical lighting power at its stores by 20% by removing over 25,000 90-watt fluorescent tubes from its supermarkets. We should point out, that approximately 50% of the electrical power used by a supermarket is not for lighting purposes, but instead to maintain freezer and refrigerator temperatures to prevent the spoilage of perishable products. Thus freezer and refrigerator temperatures must be maintained 24 hours a day, whether or not the store is open to the public.

In addition, Pathmark has voluntarily reduced the internal temperature of its stores to a thermostat setting lower than that requested by the President.

We submit that the total effect of our

energy conservation effort far exceeds any savings which would have been realized had we merely curtailed our hours of operation. Indeed, the President requested that commercial establishments reduce their consumption of energy "by either lowering the thermostat or curtailing working hours".

Furthermore, Pathmark employs approximately 15,600 people in the six states in which its supermarkets are located. If, because of a mandatory reduction of hours, we were forced to curtail our hours of operation, we would have no alternative but to reduce our total number of employees by approximately 3%. We need not discuss the obvious economic effect such an immediate elimination of jobs would have in the communities and states in which our stores are located.

The nation must, therefore, seriously consider what effect a mandated restriction of hours would have on the level of energy conserved vis-a-vis the efficiencies of energy consumption in relation to the costs of food distributed and the possibility of increasing unemployment.

RATIONING IS IRRATIONAL

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. ROUSSELOT. Mr. Speaker, the Wall Street Journal, on Thursday, November 15, had an excellent commentary in an editorial on page 24 entitled "Rationing is Irrational." There has been much discussion about whether we should or should not bring the power and magnitude of the Federal Government into the rationing of fuel supplies—and there are all types of demands and Rube Goldberg schemes for rationing and fuel allocation coming from the very halls of this Congress. In my judgment, we would all perform an educational service for ourselves in this House of Representatives if we would read carefully the editorial by the Wall Street Journal because it explains in a concise and appropriate way that rationing is not the answer. In the concluding remarks of this editorial Treasury Secretary George P. Shultz is quoted as saying:

Rationing will be a "last resort." The first resort, which we recommend begin as of last week if at all possible, is for the Government to permit energy suppliers to raise prices until demand meets supply.

My colleagues, many of us tried to warn in this House that wage and price controls would cause distortions and irreparable damage in our economy.

In my judgment, this warning message included in the Wall Street Journal editorial is one we should heed. I strongly encourage my colleagues to review this message before marching down the path of more and bigger Government bureaucracy which causes further irreparable damage to what is left of the free market in our society.

The editorial follows:

[From The Wall Street Journal, Nov. 15, 1973]

RATIONING IS IRRATIONAL

John Love, the President's energy chief, and Rogers Morton, the Interior Secretary, are already predicting that the voluntary

conservation program is doomed to failure and that there's no avoiding a full-blown rationing program by early 1974, perhaps New Year's Day. Mr. Nixon insists rationing will only be a last resort, but he doesn't sound very confident.

We certainly hope it doesn't come to that. Rationing is absolutely the worst way to deal with fuel shortages. Any system that can be devised by Washington bureaucrats would have to be based on equal treatment for Americans, within broad priority pigeonholes. And while Americans may be born equal, we doubt there are any two of them with precisely the same legitimate energy requirements. Rationing would impose the grossest kinds of inequities on people and the crudest kinds of inefficiencies on the economy.

Consider: Jones earns \$50,000 a year, commutes to work by train, and owns a Lincoln, a Buick station wagon and a Volkswagen. Smith earns \$8,000 a year, owns a Ford and drives 12 miles to work. Brown makes \$15,000 a year when you add together his earnings, his wife's and his son's, each of whom drives a separate car to work. Miller lives in Brooklyn, rides a subway to work and owns no cars.

So how do you divvy up the rationing coupons: Do you give them out per auto, meaning Jones gets three allotments while Smith gets one? Or do you divvy them up by auto-owning households, which may be fair to Jones but leaves two of the Brown family's wage-earners stranded?

And what about Miller, who after all is the most deserving of all, in terms of patriotically conserving gasoline? Should he not be given gasoline coupons, which after all are worth money? A black market in coupons will evolve slowly at first, but within a minute or two after coupons are first placed in the public's hands it will be going full blast. In fact, one of the options the government is considering is giving out the coupons on a per capita basis, regardless of need, precisely to protect Miller's interests.

If you don't want to hand out the coupons per-car, per-household or per-capita, you can try to distinguish between "essential" and "nonessential" driving. This would require an army of enforcers and also provide further national incentives to lie and cheat. And even without that, Tom, Dick and Harry, executives who live in the suburbs and drive 15 miles to the city, could form a car pool and divvy up two "essential" allotments for pleasure driving. Or sell their excess coupons to Jones, who wants to drive his Lincoln to Florida.

Insofar as industry is concerned, rationing would also have to be "fair and equitable," as the bureaucrats say. Consider American Widget, which now uses 1,000 units of gasoline, fuel oil and electricity per day. It has to make do with 900 units. The same is true for National Widget. It's all fair and square, except that in the last year American Widget has been scrupulously and patriotically paring energy consumption, turning out the lights, running cold water in the rest rooms, installing more energy-efficient machinery, and rerouting delivery schedules. National Widget, on the other hand, has been squandering British Thermal Units with abandon, as it always has. With rationing, American Widget has no choice but to cut production. National simply trots around doing those things that American already accomplished.

To avoid this and other problems, the government could not make rationing work unless it conducted a national energy audit. Each of several million enterprises would have to come before Mr. Love and his people with several volumes of documents to justify their respective hard-luck stories and win an extra dollop of fuel from the czar.

Rationing worked after a fashion during World War II, but produced no economic dis-

tortions to speak of; the economy was wholly geared to the war effort.

Peacetime rationing is quite another matter, and if we're to have it, we had best import several battalions of Soviet bureaucrats who have 56 years experience in allocating material and only foul up half the time. While rationing seems the fair and equitable thing to the cherubs in Washington who have shown their stuff on wage and price controls, in practice we foresee a monumental snafu.

Treasury Secretary Shultz, at least, says rationing will be a "last resort." The first resort, which we recommend begin as of last week if at all possible, is for the government to permit energy suppliers to raise prices until demand meets supply.

CONGRESSMAN JOSHUA EILBERG ADDRESSES THE AMERICAN IMMIGRATION AND CITIZENSHIP CONFERENCE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. RODINO. Mr. Speaker, in the 93d Congress, my good friend and colleague, JOSHUA EILBERG succeeded me as chairman of the Judiciary Committee's Subcommittee on Immigration, Citizenship, and International Law—formerly Subcommittee No. 1.

He has been an extremely active and hardworking chairman and since assuming this position he has successful floor-managed legislative proposals which I have introduced to combat the illegal alien problem and to provide for the orderly admission of Western Hemisphere immigrants.

In addition, the subcommittee under the leadership of JOSH EILBERG has conducted extensive hearings in an effort to satisfy its oversight responsibilities.

In order to fully inform my colleagues as to the diligent activities of the subcommittee, I wish to insert in the RECORD at this point the eloquent remarks of JOSH EILBERG before the American Immigration and Citizenship Conference at the Plaza Hotel, November 2, 1973.

