

Weeks, Andrew E. Jr., xxx-xx-xxxx
Wise, George R., xxx-xx-xxxx

CHAPLAIN

To be colonel

Hedges, Robert B., xxx-xx-xxxx
DENTAL CORPS

To be colonel

Fletcher, George L., xxx-xx-xxxx

The following-named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of Title 10, U.S.C., Section 3351:

ARMY PROMOTION LIST

To be lieutenant colonel

Allen, Carroll G., xxx-xx-xxxx
Beals, Robert J., xxx-xx-xxxx
Bogle, Robert L., xxx-xx-xxxx
Bookout, John G., xxx-xx-xxxx
Bryant, Alvin M., xxx-xx-xxxx
Burton, Donovan L., xxx-xx-xxxx
Crandell, Albert K., xxx-xx-xxxx
Creamer, William P., xxx-xx-xxxx
Dailey, Millard F., xxx-xx-xxxx
De Angelis, Rocco R., xxx-xx-xxxx
Eure, Carl E., xxx-xx-xxxx
Fendley, Franklin M., xxx-xx-xxxx
Fleming, David F., xxx-xx-xxxx
Franklin, Calvin G., xxx-xx-xxxx
Freeman, John R., xxx-xx-xxxx
Gilbert, Charles E., xxx-xx-xxxx
Grimsley, William P., xxx-xx-xxxx
Harris, Lee G., Jr., xxx-xx-xxxx
Hartline, James G., xxx-xx-xxxx
Hearn, John W., xxx-xx-xxxx
Huff, Rayford J., xxx-xx-xxxx
Jobe, Waylen E., xxx-xx-xxxx
Johnston, John W., xxx-xx-xxxx
Koett, Karl E., xxx-xx-xxxx
Lalley, James E., xxx-xx-xxxx
Leiviska, Richard A., xxx-xx-xxxx
Lewis, William D., xxx-xx-xxxx
Lovett, James C., Jr., xxx-xx-xxxx
Lowman, James M., xxx-xx-xxxx
Maggert, James R., xxx-xx-xxxx

Maloney, James J., xxx-xx-xxxx
Marfull, Rene S., xxx-xx-xxxx
Mason, Dan A., xxx-xx-xxxx
Mason, Theodore B., xxx-xx-xxxx
Mayo, John O., Jr., xxx-xx-xxxx
Murphy, Francis M., xxx-xx-xxxx
Neel, John C., Jr., xxx-xx-xxxx
Norsworthy, Robert S., Jr., xxx-xx-xxxx
Nudo, David L., xxx-xx-xxxx
Obert, Karl A., xxx-xx-xxxx
Pape, Robert J., xxx-xx-xxxx
Pate, Harold E., xxx-xx-xxxx
Pierceall, Bobby A., xxx-xx-xxxx
Richards, Robert J., xxx-xx-xxxx
Robertson, Leland F., xxx-xx-xxxx
Schuessler, David R., xxx-xx-xxxx
Simmons, Ralph T., xxx-xx-xxxx
Simoneaux, Frank P., xxx-xx-xxxx
Sims, Richard J., xxx-xx-xxxx
Sloan, William D., xxx-xx-xxxx
Smith, Chester B., xxx-xx-xxxx
Smith, Dale E., xxx-xx-xxxx
Stuart, Theodore E., xxx-xx-xxxx
Tackenberg, William A., xxx-xx-xxxx
Teale, Thomas A., Jr., xxx-xx-xxxx
Teske, Herbert W., xxx-xx-xxxx
Thompson, Donald, xxx-xx-xxxx
Thompson, James C., xxx-xx-xxxx
Van Loon, Donald E., xxx-xx-xxxx
Vass, Claude M., Jr., xxx-xx-xxxx
Wenning, John, Jr., xxx-xx-xxxx
Zimmer, Lyle D., xxx-xx-xxxx

CHAPLAIN

To be lieutenant colonel

Kinard, James E., xxx-xx-xxxx

DENTAL CORPS

To be lieutenant colonel

Douglas, John H., xxx-xx-xxxx

MEDICAL CORPS

To be lieutenant colonel

Cloud, Robert S., xxx-xx-xxxx
Friedrichs, Vernon D., xxx-xx-xxxx
Hoopes, William J., xxx-xx-xxxx
Morrison, Richard D., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be lieutenant colonel

Prough, James K., xxx-xx-xxxx

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8, 1973:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Caspar W. Weinberger, of California, to be Secretary of Health, Education, and Welfare.

DEPARTMENT OF STATE

Daniel P. Moynihan, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

Richard Helms, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

Richard T. Davies, of Wyoming, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

Cleo A. Noel, Jr., of Missouri, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Sudan.

Melvin L. Manfull, of Utah, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

U.S. INFORMATION AGENCY

James Keogh, of Connecticut, to be Director of the U.S. Information Agency.

GOVERNMENT PRINTING OFFICE

Thomas F. McCormick, of Connecticut, to be Public Printer.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

EXTENSIONS OF REMARKS

OUR PRISONERS OF WAR ARE COMING HOME

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. McCCLORY. Mr. Speaker, in the light of the imminent return of our prisoners of war, there are many valuable lines which are being composed in their behalf, and in behalf of their immediate loved ones.

The Cary Grove News recently published a most inspiring editorial recalling the events which have transpired since many of these prisoners of war were last heard from, and which may help in their transition from the hell and despair of Vietcong and Hanoi prison life to the light and love of freedom to which we want them to return.

Mr. Speaker, the editorial follows:

HE'S WALKED TEN THOUSAND MILES
"I'll be coming home—if I walk ten thousand miles." A song they sang during World War II . . . until they came home.

Saturday, Jan. 27, 1973 a most important date: The right signatures on the right document declares the end of our involvement in a long weary struggle in Vietnam—7,000

miles from San Francisco, 12,000 miles from New York City—nautical miles.

Our Prisoners of War are coming home!

We wonder what it will be like—for them, for us. They've walked their ten thousand miles in their minds, in their mental journeys from the enemy's prison to home—to America, to those they love, places they remember.

They come from the dark into the light. From night to daylight—with blurred vision.

A briefing booklet has been prepared for them. It tells them that President John F. Kennedy was assassinated, November 22, 1963. And Lyndon Baines Johnson became president and remained president until January 20, 1969, when Richard M. Nixon was sworn in as 37th President of the United States. It tells when and where Martin Luther King and Robert Kennedy were assassinated. It tells them—facts. It doesn't tell them what their wives and children will look like, or who has died in their family circle, or who will accept them and who will reject them.

It tells them much, but much they will have to learn on their own. Like toddlers they'll learn to walk in the knowledge of what is, as it is.

It will be a long walk—and slow. Another ten thousand miles of learning and adjusting is the journey before them.

We say, welcome home! We're here to stand beside them, walk with them and prove that they are welcome . . . Welcome home! husband, father, son, brother, neighbor—welcome home!

Home isn't exactly as you left it—it never

is. We've become a battle-scarred nation. Scarred by campus riots, racial distress, murders and bombings, hijackings and drugs, and all else that formed the great parallel which shows death statistics on the home front in line with death on the battlefield, or maybe we've surpassed the death count from Vietnam—we tried.

While you fought one sort of a war we've fought other sorts in order that the words peace and love may sustain their breath of life.

Despite the shadow of Vietnam and home-spun shadows across our land we've won a few battles, met a few challenges. We've planted Old Glory on the moon! and prolonged life by medical miracles. We strive to prove the capabilities of man and value of life.

Welcome home—to the home front battlefields. Now—together we can walk out of darkness into light. We'll lead your steps until you can manage alone and then by your wisdom of values you can lead us.

The hell you've lived through, no man knows. The hell we invite by permissiveness everyone sees. This could be a good time to lift our eyes to the hills and ask The / mighty what's right and what's wrong.

You've walked your ten thousand lonely miles. Let's walk the next ten thousand miles together—step by step, hand in hand—to America's place in the sun.

Welcome home traveler, welcome home prisoner—and welcome peace! Long may it last.

VISIT TO CHINA BY DON CARTER

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, February 8, 1973

Mr. TALMADGE. Mr. President, Don Carter, executive editor of the Macon Telegraph-News, toured Red China last fall as a member of an American newspaper editors' delegation. Mr. Carter, one of the most competent newspapermen in Georgia and the Nation, filed numerous columns and articles from China while he was there with 22 other editors. He is to be congratulated for the excellence of his reporting and the incisiveness of his commentary.

A special account of Mr. Carter's trip to China was featured in the January, 1973, issue of the Georgia Alumni Record. I call the attention of the Senate to this article, which was prepared from material he wrote for the Macon newspapers and other Knight publications on his trip.

I congratulate Mr. Carter on a job well done, and ask unanimous consent that the article be printed in Extensions of Remarks.

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

DON CARTER IN CHINA

If you were a city dweller in China now, you'd probably ride a bicycle to work. You'd rent, not own, your dwelling, and you'd have an excellent job if you earned 25 yuan (\$11.25) a week.

But your rent would probably cost you only 5 yuan (\$2.25) a month, your spouse would work and add to the family income, and you probably would end the year with a small savings account.

This developing picture of life in Communist China was pieced together through scores of interviews during a visit of 22 American newspaper editors to the People's Republic of China during September and October, 1972. I was one of those fortunate 22, the largest and only major group of American newspapermen—except the specialized contingent who accompanied President Nixon on his visit to Peking—to take a detailed look there in a quarter of a century.

Comparisons of China with America are difficult because the values are so different. But there are some experiences we share and their contrast is interesting.