The remarks follow:

NEW GOALS OF U.S. IMMIGRATION POLICY (By Hon. JOSHUA EILBERG)

It is an honor and a considerable pleasure to be here today and to address this distinguished group on the subject of immigration. First, I want to take this opportunity to introduce myself as the new Chairman of the Subcommittee on Immigration, Citizenship, and International Law—Formerly Subcommittee No. 1—of the U.S. House of Representatives' Committee on the Judiciary. It is a particular honor to succeed my esteemed colleague from New Jersey, the Honorable Peter W. Rodino, the present Chairman of the full Judiciary Committee, in this position. Based on my five years of experience as a member of the Immigration Subcommittee, I am well aware of the significance of immigration policy, both in and of itself, and in relation to such areas as manpower, policy, population and foreign affairs. I am proud and pleased to assume the Chairmanship of this important Subcommittee.

It would indeed be presumptuous of me to lecture to this learned group on existing immigration law, trends in immigration or

present immigration procedures. Therefore, the topic I would like to discuss today is the new goals of U.S. immigration policy. Apart from concern with illegal aliens, there appears to be a pervasive feeling that we solved our immigration problems for once and for all back in 1965 with the abolition of the national origins quota system, and all that now remains is to ensure that, in the words of the President's Commission on Population Growth and the American Future, "immigration levels not be increased." As this audience is well aware, this is not the case. The 89th Congress made a new beginning when they rewrote the immigration law in 1965. However, it was just that—a beginning, and we still have a considerable amount of work before us.

The Judiciary Committee has defined the reform of the immigration law currently underway as a three-step operation, with the first step the abolition in 1965 of the national origins quota system. Berating the national origins systems falls into the category of kicking a dead horse—fortunately and finally—so I will spare you my comments on that subject. I do want to say, however, that I am acquainted with the invaluable assistance provided by the American Immigration and Citizenship Conference (AICC) under the very capable leadership of its Executive Secretary, Ruth Murphy, in rallying public support for the 1965 legislation. Not the least of my objectives in speaking to you today is to attempt to enlist your assistance again.

The second step in the present immigration reform process is embodied in H.R. 981, which passed the House on September 26, 1973, by a vote of 336 to 30, and is now pending before the Senate Judiciary Committee. The purpose of this legislation is to enable aliens from both hemispheres to immigrate to the United States based upon family ties or personal qualifications, but not upon their place of birth. After 40 years of an immigration policy toward the Eastern Hemisphere based unabashedly on prejudice and discrimination, the Congress achieved this goal in 1965, but only with respect to the Eastern Hemisphere. The 120,000 annual ceiling imposed on the Western Hemisphere was not integrated into the basic design of the Immigration and Nationality Act, with the result that we now have two immigration laws for the two hemispheres. As you know, the present treatment of the Western Hemisphere contrasts with that of the Eastern Hemisphere in that, along with an overall annual numerical ceiling of 170,000 the Eastern Hemisphere has a 20,000 per-country limitation and a seven-point preference system which provides that certain categories of immigrants—most notably close relatives of U.S. citizens and permanent resident aliens, and those possessing talents and skills in short supply in this country—are given preference over others. Immigrant visas are immediately available as of October 1973 for the relative preference categories for all Eastern Hemisphere countries except the Philippines. In contrast, there is a two year waiting list for all intending immigrants from the Western Hemisphere who fall under the numerical restriction.

The major purpose of H.R. 981 is to extend the preference system and pre-country limit currently in effect in the Eastern Hemisphere to the Western Hemisphere. As we note in the Committee report on the bill, it is limited in scope and objective, in part because of the urgency of the situation in the Western Hemisphere which has prompted it. The State Department reported an active waiting list under the Western Hemisphere ceiling of approximately 200,000 as of January, 1973. The lack of adequate legislation is causing intending immigrants from this hemisphere considerable hardship in being reunited with

members of their family who are U.S. citizens or permanent resident aliens. In addition, the State Department reports serious concern about the adverse effect our current immigration law is having on foreign relations in this hemisphere, particularly with Canada. Total Canadian immigration has fallen from 38,327 in fiscal year 1965 to 10,776 in fiscal year 1972.

The single most controversial provision of H.R. 981 has been the application of the 20,000 per-country limit to Canada and Mexico, with Mexico being the principal area of concern. Mexican immigration last year totaled 64,040, of which 41,694 entered under the ceiling; 22,333 were exempt from numerical limitation and would be unaffected by the provisions of H.R. 981. It has been the will of the majority of the Immigration Subcommittee, the full Judiciary Committee, and the House itself that the 20,000 per-country limit be applied equally to all countries. As I said earlier, I believe our immigration law should base entry into this country on family reunification and personal qualifications, rather than on an alien's place of birth. The decision by the Committee to limit all countries to 20,000 was largely the result of the desire that this legislation mark the final end of an immigration quota system based on nationality, whether the rationale behind it be the alleged national origins of our citizenry, as it was in the past, or geographical proximity—the argument for preferential treatment of Canada and Mexico. The House-passed legislation rejects the concept of a "special relationship" between this country and certain other countries as a basis for our immigration law, in favor of a uniform treatment of all countries.

The third step and ultimate goal of the immigration reform now underway is a unified worldwide immigration system with a single worldwide ceiling and revised preference system. It is our intention to move in this direction after we have had some experience with Western Hemisphere immigration under a preference system and per-country limit. Depending on when and if—and this is a major question—the Senate acts on H.R. 981, we hope to begin this third step as soon as there is reasonable and sufficient experience with the operation of amendments.

We also intend at that time to address ourselves to a revision of the present labor certification program. The continuation of the provision basically in its present form is intended only as an interim step until more information is available. Section 6 of H.R. 981 adds new language requiring the Secretary of Labor to submit quarterly reports to the Congress "containing complete and detailed statements of facts pertinent to the labor certification procedures including, but not limited to, lists of occupations in short supply or oversupply, regionally projected manpower needs, as well as up-to-date statistics on the number of labor certifications approved or denied." This information is not presently forthcoming from the Labor Department. However, the information that has been received from independent sources indicates a considerable and disturbing lack of uniformity in the program's administration in different parts of the country.

As I have had occasion to note before, the administration of this provision by the Department of Labor has not been satisfactory. The labor certification program is a complex one—partly because of the complexity of the immigration law itself, but partly because of the failure of the Department of Labor to explain adequately the program to the public or even to the Congress, with whom it has been generally uncooperative. As a result, the program is operating with little in the way of public understanding, and the Department of Labor's efforts to implement this program have been attacked by courts and commentators

alike as being arbitrary, unfair and violative of the Freedom of Information Act. I believe these criticisms are valid and I sincerely hope that the unimaginative Labor Department will reevaluate its entire approach to the labor certification program. I don't address the criticism personally to Jack Sheeran who has labored with the certification procedure within the Department of Labor.

Turning now to other new immigration goals, the revision of our refugee provisions heads the list. I want to say at this point that it is a considerable pleasure for me to share this with Ambassador Frank Kellogg, and to join with you in honoring him for his invaluable services as Special Assistant to the Secretary of State for Refugee and Migration Affairs. As a personal note of thanks, Ambassador Kellogg appeared before my Subcommittee on two different occasions during our hearings on H.R. 981 earlier this year, and has been most helpful to us in our development of the provisions pertaining to refugees.

If I may digress briefly, more than individual countries, the international refugee organizations in which the United States participates under the direction of the State Department's Office of Refugee and Migration Affairs play the crucial role in determining both worldwide refugee policy and the ultimate success of that policy. The International Committee for European Migration (ICEM) is a case in point. ICEM was formed in Brussels, Belgium in 1951 at U.S. initiative, to complete the task of resettling refugees and escapees remaining in the European camps in the aftermath of World War II. In the intervening years, the 31-member international organization has continued to play a vital role in assisting in the resettlement of refugees. In late 1972, ICEM was the first international organization to send counselors and medical personnel into Uganda to assist in the movement of Asians who were being expelled. At the present time, ICEM should use its good offices to explore every possibility to insure the continued movement of Soviet Jews. Such countries as Germany, Cyprus, Greece, and Italy should be contacted in an effort to develop a fall-back position for refugees for whom Austria is no longer willing or able to serve as a temporary haven. In short, there is as great a need for ICEM today as when it was founded. Member countries and non-member countries should be encouraged to take advantage of ICEM's expertise and readiness to seek their assistance in meeting recurring refugee problems.

Turning again to U.S. immigration policy, H.R. 981 significantly amends the refugee provisions of the Immigration and Nationality Act in an attempt to clarify the present law, and to allow sufficient flexibility for meeting emergency refugee situations. First, section 5 of H.R. 981 amends the definition of "refugee" to conform with the definition contained in the U.N. Protocol Relating to the Status of Refugees, to which the United States has acceded. The amended definition removes the geographical and ideological limitations contained in the present law, and creates a program which is worldwide in application.

Second, section 6 of H.R. 981 grants the Attorney General specific authority to parole certain groups of refugees into the country pursuant to a recommendation by the Secretary of State, and after consultation with the Congress. The parole authority in the present legislation is unclear and too broad, and the members of the Judiciary Committee have been particularly disturbed when the Attorney General has used this authority without consultation with Congress. As we point out in the report on H.R. 981, "The Congress is charged by the Constitution with responsibility for the regulation of immigration,

and this responsibility does not cease in the presence of an emergency refugee situation." Assuming this legislation is enacted, unless there is full consultation by the Departments of State and Justice with the appropriate Congressional committees regarding use of the flexible refugee parole authority which it provides, we will necessarily have to return to a more restrictive position.

Also, on the subject of humanitarian assistance to the homeless, the House-passed bill, H.R. 7555, permits the approval of a visa petition filed by a single prospective adoptive parent. If enacted—and, again this depends on Senate action—this legislation will, I am sure, provide more homes for the homeless orphans of the war in Vietnam.

While it cannot be said to represent a new goal, the House has also passed H.R. 982, legislation making it unlawful to knowingly employ aliens who are either not lawfully admitted for permanent residence or not authorized to work while in the United States. This legislation is identical in purpose and similar in form to legislation passed by the House during the 92d Congress but not acted on by the Senate. We are hopeful that this bill, along with H.R. 981, will receive prompt Senate action.

In a move directly related to our concern about the serious illegal alien problem, the Subcommittee has held oversight hearings this year on the Justice Department's Operation Sweep. We have also held oversight hearings this year on the operations of INS as a whole, as well as the State Department's Bureau of Security and Consular Affairs, with regard to their implementation of the immigration law. The Judiciary Committee has exclusive jurisdiction in this very important oversight area, and expansion of our activities here is one of our major new goals. The oversight hearings are continuing, with further investigation of related Labor Department activities planned for the future.

I stated before we have a considerable amount of work before us—but as you can see the process has begun. Last year when former Judiciary Chairman Celler addressed this prestigious group he referred to the lack of a Western Hemisphere preference system as the "unfinished business of the 1965 Act." The Judiciary Committee and the House of Representatives has made every effort to make it the "completed business" of the 93rd Congress.

Looking into the future, we are planning for a long overdue revision of Title III, the naturalization provisions, of the Immigration and Nationality Act. Our immediate goal, however, is completion of the revision of the Title II immigration provisions which Congress began in 1965. The most serious obstacle facing us in this task is no longer the prejudice responsible for the perpetuation of the national origins quota system for four decades, but apathy. The present Administration has shown very little interest in the subject of immigration, and the Senate appears virtually unaware of its existence. House-passed immigration legislation died at the end of the 92nd Congress, and no Senate action has been taken to date during this Congress on any immigration legislation passed by the House, with the exception of private bills.

Yet, as you know, we are faced with some very serious problems. The number of illegal aliens in the country is increasing, the Western Hemisphere waiting list is lengthening, and the State Department tells us that our present immigration law is having a deleterious effect on our relationship with the Western Hemisphere, and may do lasting harm if it continues. I am aware that some of our proposed solutions to these problems are controversial, but I would welcome debate and alternative proposals from the other body, rather than silence.

In closing, I want to thank you again for this opportunity to present to you the agenda of the Subcommittee on Immigration, Citizenship, and International Law regarding immigration. Our process in moving into new areas may be somewhat slow in the immediate future because our Subcommittee continues to have temporary responsibility for some matters unrelated to immigration which fell within the purview of Subcommittee No. 1 prior to the recent reorganization of the House Judiciary Committee. For example, our Subcommittee at the present time is also considering proposals to reform or abolish the Federal grand jury; the U.N. Law of the Sea Conference; death benefits for survivors of public safety officers; and bills to compensate innocent victims of violent crime. In addition, as you know, the full Judiciary Committee is totally involved in some of the most serious issues which have ever confronted this nation: impeachment, confirmation of the Vice Presidential nominee, appointment of a special prosecutor, etc. . . .

We in the Congress are grateful to this organization for your expert advice as well as your continuing cooperation in educating the public about the desirability of an equitable immigration policy. We must work together to accomplish this goal and I am looking forward to a continuing dialogue with this organization and I personally welcome any assistance that you can provide in formulating fair and reasonable immigration laws.

AMERICAN LEGION SPEAKS OUT

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. CORMAN. Mr. Speaker, during this past October the American Legion released an excellent statement and resolution regarding the Israel-Arab conflict. While a cease-fire has since been negotiated many of the Legion's important principles must still be achieved. For this reason I would like my colleagues to have the opportunity to review this statement.

The material follows:

AMERICAN LEGION URGES RESUPPLYING ISRAEL WITH MODERN ARMS AND MATERIAL NECESSARY TO INSURE SURVIVAL AS A DEMOCRATIC NATION

INDIANAPOLIS, IND.—The American Legion's National Executive Committee today called upon the government of the United States to provide Israel with the Arms of the most advanced type and other war material necessary to insure the survival of that Middle East Nation, while supporting also U.S. moves to secure a cease fire in that volatile area.

The Legion's National Executive Committee in regular fall meeting at National Headquarters here, also called upon the Soviet Union to join with the United States in agreeing to halt the resupply of arms, in demanding an immediate cease fire, and for political negotiations without preconditions.