There are, for instance, no privately-owned automobiles in China. All cars are controlled by state agencies, or factories or agricultural communes. We got no exact figures, but the best estimates suggested a total of only 80,000 automobiles in all of China.

Bicycles are encouraged as a primary mode of transportation. There are 1,600,000 registered in Peking alone, and a cyclist can get a stern warning from a traffic policeman if he rides in a careless manner.

It isn't required, but most women work in China. Although they haven't gained the dominant role, they have equal rights with men in pay and work and marriage.

The working period is eight hours a day, six days a week, with no pay for overtime. There are no vacations, except when members of an immediate family are divided by more than a day's traveling time. At the state's convenience, a family may be separated for essential work and the vacation is designed to allow a temporary reunion.

A working mother gets 56 days off for childbirth. She may then place her child in a care center by the day or week or arrange for a relative to care for it. Later the child goes to kindergarten and primary school, much as an American child does, but with the option of living at the school if the parents wish and will pay a small fee for it.

To control population, late marriage and family planning are encouraged in China but not ordered by the state. Both men and women are urged to wait until they are beyond 25 to marry and to limit their families to three children. All methods of birth control are encouraged by the state. Both pills and contraceptive devices are furnished free. Abortions are legal and are performed upon request. So are sterilizations.

Hospital care and medicare and dental services are essentially free in China. There may be small charges for registration or food while a person is in the hospital. A dentist will fill a tooth at no charge to the patient, but he will be billed for the material that goes in the filling.

All real property is owned by the state. So are all businesses and services. There are no taxes, property or income but a citizen may be required to pay a small registration fee to operate a bicycle.

Personal property is limited to clothing, household items, and a very few consumer possessions. The No. 1 status symbol and the most desired personal possession is a bicycle. The next is a sewing machine and then a wrist watch or clock. Radios rank fourth.

Food is plentiful. Grains (wheat and rice), cooking oils and cotton fibers are rationed, primarily, the Chinese say, to achieve distribution. Most people seem to get all these items they need or want.

There is no rationing of synthetic fibers. Clothing for both men and women is basically uniform and drab, for children a little more colorful and creative.

There is no religion, except socialism; no churches or temples, except one or two for foreigners and a very few elderly Chinese.

Marriage can be as simple as buying a license, with no ceremony. But for some, it is still an occasion for feasting and well-wishing. Divorce, although minimal, comes as easily as a signed mutual agreement, quickly filed and accepted.

Death may or may not bring a short service of memory for the departed. Burial is becoming increasingly rare. Members of the Chinese Communist party sign an oath upon joining to commit their bodies to cremation. They encourage all loyal Chinese to do likewise. Land is too precious for the use of the living, they argue, to be set aside as a memorial to the dead.

Our trip itself was filled with high adventure, haunting mystery, good relations and occasional humor.

We were in a line of cars outside a hotel in Sian, China, almost ready to head for the airport one day, when a Chinese hotel employee burst from the door and shouted for the convoy to wait.

As he ran toward the cars, he lifted high a roll of toilet tissue and pleaded for one of us Americans to claim it. He thought it had been accidentally left behind and didn't want his guests to arrive at a new location without it.

One editor in our group sheepishly grabbed it. He had read the travel advisories ahead of the trip and had taken along a supply just in case. He had deliberately left the unneeded roll in his room to provide more luggage space.

Our hosts didn't want us to lose or miss anything. So far as I know, no one did. Once they brought out a partly consumed bottle of orange pop, carefully but unsuccessfully concealed by one of us in an effort to discard it. Another day they produced a tie tack

for me that I thought I had misplaced forever. It made no difference if we left our rooms unlocked. Nothing would be taken.

Despite 20 years of strained relations between the United States and Communist China we were warmly and hospitably received everywhere we went. Although crowds of people gathered around us and were curious about the foreigners in their midst, there was not one instance of discourtesy or ill-will because we were Americans.

More frequently we received warm applause and broad smiles. Chinese children, always present and wonderful and beautiful, grasped our hands or posed for our pictures with unequalled hospitality.

We entered China by the rail line that runs from Hong Kong to Canton. When we reached the river that separates the British colony from the People's Republic, we had to get off the train and walk across a bridge into China. A Chinese passenger train was waiting for us on the other side to take us on to Canton.

Cars met us at the rail station and drove us through spotlessly clean streets to the airport. It was here I first noted how immaculate the new China is, as contrasted to filth and stench that characterized the country when I was there as a U.S. Army officer in 1945. Even the trees along the thoroughfares in Canton have been whitewashed.

During the next three weeks, we traveled more than 3,800 miles. Our route took us to Peking, Yenan, Sian, Chengchow, Anyang, Shanghai, Wushi. We moved by regular airline, chartered plane, scheduled or special trains, rickety buses, and large and small automobiles before returning to Canton and walking back across that same bridge.