The American Legion action here today constituted an updating of the veterans organization's position on the Middle East from a similar resolution adopted by its 1972 Chicago National Convention. The new Legion action resulted from the resumption of warfare in the Middle East on Oct. 6, which, the resolution stated: "Endangers the very existence of Israel and constitutes a grave threat to international peace."

The Legion resolution noted the expanded conflict is creating large-scale casualties among civilian and military personnel alike and charged the extension of the conflict is "abetted by the Soviet Union's deliberate decision to resupply Arab forces with the most modern arms and other war material."

The Legion action continued to say: "It is imperative that the state of Israel survive as a free Jewish democracy in the Middle East with secure borders and . . . likewise imperative that a peaceful political solution be found in which Arab and Jew can live in peace and eventually in mutual cooperation for the progress of all peoples of the Middle East."

In related action, the Legion also adopted a resolution opposing the granting of most favored nation status to the Soviet Union until Russia gives "convincing demonstrations of its will to work for and help in enforcing peace throughout the world and to honor past treaties and conventions to which it is signatory."

RESOLUTION PASSED BY THE AMERICAN LEGION NATIONAL EXECUTIVE COMMITTEE, MEETING IN INDIANAPOLIS, IND., OCTOBER 17, 1973

Whereas, the resumption of warfare on October 7, 1973, in the Middle East endangers the very existence of Israel and constitutes a grave threat to international peace, and

Whereas, the danger of expanding and extending the armed conflict there and creating large scale casualties among military and civilian populace alike is abetted by the Soviet Union's deliberate decision to re-supply Arab forces with the most modern arms and other war material; and

Whereas, it is imperative that the state of Israel survive as a free Jewish democracy in the Middle East with secure borders; be recognized by all countries in that region as such; and

Whereas, it is likewise imperative that a peaceful political solution be found in which Arab and Jew can live in peace and eventually in mutual cooperation for the progress of all peoples of the Middle East; now, therefore, be it

Resolved, by the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 17-18, 1973, that The American Legion strongly support the United States Government in its efforts to secure an immediate ceasefire in the Middle East and to halt the flow of all arms into that region, and be it further

Resolved, that we urge the Soviet Union to join the United States in agreeing to halt the re-supply of arms, in demanding an immediate ceasefire, and for political negotiations without preconditions, and be it finally

Resolved, that, pending the re-achievement of a peaceful solution, we urge the United States to provide Israel arms of the most advanced type and other war material necessary to insure the survival of Israel as a democratic nation in the Middle East with secure boundaries.

RESOLUTION NO. 28, APPROVED BY THE AMERICAN LEGION NATIONAL EXECUTIVE COMMITTEE, OCTOBER 17, 1973

Whereas, certain nations in the geographical regions commonly referred to as the "Near East" have abundant surplus of oil and gas resources, the production and marketing of which are essential for the continuing progress and betterment of mankind throughout the world, and

Whereas, said aforementioned Near East nations which possess and control such petroleum resources recently have exhibited an overt intention of using these resources to coerce this nation into turning its back on aggressive acts of war threatening the exist-

ence of the democratic state of Israel, now, therefore be it

Resolved, by the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana on October 17-18, 1973, that the President of the United States, by positive diplomacy, leave no doubt in the minds of those nations in the Near East which are now engaged in open and aggressive acts of war against the democratic nation of Israel, that the United States will not be coerced by any international threats or plays related to the withholding or the unreasonable marketing of petroleum products in the international trade.

PRESIDENT NIXON—THE WE-STILL-WANT-HIM GROUP

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, the November 26 edition of the Christian Science Monitor carries a significant article by Mr. Godfrey Sperling, Jr., who is chief of the Monitor's Washington bureau.

Mr. Sperling, reporting from Memphis, Tenn., the scene of the recent Republican Governors' Conference, describes a popularity rating, favorable to President Nixon, that has gone unnoticed to most of the news media, but not to a large number of Congressmen who give a thorough reading to their constituent mail.

For those who have not had the opportunity to read Mr. Sperling's article I offer it now for my colleagues' perusal:

PRESIDENT NIXON—THE "WE-STILL-WANT-HIM" GROUP

(By Godfrey Sperling, Jr.)

MEMPHIS.—There's a "popularity" rating of the President which shows him at his all-time low in the polls. But there is another kind of assessment of Mr. Nixon which is largely overlooked, and which will bear heavily on his potential for making a comeback—call it a "we-still-want-him" point of view. It comes from Americans everywhere, but particularly in the West, Midwest, South, and less-populated areas. And it comes from people who made up that massive 60.7 percent vote for Richard Nixon in 1972.

These Americans abound around here, the locale of the Republican Governors' 1973 Conference. Take a look at the letters to the editor in the Memphis Commercial Appeal and you find comments like this, "I want to commend the President for his attitude and his concern for this country. I am truly convinced that he is a sincere and hardworking President. I am glad that he will not consider resigning, and I feel lucky to have him in the No. 1 spot."

This letter also expresses another persistent and, apparently, growing view among many pro-Nixonites: they desperately want the media to say something good about Mr. Nixon. They really aren't arguing that the Nixon administration was not involved in a messy situation in Watergate. Nor are they insisting that Vice-President Agnew was free from sin. Not at all on Mr. Agnew. One of the interesting aspects of the letters this column is getting these days is that while many call for an end of what they see to be media persecution of the President—the letters in defense of Mr. Agnew have ceased entirely.

Those who were charging the press with being too hard on Mr. Agnew are no longer coming to his defense. Instead, they are concentrating their ire on what they see as media mistreatment of Mr. Nixon. Writes another Tennesseean to the Commercial Appeal: "It seems to me that the greatest threat to this country is not so much a dictatorial Supreme Court or in imperfect President as it is a vicious slanted news media on the minds of masses of Americans who are either too lazy or too indifferent to think for themselves. It makes me furious to hear news commentators spout off about the American public's loss of confidence in President Nixon, and to read in every newspaper the same kind of junk, all aimed at tearing down and keeping slander going."

But what so many of these Nixon supporters seems to be saying is this: "We're so tired of hearing these continuing attacks on Mr. Nixon. Even if some of them are true, we still don't think he, personally, has obstructed the law or taken any money. And because he has done other good things, we want him to stay on." An Arkansan puts his thesis this way: "If Congress should be called upon to impeach President Nixon, I hope I can hear each member when he or she tries to convince the thousands of fathers and mothers whose sons have been returned from Vietnam, and those whose sons have been spared this awful experience that President Nixon is not a good leader and therefore should be put out of the White House."

What many Americans now are saying seems to be this: "Nixon may be soiled by Watergate—but he still is our man." And they simply don't want to hear anything more about Watergate and related matters. In a Monitor survey Republican leaders in every region of the United States—except for the Eastern Seaboard states—were reporting this growing reluctance among their pro-Nixon GOP constituents even to listen to or read about the Watergate story. "They are sick and tired of it. They want it to disappear," one Midwestern state chairman said. "They've had Watergate," a Western GOP leader said. These were typical comments.

But there's something else emerging in the attitude of the hard-core Nixon supporters: they are moving from what might be called an immobilized sympathy for their man to what one might call an activist fury at those who are pressing for a Nixon impeachment or resignation. They are beginning to fight for Mr. Nixon's political life. And they mean business. They have a stake in Mr. Nixon in the presidency: He represents a lot of things that they believe in. Furthermore, they voted for him. And, for the first time since Watergate exploded last spring, these hitherto relatively unassertive Americans are beginning to spring into action—in their own and in their President's behalf. It is within this vast group that Mr. Nixon's new Watergate-related initiative is bound to have the most effect.

WIDESPREAD MALICE TOWARD LEADERS OF OUR NATION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. CARTER. Mr. Speaker, I deeply regret that we are witnessing today such widespread malice and hatred directed toward the leaders of our Nation. It seems to me that during this time in our

country's history we should make every effort to collect our thoughts and remain cool and calm, guided by sound reason and judgment. Perhaps we should also count our blessings: an end to our role in the war in Vietnam; cessation of active conflict in the Middle East; détente with the U.S.S.R.; constructive and expanded relations with the People's Republic of China; an employment level of 85 million—less than 4½ percent unemployment, with an estimate that one-half of these could obtain employment if they so desired.

We are confronted with a crisis in our supplies of energy. We must meet this problem with courage, commonsense, and with a willingness to sacrifice for the common good. It is essential that we emphasize the positive strides we have made and work to regain our ability to creatively solve the difficulties we face.

I submit for the RECORD an item which provides valuable insight into our Nation's present situation:

PYRRHIC VICTORY

"One more such victory," said ancient King Pyrrhus, surveying his casualties, "one more such victory and we are undone."

This country of ours is letting hatreds tear us to shreds. Our loyalties, yours and mine, to any people or party is of absolutely no importance compared to our loyalty to our country. That must be supreme.

The Ship of State is listing. It will take every officer on the bridge, every sailor in the engine room and lookout, doing his utmost to get the ship safely to port. Then is the time to fix the blame for who caused the crippling fire.

Only the self-serving are clamoring for attention while the officers are straining every nerve to steer through deadly shoals—shoals that could sink the ship and everyone on it, friend and foe.

Get us all to port; then find out who was to blame. But, first, get us to port.

EMBARGO

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1973

Mr. SHOUP. Mr. Speaker, today I have introduced a bill calling for an embargo on the shipment of certain goods and materials to those Mideast nations which have cut off shipments of petroleum to the United States. In support of this measure, I should like to advance these observations.

First, this embargo is not intended to be retaliatory in nature, nor is it intended to forcefully effect a resumption of oil shipments to this country. In fact, I subscribe to the statements of those who have said that the curtailment of petroleum is in the long run a good thing. It will cause us to reassess our priorities; it will force us to develop alternative sources of energy, something we should have been doing for

many years now; and to the extent we begin to examine ourselves and our needs and our wants, it can help redefine our goals and values.

Second, since the work product of our highly industrialized society requires the expenditure of vast amounts of energy, it makes very little sense to continue to export finished products to those same nations which have deprived us of the raw energy needed to produce those materials. In view of the need to cut back our production, the most logical area is the shipments to the Mideast.

Third, the policy of the Arab Nations is palpably and obviously anti-American. For that reason alone it defies commonsense to continue to supply them with a wide variety of materials many of which fall into the category of critical and strategic goods.

In contemplating this proposed embargo there are those who will argue that it would serve no useful purpose since the nations subject to it will simply resupply elsewhere. Any response to this argument places one in the position of defending retaliation and/or attempts to force a resumption of shipments. Nevertheless, for those who care to engage in such arguments, I have included for entry into the RECORD the 1972 calendar year partial listing of American exports to one Arab nation, Kuwait. An examination of the list, which is incomplete, shows that as to type of material and quantity, replacement would be difficult if not impossible. Especially noteworthy is the high level of built-in dependence on American machinery and machine goods. For example, it is obvious that the source of supply for parts of American automobiles and American manufactured machines is somewhat limited. In passing it might be noted that if resupply is indeed easy, then our embargo will not cause any difficulty and will be accepted for what it is, an imposed reordering of priorities. Yet, a final point in this context: The bill I have introduced has a section to help mitigate attempted evasion of the embargo. Any "funneling" activity would be monitored by the Secretary of Commerce who would report to Congress with recommendations for corrective action.

Finally, it would be false and misleading to ourselves and our constituents to offer this as any solution to our present difficulties. The energies crisis is here now and it is only going to be resolved by many solutions applied together. Our efforts to find those solutions must, of course, continue unabated.

However, this bill does state a position; it is an expression of the feeling of Congress about the threat to our Nation's well-being which the Arabs have so cynically posed. It says unmistakably that we will not have our foreign policy dictated by Arab nations and finally, it could be an expression of congressional determination to deal firmly with a crisis that left in the hands of the administration is still floundering dangerously.

For my colleagues who received copies of the bill, I should note that the inclusion of Iran was an error which will be corrected when this measure is reintroduced.

The above-mentioned list follows:

U.S. EXPORTS OF DOMESTIC MERCHANDISE—CALENDAR YEAR 1972

TABLE 3.—CONTINENT AND COUNTRY OF DESTINATION BY SCHEDULE B COMMODITY GROUPINGS AND METHOD OF TRANSPORTATION

For coverage, security restrictions, and related matters, see General Explanation. Special category shipments, although excluded from individual Schedule B commodity totals, are combined and shown as special category* at the end of the data for countries not identified with an asterisk (*). Special category data, if any, for certain countries in Asia, identified with an asterisk (*), are combined and shown as special category not shown by CTY* at the end of the data for Asia. Vessel and air data for continents and countries exclude special category shipments although such shipments are included in the "all methods" total. X-Not applicable. Z-Less than half of the unit of measurement shown]