The trip was tightly controlled and carefully planned as to where we went. I was disappointed not to be permitted to visit Chungking, where I had served in World War II. But my request was met with the suggestion that I'd want to come back another year—and bring my wife that time!

Within these boundaries, we had maximum freedom to see what we could, talk to whom we pleased, and ask any questions that seemed appropriate. We asked some tough ones. Photographs were sometimes sensitive. We quickly perceived that some Chinese do not want their pictures made and will move or protest if they sensed we were photographing them against their will. Most of us adopted a policy of asking permission before making closeups. Once the request was made, usually it was gladly granted.

Our food was superb. We had an infinite variety of dishes, creatively prepared and attractively served. We abandoned knives and forks for the duration and ate with chopsticks. Hotel accommodations were the best available, but not always up to American standards.

The various trips to schools, universities, factories, hospitals, living quarters, governmental units followed the same general format. Arrival with a long line of local dignitaries to greet us. Quick movement into a meeting room with countless cups of hot tea and packages of cigarettes served. A briefing period during which the vice chairman tells us about the operation. For some reason the chairman was frequently absent or not the spokesman.

Then a swing through the facility with an opportunity to talk to the workers or other principals. Finally a gathering again in the meeting room for questions and more discussion.

Our American delegation of 22 was accompanied by a Chinese host team of 13, eight interpreters and five administrators. They took wonderful care of us, asking and responding to our questions and being patient with our needs. One even went to a barber shop with me once to help arrange a haircut with a Chinese barber.

My only total frustration was with the

telephone. It was possible to make a call to the United States, but to do so one must make an appointment in advance and be prepared for endless delays and language problems.

The cost to the East Coast (\$12 for the first three minutes, \$4 for each additional minute) was less and the service much quicker than cable affords.

Throughout China I took notebooks, a typewriter, two cameras and a tape recorder. I made 350 pages of notes, hand-written and typed, took countless color and black and white photographs, and made a host of sound recordings.

During World War II, I had seen close-up then the gigantic problems China faced in the post-war years.

We had read about the changes since then but to know China one must see it and touch it and smell it. He should walk its city streets and view its countryside. He must sense the mass of humanity that seems ever present and wonder what the years ahead will bring to this nation of 800,000,000 people.

Our delegation representing the American Society of Newspaper Editors was under no illusions about the visit. We saw what our hosts wanted us to see under carefully planned circumstances. Most of the people we talked to knew in advance we were coming. We were almost totally dependent upon the Chinese for translation, a key problem in any factfinding trip.

We were refused permission to visit some places we especially wanted to see, and did not talk to many of the top leaders in government we wanted to question.

But we did have a significant 3 hour and 40 minute interview with Premier Chou En-lai, the brilliant and sophisticated man who administers China. We had the freedom to go where we chose within the boundaries established, to ask any question we wanted to ask (not all of them were answered, to make most of the photographs we wanted to, to talk to any people we met at random.

While I do not pretend in three weeks to have gained expertise in China watching, I can report what I saw and heard, contrast it with the way I saw it 27 years ago, and react to the changes.

For the Chinese, the system is working; they are proud of it, and are confident enough about its success to show it to the world. There is an amazing degree of unanimity in their acceptance and their enthusiasm for the new system.

For most Chinese, except the wealthy and the intellectually elite, life has improved. They have enough food, better clothing, more education, improved medical care. They are energetic, alert, and on the whole, look exceptionally well.

For me this contrasts sharply with the China of 1945 when I saw the grinding poverty that gripped most of the nation, the poor health and undernourished condition of many of the people, the sharp disparity between the opportunity of the rich and the poor, the apparent hopelessness of those who worked in the fields and factories.

Gone is the old Chinese system of a pay-off for each level of influence. In its place is a degree of order built upon a moral code so strong that Shanghai, a city of 10,000,000 people hires only 1,200 policemen. The army is a respected member of the governing triumvirate (the party, the army, the workers) and not a hated weight upon the countryside that existed in years gone by.

We few American servicemen who went there in World War II used to abhor the litter and the smells of the street, and ask ourselves: Why don't they clean up the place? They have now. The streets and public places are spotless, flies are gone, and the odors are the natural smells of the farm and city.

Perhaps most impressive to me is the

simple dignity that has permeated the society. There is no cowed, downtrodden attitude. The men and women who perform the most menial services exhibit the same pride and sense of belonging as the top college professor or the best engineer. The military forces in China wear no insignia; service personnel accept no tips.

But let's consider the negatives. For his economic improvement, the average Chinese has paid his freedom of choice and action. Except for a very few personal possessions he cannot acquire property; the state owns and operates it all. He has no self-determination or individual choice. He has no ability to direct or control his own life when he feels it is headed in a path opposite his own desires.

There is no reward for enterprise or initiative or creativity unless it serves the political system. His schooling, his work assignments, his promotions are based first upon his political achievements, then his ability and his experience. There is no place for the non-conformist, none for the individualist whose talents cannot be harnessed for the enhancement of the socialist system.

There is no relief for people with ideas; creativity flourishes only so long as it serves the system. Conflicts and complaints develop within the system. They are quickly settled, a new course is set, and the state moves off without a loyal or effective opposition.

Despite efforts at birth control, the population is growing too fast. Agricultural improvements have led to enough increased production to feed the nation and sell some surplus, and industrial growth has provided some consumer items like bicycles and wrist watches.

But housing is woefully short in quality and quantity, and privacy is virtually nonexistent. Transportation is still far behind. The human-propelled rickshaw is gone but the human beast of burden still pulls part of the weight of China on his cart or carries it on his pole.

This leveling of work and society has evened out the living standard to a dull monotone of existence. It is not a police state, but the party line is so emphatic that the pressures for conformity allow little variance. There is a drabness about it all that makes it unexciting. Nothing much seems to happen. It is a joyless society.

One day I was walking in the fields of a commune in Central China and saw an old man and a boy working together planting winter wheat. With an interpreter, I asked them if they would come over for a brief talk.

"Are you grandfather and grandson?" I asked, fully expecting a positive answer.

"No. No relation," the old man replied.

"Then what are you doing here together?" "His school knew we need help in the planting season and sent him here to work."

I turned to the boy, bright-eyed youngster of about 12. "What do you hope for your future?" I asked.

"I have no ambitions," he responded. "I wish only to do what the state wants me to do."

As we walked away, I wondered what sort of impact this young man, and the millions of Chinese like him, will have on his country, and the world, in the years to come. It was a sobering experience.

KELLEY ENDED THE DRAFT

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. MICHEL. Mr. Speaker, I include the following editorial from the Peoria

Journal Star, "Kelley Ended the Draft," which gives very appropriate praise to my fellow townsmen, Roger Kelley, Assistant Secretary of Defense.

The editorial follows:

KELLEY ENDED THE DRAFT

In the welter of events the last week or so, the momentous news of an end of the draft after a quarter of a century almost got lost in the shuffle.

Yet, this change in the life style of America may have more deep and broad effects than any other event of this period.

For about 25 years, every American boy has faced a built-in "military obligation" and the possibility of the draft. It has hung there as a factor in his future and his planning through all his growing years.

Suddenly, it is gone.

American boys as of now are "growing up" in a significantly different environment, a totally altered frame of reference.

The "new generation" is always different in some ways. This next "new generation" is likely to be MORE different from the "youth group" we have recently known and which received so much attention and so much analysis. So many "theories" have been built around it—and they are all obsolete this week.

The ending of the draft is a staggering accomplishment as well.

There are those of us who are not concerned with detailed function in the action world who sometimes think that it is simply a matter of "deciding" to do thus and so or wanting to do it—and it can just be "passed" overnight. We are blindly and often snottily impatient about problems that may be involved. We just brush them aside.

That's not the way things work.

To change over institutions as gigantic in numbers, forms, habits, and practices as the Army, Navy and Air Force to operate on an entirely different base is a rare achievement. We get some inkling of how rare by the failures, so often, of our top people to manage much lesser changes in the huge bureaucracy of any government department—national, state or local.

And to change the system at a time when the military was under the most vituperative assault in our history was a terrible assignment.

The country and the Congress were filled with people who loudly proclaimed "It won't work!" And those who shouted that we would end up with armed forces which were "all black" or "all poor" or various other expectations that were regarded as unfair and undesirable.

As the program progressed, the dire predictions fell by the wayside, one by one. Instead of a "volunteer" or professional force becoming narrower and narrower in its personnel types, it got broader—with more and more women participating, for one thing.

Instead of the lower draft calls ending enlistments—enlistments improved. Instead of everybody enlisting for the variety of "special" jobs and nobody for the combat arms—combat enlistments rose.

The change-over moved on schedule, and that post-election schedule was no trick. With a peace deal for IndoChina made and started on its first leg in Vietnam, it was accomplished, in fact, a few months ahead of the calculations.

The architect of this massive achievement and of this great change in the life of America's youth was a Peorian—Roger Kelley.

He has done the people of this country a great service.

Kelley did not make rousing speeches or call out blazing emotions—he worked hard, coolly, long and intelligently without fanfare.

It was thus that the real job got done. It was thus that Kelley lifted this great burden from the backs of every youngster in America.

It is funny how often there are the people who make the noise on one hand, and the people who quietly get the real job done, unsung, on the other.

C. L. DANCEY.

THE CASE OF DR. MILTON MARGOLES

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. GROSS. Mr. Speaker, I have discussed on a number of occasions in the past the case of Dr. Milton Margoles, the former Milwaukee physician whose son, Perry, struggled so hard for so long to achieve a pardon for him.