Schedule B code	Continent, country, and commodity	All methods, value
	Kuwait.....	\$108,140,353
0	Food and live animals.....	4,338,300
1	Beverages and tobacco.....	8,509,424
2	Crude materials—inedible, except fuel.....	84,000
3	Mineral fuels, lubricants, etc.....	774,659
4	Oils and fats—animal and vegetable.....	352,947
5	Chemicals.....	4,256,337
6	Manufactured goods by chief material.....	5,665,697
7	Machinery and transport equipment.....	77,156,309
8	Misc. manufactured articles, n.e.c.....	5,603,107
9	Items not classified by kind.....	1,397,184
00	Animals—live.....	1,796
01	Meat preparations.....	122,595
02	Dairy products and eggs.....	10,073
03	Fish and fish preparations.....	5,402
04	Cereals and prep. of cereal, flour, etc.....	1,359,050
05	Fruits and vegetables.....	798,968
06	Sugar, sugar preparations, and honey.....	319,972
07	Coffee, cocoa, tea, spices, and mfrs.....	76,789
08	Animal feeding—stuff, excl. unml. cereal.....	392,073
09	Miscellaneous food preparations.....	1,251,582
11	Beverages.....	6,417
12	Tobacco and tobacco manufactures.....	8,503,607
23	Rubber—excl. chpd., semiprod., and mfrs.....	6,535
24	Wood, lumber, and cork.....	23,286
26	Raw textile fibers and their waste.....	8,774
27	Fertilizers, crude and minerals excl. coal.....	32,563
29	Animal and vegetable materials, n.e.c., crude.....	12,842
33	Petroleum and petroleum products.....	771,714
34	Gas—Natural and manufactured.....	2,945
42	Vegetable oils and fats—fixed, exc. hydr.....	323,830
43	Fatty acids, waxes, etc., excl. pet. prod.....	29,117
51	Chemical elements and compounds.....	228,420
52	Min. tar and oils and crude chems., etc.....	526
53	Dyeing, tanning, and coloring materials.....	342,617
54	Medicinal and pharmaceutical products.....	877,497
55	Essent. oils, perfume mfrs., soaps, etc.....	798,185
56	Fertilzrs.—Mfrd. and fertilzr. mfrs., n.e.c.....	1,400
57	Explosives and pyrotechnic products.....	13,616
58	Synthetic resins and plastic materials.....	102,111
59	Chemical products and materials, n.e.c.....	1,891,965
61	Leather, mfrs., n.e.c., and dressed furskins.....	41,480
62	Rubber mfrs.—Semifin., and fin., n.e.c.....	738,792
63	Wood and cork manufactures, n.e.c.....	24,746
64	Paper, paperboard, and manufactures.....	301,114
65	Yarn, fabric, and articles, textile.....	957,368
66	Nonmetallic mineral manufactures, n.e.c.....	712,455
67	Iron and steel.....	791,633
68	Nonferrous metals.....	338,740
69	Manufactures of metal, n.e.c.....	1,759,369
71	Machinery, nonelectric.....	23,611,669
72	Electrical machinery, appr., and appl.....	6,612,054
73	Transport equipment.....	46,932,586
81	Plumbing, etc., fix, fit., lamps, and pts.....	181,689
82	Furniture.....	41,602
83	Travel goods, handbags, etc.....	433,500
84	Cthing. incl. fur., knit elas. fabric, etc.....	1,770,510
85	Footwear—New, exc. military and orthoped.....	12,473
86	Prof., photo, etc., goods, clocks, etc.....	1,148,256
89	Miscellaneous mfrd. articles, n.e.c.....	2,015,077
93	Spec. transactions not classed by kind.....	1,397,184
001	Animals—Live.....	1,796