President Nixon last December granted that pardon and, in order to complete the record on this most unfortunate case, I insert in the RECORD at this point several newspaper articles dealing with the pardon:

[From the Chicago Tribune, Dec. 22, 1972]

DR. MARGOLES GIVEN PARDON BY NIXON
(By Willard Edwards)

WASHINGTON, Dec. 21.—President Nixon today granted Dr. Milton Margoles, 60, a former Milwaukee physician now practicing in Zion, Ill., a full and unconditional pardon, thus restoring him the civil liberties he lost when income tax difficulties sent him to prison 12 years ago.

The President's act of clemency added a new chapter, probably not the last one, to a bizarre case. Future investigation is expected to shed additional light on the political harassment and intimidation accompanying the physician's ordeal.

COPY ACCEPTED BY SON

An embossed copy of the President's pardon was tendered Dr. Margoles' son, Perry, in a ceremony in the office of pardon Atty. Lawrence M. Traylor. Among those present were Rep. Robert McClory [R., Ill.] and Rep. H. R. Gross [R., Ia.], leaders in a 10-year fight to correct what Gross called "a classic and tragic example of miscarriage of justice."

Dr. Margoles, from his home in Winthrop Harbor, Ill., expressed his gratitude, giving much credit to the press for "keeping a focus on my case." He also saluted Gross and McClory who had long argued in behalf of a pardon.

"It was the press that brought out the full facts concerning the injustice and harassment that followed my efforts to rehabilitate myself and return to a useful life in medicine," he said. "And the interest and integrity of a few congressmen kept spirits up during a period when we were faced with opposition from some of the strongest political forces in Wisconsin."

OWED \$33,000 AT FIRST

Dr. Margoles' troubles began in the late 1950s when he was one of Milwaukee's leading physicians. He was a victim of poor legal advice after he was charged with a \$33,000 income tax deficiency. His lawyers advised him against a settlement.

Criminal prosecution followed and the physician found himself sentenced to prison and assessed tax penalties which accumulated over the years to more than \$400,000. In the last decade, he has drained himself of assets and most of his income to reduce this sum but he still owes \$28,000 to the government.

When he was discharged from prison in

1962 and sought to resume the practice of medicine, he discovered he was barred in Wisconsin.

A number of states, including Illinois, however, licensed him to practice.

INQUIRY IS DENIED

After an investigation, Gross linked Wisconsin's attitude to judicial misbehavior in the federal courts and began demanding an inquiry which was denied by the Democratic-controlled Congress.

Gross' main target was Senior Judge Robert E. Tehan of the District Court in Milwaukee who presided at the Margoles trial and imposed the sentence. Tehan, a former Democratic national committeeman, was disclosed as a nonpayer of income taxes for eight years before he went on the bench.

Subsequent investigation suggested that Dr. Margoles, for reasons not yet clear, was the victim of fears that ventilation of his case would lead to revelations of judicial misbehavior on a broad scale. He had also aroused antagonism in Milwaukee because of his charity work in the Negro community. Seven hundred black residents signed a petition for clemency in his case.

[From Chicago Today, Dec. 22, 1972]

PRESIDENT PARDONS DOCTOR IN TAX CASE

WASHINGTON.—Dr. Milton Margoles, a Zion, Ill., physician who served a controversial two-year sentence for an income tax offense in the early 1960s, has been granted a full pardon by President Nixon.

The Margoles case had attracted the attention of several congressmen and journalists who contended that the doctor was the victim of an overly harsh sentence and questionable judicial procedures.

Rep. Robert McClory (R., Ill.), who announced the pardon, said the move will allow Margoles to regain the full rights of citizenship, including the privilege of voting, which were curtailed with his conviction.

Margoles was practicing medicine in Milwaukee when, acting on legal advice, he fought an income tax assessment and ended up receiving a prison sentence. The sentencing judges were Senior Judge Robert E. Tehan of Milwaukee and Chief Judge Luther M. Swygert of the 7th Circuit Court in Chicago.

After leaving prison, Democratic political forces prevented the doctor from regaining his medical license in Wisconsin. He then moved to Illinois and obtained a license.

[From the Des Moines Register, Dec. 21, 1972]

NIXON GIVES FULL PARDON TO MARGOLES

WASHINGTON, D.C.—President Nixon has granted a full pardon to Dr. Milton Margoles, the former Milwaukee, Wis., surgeon who was convicted of tax evasion in a highly controversial case, the Justice Department announced Wednesday.

The pardon for Margoles was one of 202 pardons and four commutations of sentence signed by the President, the Justice Department said.

The other names were not available but will be made public today, the department spokesman said.

The Margoles case has been before half a dozen state medical boards over a period of the last eight years.

Margoles served his prison term on the federal income tax evasion charge, but failed to win reinstatement by the Wisconsin State Medical Board.

The rejection by the state medical board followed a complaint by Margoles that the judge who presided at his conviction was an admitted tax evader himself. The charge was aimed at United States District Judge Robert Tehan of Milwaukee, who earlier had served as state Democratic chairman.

There was no denial by Tehan he had failed to pay federal and state income taxes

for an eight-year period prior to the time President Truman appointed him to the federal bench.

Nor was there any denial of the fact that Tehan sat regularly on tax evasion cases but rarely sent convicted evaders to prison.

Margoles contended that his conviction and sentencing to prison by Tehan were a result of his complaints about the judge.

Margoles made an effort to win a license to practice in Iowa when Battle Creek offered him an opportunity to practice at a small clinic in that northwest Iowa community.

The Iowa Medical Board at first indicated it would approve the license for Margoles, but later, acting on private information from the Wisconsin Medical Board, rejected his application.

Subsequently, he was admitted to practice medicine in Washington, D.C., New Jersey, Michigan, and Illinois, where he now practices.

Throughout he has contended that Tehan's influence at the Justice Department prevented him from obtaining a presidential pardon. He also contended that Tehan's influence in politics in Wisconsin was at the heart of the Wisconsin Medical Board's refusal to admit him to practice.

Perry Margoles, a teenager when his father's problems started, since has graduated from University of Wisconsin Law School and has devoted a major portion of his time to assembling evidence of alleged widespread corruption in the Seventh Circuit Judiciary.

[From the Madison (Wis.) Capital Times, Dec. 23, 1972]

NIXON PARDONS MARGOLES; HE'S DOUBTFUL HE'LL RETURN

Dr. Milton Margoles, the Milwaukee doctor who lost his license to practice in Wisconsin after being found guilty of tax evasion and obstructing justice, has received a full pardon from President Nixon.

The pardon was announced at a ceremony in Washington, D.C., attended by Margoles' son, Perry, and several congressmen and journalists interested in the doctor's plight.

Margoles ran the old Capitol Hospital in Milwaukee, the first integrated hospital in the city, but got into tax problems over the handling of the finances of the non-profit hospital.

He subsequently pleaded no contest to those charges on advice of his attorneys. He was later charged with attempting to bribe U.S. District Judge Robert Tehan.

Margoles was found not guilty of those charges, but was convicted of attempting to obstruct justice. He served 22 months in prison on the charge.

Margoles is now practicing medicine in Winthrop Harbor, Ill.

He applied for a medical license in Wisconsin after getting out of prison but was turned down by the State Medical Examining Board. In 1970, Illinois refused to grant him license, as did Iowa, because he had not gotten his Wisconsin license back.

The Illinois board, saying "there was something wrong going on in Wisconsin," reversed itself however, and gave Margoles a license in late 1970.

* * *

He has been frustrated in every attempt to get a license back in Wisconsin, despite the fact he now holds licenses in Michigan, California, Indiana, New Jersey, Vermont, the District of Columbia, and Illinois.

Margoles' son, Perry, said he thought it doubtful that Margoles will make another attempt at getting his Wisconsin license back, "because he is practicing in Illinois."

Although Dr. Margoles could not attend the ceremony due to his medical duties, he issued a statement read by his son.

"We are elated over the pardon and can't say enough about the roles of the free press and the Congressmen who kept a focus on

my case in a manner that gave us hope," the doctor's statement said.

"It was the press that brought out the full facts concerning the injustice and harassment that followed my efforts to rehabilitate myself and return to a useful life in the practice of medicine.

"The interest and integrity of a few Congressmen made it possible to keep the family's spirits up during the long ordeal when we were faced with opposition from some of the strongest political forces in Wisconsin," he said.

[From the Chicago Sun-Times, Dec. 21, 1972]

NIXON DECIDES TO PARDON DR. MARGOLES

WASHINGTON.—President Nixon has decided to grant a pardon to Dr. Milton Margoles, a Zion (Ill.) physician convicted on income tax charges in 1960.

Margoles has been the subject of a 12-year vindication campaign by his son Perry and politicians including U.S. Representatives H. R. Gross (R-Iowa) and Robert McClory (R-Ill.), whose district includes Zion.

Reportedly Mr. Nixon intends to announce 202 pardons and other acts of executive clemency on Thursday.

Margoles was convicted of income tax evasion and attempted obstruction of justice and served two years in jail from 1960 to 1962. He also served four years on parole and was allowed to resume medical practice last year, but McClory continued to seek a pardon to restore the physician to full professional standing.

His family has alleged that he was the object of a vendetta spearheaded by Judge Robert E. Tehan, chief judge of the U.S. District Court in Milwaukee, who presided over Margoles' tax case.

The obstruction-of-justice charge stemmed from an attempt by Margoles to hire the law firm of Tehan's son. Margoles' family has contended that the hiring was solicited by the judge's son.

At least four appeals to U.S. presidents on behalf of the physician have been filed, including the latest by a Zion newspaper, Rep. McClory and Gov. Ogilvie.