Sched- ule B code	Continent, country, and commodity	All methods, value	Sched- ule B code	Continent, country, and commodity	All methods, value	Sched- ule B code	Continent, country, and commodity	All methods, value
011	Meat—Fresh, chilled, or frozen.....	103,992	689	Base metals and alloys, n.e.c.—wr and unwr.	3,960	678.5	Iron or steel tube and pipe fittings.....	150,187
012	Meat—Dried, salted, or smoked.....	7,815				683.2	Nickel and nickel alloys—Wrought.....	258,930
013	Meat—In airtight contain., meat preps.	10,788				691.1	Finshd struc pts and structures—Ir and st.	454,658
022	Milk and cream.....	2,557	691	Structures and parts—ir., st., alum., zinc.	497,680	695.2	Tools, n.e.c., for hand or machine use.....	515,069
024	Cheese and curd.....	7,516				698.1	Hardware of base metals, incl locks.....	139,942
031	Fish and shellfish—or simply prep.....	2,024	692	Metal containers for storage and trans.....	27,720	698.9	Articles of base metals, n.e.c.....	273,010
032	Fish—In airtight contain. fish preps.....	3,378	693	Wire prods, exc. insulated electric.....	25,566	711.3	Steam engines, turbines, and parts.....	134,775
042	Rice—Rough, brown, milled, glazed, polished.	880,625	694	Nails, bolts, and similar arts, ir., st., copp.	28,540	711.4	Engines and jet, gas turbines—A/C, etc.	846,838
044	Corn or maize—Unmilled.....	217,803	695	Tools for use in hand or in machines.....	515,669	711.5	Engines—Int com, exc aircraft and parts.....	2,346,473
045	Cereals, n.e.c.—Unmilled.....	876	696	Table flatware and cutlery.....	17,083	714.2	Electronic computers exc pun card type.....	626,049
046	Wheat flour, meal, and groats.....	3,591	697	Household equipment or base metals.....	119,028	714.9	Office machines, n.e.c., and ofc mach parts.....	208,186
048	Preps. of cereal, flour, starch, etc.....	256,155	698	Manufactures of base metal, n.e.c.....	528,083	718.4	Construction and mining mach, n.e.c. and parts.....	2,631,458
051	Fruits—Fresh, nuts, except oil nuts.....	39,332	711	Power generating mach. exc. elect., and pts.	3,537,901	718.5	Mineral wrkg and glass-wrkg mach, and parts.....	441,456
052	Fruits—Dried, incl. artific. dehydrated.....	3,171	712	Agricultural mach. and appliances, and pts.	70,323	719.1	Heating and cooling mach and equip, and parts.....	9,508,880
053	Fruits and nuts—Prep. or pres., n.e.c.....	442,573				719.2	Pumps, centrifuges, etc, and parts.....	3,421,134
054	Veg., frsh., etc., dried legum veg., veg. prod.	82,223	714	Office machines and parts.....	868,239	719.3	Mechanical hndng mach and equip, and parts.....	1,423,314
055	Veg., roots and tubers, prep. or pres., n.e.c.	235,669	715	Metalworking machinery.....	111,238	719.8	Machinery and mechanical appliances, and parts.....	573,119
061	Sugar, sirups, molasses, and honey.....	148,197	717	Textile and leather machinery, and parts.....	30,356	719.9	Parts and accessories for machinery, n.e.c.....	727,800
062	Sugar confectionery, no cocoa, etc.....	171,775	718	Machines for special industries, and parts.....	3,089,053	722.1	Electric power machinery and parts.....	682,068
071	Coffee.....	59,417				722.2	Elect appr for making etc elect circts.....	228,346
073	Choc. and food preps cont. cocoa or choc.	6,470	719	Machinery and appl., and mach. parts, n.e.c.	15,904,559	724.9	Telecommunications equipment, n.e.c.....	913,818
075	Spices.....	10,902	722	Electric power mach., switchgear, and parts.....	910,414	725.0	Electric household equip and appl and parts.....	3,113,966
081	Animal feeding-stuff, excl. unml. cereal.....	392,073				729.4	Elect ignition, etc equip—Int com eng.....	841,949
091	Margarine, shortening, prep edible fat.....	40,121	723	Equipment for distributing electricity.....	28,863	729.5	Elect measuring and controlling appr, n.e.c.	252,447
099	Food preparations, n.e.c.....	1,201,461	724	Telecommunications apparatus, and parts.....	914,879	729.9	Electrical mach and appr, n.e.c., and parts.....	343,873
111	Beverages, n.e.c.—nonalcoholic.....	4,809				732.0	Passenger cars, trucks, etc—All fuels.....	21,140,625
112	Beverages—alcoholic.....	1,608	725	Electric household equip. and appl. and parts.....	3,113,966	732.8	Motor vehicle and trac pts and acces, n.e.c.	4,033,699
122	Tobacco manufactures.....	8,503,007	726	Electric medical and radiological appar- atus.....	29,420	733.3	Trailers and other veh and pts—Not motor.....	283,968
231	Rubber, excl. Cmpded, semiproc and mfrs.	6,535	729	Electric mach. and apparatus, and parts, n.e.c.	1,614,512	734.1	Aircraft—Heavier than air.....	19,554,595
243	Wood—shaped or simply worked.....	23,286	731	Railway vehicles and parts.....	3,791	734.9	Aircraft, n.e.c., and aircraft pts and access.....	1,155,610
263	Cotton.....	705	732	Road motor vehicles and parts, n.e.c.....	25,175,029	735.5	Ships and boats exc milty, incl spec pur.....	759,593
266	Manmade fibr. and their waste, exc. glass.	1,669	733	Vehicles, exc. road motor veh. and parts.....	283,968	831.0	Travel goods, handbags, personal goods.....	433,500
267	Textile fabric waste, including rags.....	6,400				841.1	Clothing—Text fab, not knit or croch.....	1,038,373
273	Stone, sand and gravel.....	2,676	734	Aircraft and spacecraft, and parts.....	20,710,205	841.4	Clothing, access, etc—Knit or croch.....	634,114
275	Crude minerals, incl. industrial diamonds.....	1,366	735	Ships, boats and floating structures.....	759,593	861.9	Measuring, control, etc instrmnts, n.e.c.....	674,864
276	Natural minerals, n.e.c.—crude.....	28,521	736	Plumbing, etc., fix, fit, lamps and parts.....	181,689	893.0	Articles, n.e.c.—Finshd, artificial plast.....	153,706
292	Vegetable materials, n.e.c.—crude.....	12,842				894.2	Children's toys, Christmas decorat, etc.....	129,692
332	Petroleum products.....	771,714	821	Furniture.....	41,602	895.2	Pens, pencils, nibs, points, crayons, chalk.....	1,266,830
341	Gas—natural and manufactured.....	2,945	831	Travel goods, handbags, etc.....	433,500	931.0	Spec transactions not classed by kind.....	1,397,184
421	Vegetable oils—fixed, soft, exc. hydr.....	9,631	831	Cithng, ex. fur., knit elas. fab., art, etc.....	1,770,510		Subgps avg un \$10,000 a mo by all mot.....	5,293,081
422	Vegetable oils—fixed, nec.....	314,199	851	Footwear—New, exc. military and orthoped.....	12,473		Special category.....	2,389
431	Fatty acids, waxes, etc., excl. pet prod.....	29,117	861	Scientific, optical, etc. apparatus.....	1,023,493			
512	Organic chemicals, n.e.c.....	163,603	862	Photographic and motion picture sup- plies.....	29,798			
513	Inorg. chem. elmnts oxds, hydroxids, etc.....	10,476						
514	Inorganic chemicals, n.e.c.....	51,098	863	Movie film—Exposed and developed.....	92,877			
515	R-Active and stable isotopes and cpds. etc.	3,243	864	Watches and clocks, including parts.....	2,088			
521	Min. tar and oils and crude chemicals, etc.	526	891	Sound recorders, music instruments, etc.....	103,775			
531	Syn. org. dyes, etc., lakes and toners.....	3,711						
532	Dyeing and tanning extracts and art bates.	672	892	Printed matter.....	91,654			
533	Pigments, paints, varnishes, etc.....	338,234	893	Articles of artificial plastics, n.e.c.....	153,706			
541	Medicinal and pharmaceutical products.....	877,497	894	Baby carriages, toys, sports goods, etc.....	204,521			
553	Perfumery, cosmetics, dentifrices, etc.....	385,439	895	Office and stationer supplies, n.e.c.....	1,279,325			
554	Soaps, cleansers, polishes, etc.....	412,746	896	Artworks, collectors pieces and antiques.....	5,000			
561	Fertilzrs—mfrd. and fertilz mfrs. n.e.c.....	1,400	897	Jewelry and related articles.....	56,938			
571	Explosives and pyrotechnic products.....	13,616	899	Manufactured articles, n.e.c.....	120,158			
581	Synthetic resins and plastic materials.....	102,111	931	Spec. transactions not classed by kind.....	1,397,184			
599	Chemical products and materials, n.e.c.....	1,891,965	042.2	Rice—Milled.....	880,110			
611	Leather.....	22,740	044.0	Corn or maize—Unmilled.....	217,803			
612	Leather manufactures, n.e.c.....	18,740	048.8	Malt extract, prep. of flour, starch, etc.....	201,916			
621	Rubber articles in specified forms.....	131,554	053.5	Fruit and vegetable juices—Unfer- mented.....	254,276			
629	Rubber manufactures—finished, n.e.c.....	607,238	053.9	Fruits and nuts—Prepared or pres., n.e.c.	179,549			
632	Wood manufactures, n.e.c.....	23,416	055.5	Vegetables—Prepared or preserved, n.e.c.	234,223			
633	Cork mfrs., and agglomerated cork and mfrs.	1,330	061.9	Sugars and sirups, n.e.c.....	142,956			
641	Paper and paperboard.....	197,347	062.0	Sugar confectionery, no cocoa, etc.....	171,775			
642	Paper, paper pulp, and paperboard art, n.e.c.	103,767	081.3	Oilseed cake, meal, residues.....	126,282			
652	Cotton fabric, woven ex. spec. or narrow.	72,128	081.9	Food wastes and prepared animal feed, n.e.c.	265,791			
653	Textile fabric woven ex. cotton, etc.....	254,008	099.0	Mustard sauces, seasonings, soups, etc.....	121,012			
654	Tulle, lace, etc. and other small wares.....	7,576	099.1	Food preparations, n.e.c.....	1,090,449			
655	Special text fabric and products.....	98,766	122.2	Cigarettes.....	8,402,253			
656	Made-up text articles and products.....	460,357	332.5	Lubricating oils and greases.....	534,565			
657	Floor covering, tapestries, etc.....	64,533	332.9	Pitch, asphalt and oth. byprod., exc. chem.....	236,261			
661	Lime, cement, and fbr. bldg. mtl. n.e.c.....	2,480	422.9	Vegetable oils—Fixed, n.e.c.....	314,199			
662	Clay and refractory construction mtl.....	45,161	512.0	Organic chemicals.....	163,603			
663	Mineral manufactures, n.e.c.....	239,323	533.3	Prepared paints, enamels, lacquers, etc.....	337,409			
664	Glass.....	317,858	541.7	Med. and pharm. prep., cmpnds, mix- tures, etc.....	799,418			
665	Glassware.....	103,444	553.0	Cosmetics and oth. toilet preparation, n.e.c.	385,439			
667	Diamonds and other precious stones.....	4,189	554.2	Surface active agents, detergents, etc.....	376,103			
673	Iron or steel bars, rods, angles, etc.....	22,875	599.9	Chem. prod, n.e.c. incl reagents etc.....	1,831,670			
674	Iron or steel plates and sheets.....	57,627	621.0	Rbr. in various forms—Unvulcanized, etc.....	131,554			
675	Iron or steel hoop and strip.....	5,783	629.1	Rbr. tires and tubes for vehicles and plane.....	486,676			
677	Iron or steel wire exc. insulated elect.....	10,637	656.9	Made-up articles of textile mtl, n.e.c.....	404,444			
678	Iron or steel tubes, pipes, and fittings.....	691,207	663.5	Mineral insulating materials, n.e.c.....	131,903			
679	Ir. or st. castings and forgings—rough.....	3,504	664.7	Safety glass—Toughened or laminated.....	208,177			
682	Copper and copper alloys—wr. and unwr.	71,007	678.2	Ir and st tubes and pipes—Seamless.....	500,971			
683	Nickel and Nickel alloys—wr. and unwr.	258,930						
684	Aluminum and aluminum alloys—wr and unwr.	3,652						
685	Lead and lead alloys—wr. and unwr.....	1,191						

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ELOISE BERNICE JOHNSON, MARY-
LAND'S TEACHER OF THE YEAR

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 27, 1973

Mr. BAUMAN. Mr. Speaker, it is with a great deal of pride that I have learned that Maryland's "Teacher of the Year" is Mrs. Eloise Bernice Johnson, a resident of my congressional district. Mrs. Johnson teaches at the Chestertown Elementary School in Kent County and she is our State's first black teacher to receive this high honor annually bestowed by the State board of education.

I share with my colleagues an article from the Kent County News of November 21 regarding Mrs. Johnson.

KENT EDUCATOR NAMED MARYLAND TEACHER
OF THE YEAR

Maryland's teacher of the year for 1974 is Mrs. Eloise Bernice Johnson, State School Superintendent James A. Sensenbaugh announced today. A first grade teacher at Chestertown Elementary School, in Kent

County, she is the state's first black teacher to be selected for that high annual award.

Mrs. Johnson says the biggest change that has taken place in her sixteen years as a first grade teacher is the institution of kindergarten. "Children come to me now ready to learn, to work together, and to share," she says. "We used to spend most of the first year bringing children up to that level."

Class size has changed too. With twenty children in her present class Mrs. Johnson says she can devote time to each child. When she started teaching, with classes running to thirty or thirty-five pupils, that just wasn't possible.

And she says, "Children are better groomed when they come to school than they used to be. Parents now a days care more and you can see it in the appearance of their children and their much greater interest in their children's progress."

But discipline is another matter. Children beginning school are much less used to discipline than they were sixteen years ago, Mrs. Johnson says. "I don't know what causes it. Maybe parents don't believe in strict discipline anymore," she reflects.

Is discipline a problem in her classroom?

"No," says Mrs. Johnson. "If you understand children, you know when to step in. Children will be children. Some things I hear and some I don't, and some things I see and some I don't."

Are boys harder to teach than girls? "Not really," says Mrs. Johnson. "Sometimes boys don't plug as hard as girls, they're a little more nonchalant."

How about differences between races? "Learning abilities are about the same, but white children often come to class with a little more experience than blacks. Still, you find exceptions on both sides all the time."

"I don't look at children as boys or girls or as black or white," Mrs. Johnson adds. "I see them all as entitled to the learning their school experience can bring them."

Does she keep track of former students? "Yes, I try to," Mrs. Johnson says. "I know what has become of most of the children I taught in my first first grade class sixteen years ago. I don't know one that I wouldn't say I'm very proud of."

Do children do funny things? "Yes, often," says Mrs. Johnson, "just the other day we had an observer in the classroom and I asked one of the children a difficult question. When

he answered it correctly the class broke into spontaneous applause. It was a bit of a surprise."

Mrs. Johnson's Principal, Walter G. MacDonald, is as proud of her as she is of her pupils. He grades her this way: "She's a leader, an inspiration to new teachers; she's very receptive to new ideas. She's a problem solver, she inspires confidence, and she has the affection and respect of the whole staff."

Mrs. Johnson is an active church and temple worker, a member of the county wide textbook selection committee and takes pride in her membership in the Kent Teachers Association, the Maryland State Teachers Association, and the National Educational Association. Her husband, Randolph, is superintendent of a shopping center in Wilmington, Delaware.

In naming Mrs. Johnson, Dr. Sensenbaugh said, "she symbolizes all the superior teachers in the state." "We select the teacher of the year," he said, "because all really good teachers are entitled to public recognition. Mrs. Johnson is a splendid example of the best in the teaching profession."

Maryland's teacher of the year, Mrs. Eloise Bernice Johnson, is a nominee for national teacher of the year, to be named in February.

SENATE—Wednesday, November 28, 1973

The Senate met at 10:30 a.m. and was called to order by Hon. THOMAS F. EAGLETON, a Senator from the State of Missouri.

PRAYER

The Reverend Warren Blakeman, pastor, Henning Memorial United Methodist Church, Sulphur, La., offered the following prayer:

Our God, we thank You for the precious gift of life. We recognize that life is not lost at the end of it but all along the way if we fail to live according to Your will.

In our life, let truth always be combined with love, love with courage, and courage with justice and mercy. We are awed when we think that the responsibilities placed upon us affect not only this time but all generations to come. Humbly we ask Your guidance. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 28, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. THOMAS F. EAGLETON, a Senator from the State of Missouri, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. EAGLETON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of

the Journal of the proceedings of Tuesday, November 27, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Nos. 552, 553, and 554.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE AMERICAN HOSPITAL OF PARIS

The bill (S. 1836) to amend the act entitled "An act to incorporate the American Hospital of Paris," approved January 30, 1913 (37 Stat. 654), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4 of the Act entitled "An Act to incorporate the American Hospital of Paris", approved January 30, 1913 (37 Stat. 654) is amended by deleting "nor more than twenty".

(b) Section 6 of such Act is amended by deleting "an equal number of" wherever it appears therein.

THE AMERICAN WAR MOTHERS

The bill (S. 2441) to amend the act of February 24, 1925, incorporating the American War Mothers, to permit certain stepmothers and adoptive mothers to be members of that organization, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to incorporate the American War Mothers", approved

February 24, 1925, as amended (36 U.S.C. 97), is amended by inserting after "her son or sons or daughter or daughters of her blood" the following: ", her legally adopted son or sons or legally adopted daughter or daughters, or her stepson or stepsons or stepdaughter or stepdaughters".

SOUTHEASTERN UNIVERSITY OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 389) for the relief of Southeastern University of the Young Men's Christian Association of the District of Columbia which had been reported from the Committee on the Judiciary with an amendment on page 1, in line 5, after "University" strike out "of the Young Men's Christian Association", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the certificate of incorporation and certificate of amendment thereto for the incorporation of the Southeastern University of the District of Columbia under subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia (1929 D.C. Code, title 5, ch. 8) be and the same are hereby, approved and confirmed, except as herein specifically altered and amended.

Sec. 2. That the name of the corporation shall be Southeastern University.

Sec. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of said university, of the qualifications prescribed by said board of trustees, nominated by the alumni of said university in the manner prescribed by said board of trustees, and all of whom shall be elected by said board of trustees. Each trustee shall be elected for a term of office of three years from the date of expiration of the term for which his predecessor was elected; except that (1) in expanding or reducing the number of trustees under this Act, the board of trustees shall have the authority to fix or adjust the terms of office