[From the Waukegan (Ill.) News-Sun, Dec. 21, 1972]

NIXON PARDONS MARGOLES

(By Steve Rothman)

U.S. Atty. Gen. Richard Kleindienst has kept his word by obtaining a presidential pardon for a Zion doctor.

He promised a News-Sun reporter he would bring the pardon case of Dr. Milton Margoles to President Richard M. Nixon as quickly as possible.

Late Wednesday afternoon, Kleindienst sent the Margoles petition for executive clemency to the President with a note saying he felt this case merited consideration. The President signed the pardon before leaving for the Florida White House.

"He is a great man for having the courage to take this case to the President," said Margoles when reached at his Winthrop Harbor home. "I cannot say what I feel in my heart about this decision. I had nearly given up hope after so many years."

Margoles was tried for income tax evasion some 15 years ago while he was a physician in Milwaukee, Wis. He was charged with evading taxes on \$33,000 of income. He ultimately served 22 months in a federal prison under what many newspaper reporters felt were "dubious circumstances."

He has already paid \$380,000 in interest, penalties and taxes since that date and still owes \$25,000 more. And he has been forced to suffer untold hardships "because he dared to take on a federal judge" who also was guilty of income tax evasion during a nine year period before he was given a federal judgeship, said Clark Mollenhoff of the Des Moines Register's Washington bureau.

The bureau chief's comments dealt with Federal Judge Robert E. Tehan Sr., who has waged a bitter battle to keep Margoles from ever practicing medicine again anywhere in the country.

"I have no intention of ever returning to Wisconsin," said Margoles. "I am happy practicing medicine in Zion and Winthrop Harbor."

Margoles opened a desegregated hospital in Milwaukee at the time when school integration was being fought for in Little Rock.

He built Capitol Hospital into a financially secure institution by offering medical treatment for all regardless of race, creed or color.

His hospital came under scrutiny of the Wisconsin Medical Association because of his radical approach to medicine. Internal Revenue Agents were told to go in and look at the hospital books. When they could find nothing wrong, IRS agents were encouraged to check his personal income tax returns.

This is where the error in his bookkeeper's work was discovered. For several years, his personal lawyer advised him not to worry about the IRS claim because it would be settled.

But this was not to happen. The IRS indicted him on income tax evasion charges. He pleaded nolo contendere (no contest) on the legal advice he would be given a fine and probation. Instead, he faced a one-year prison sentence.

Tehan also fined him \$15,000 on ground that he had allegedly hidden away some \$730,000 in assets. These assets were never found nor do they exist even to this day, Margoles has maintained.

Margoles was granted 90 days to get his affairs in order. Margoles was then approached by a man who said the decision could be changed if he hired the law firm of Tehan's son. The doctor did and immediately found himself charged with attempted bribery and attempted obstruction of justice. The jury found him guilty of attempted obstruction of justice.

When Margoles returned from prison, he found his hospital had been snatched legally by the Milwaukee County Employees Union. All of the assets had been sold or wasted and there was nothing left but the empty building.

Margoles mortgaged himself to the hilt and borrowed from friends to buy back the empty building. This was in 1962 when he started rebuilding his life.

During this time his most able advocate, his son, Perry, decided to become a lawyer and champion his father's cause.

Perry carried the cause to such reporters as Willard Edwards of the Chicago Tribune and to Mollenhoff. He sought help from the late Robert Kennedy when he was head of the U.S. Department of Justice, Congressman H. R. Gross, R-Iowa, Congressman Robert McClory, R-Lake Bluff, and others.

"Your own newspaper played no small role in my case," said Margoles. "The paper supported me not only in its news columns but on its editorial page."

The News-Sun carried the battle to Illinois Gov. Richard B. Ogilvie, and Lake County State's Atty. Jack Hoogasian.

Both men lent their good names to the cause championed by so many voices, said Margoles. Former Zion Mayor Lee Fleming carried the doctor's plight to Ogilvie and helped him obtain a license to practice in Illinois.

Both Mayor Bruce Dunbar of Zion and Mayor Arthur Fossland of Winthrop Harbor also wrote to President Nixon on the doctor's behalf.

But the Internal Revenue Service said today Margoles will still have to pay his entire tax debt despite the presidential pardon. The department's policy is that anyone who owes money to the government must pay it back, a spokesman said.

Perry Margoles explained that the execu-

tive pardon forgave his father of any wrongdoing. It gives him the right to vote, the right to practice medicine where he pleases if he can pass the tests and restores his full professional status.

[From the Chicago Daily News, Dec. 22, 1972]

ZION MEDIC PARDONED BY NIXON

(By Robert Gruenberg)

WASHINGTON.—President Nixon has granted Christmas pardons to 202 persons, including Dr. Milton Margoles of Zion, Ill., and commuted the sentences of 4 others, it was announced Thursday.

Dr. Margoles, now 60, was convicted in 1960 of income tax evasion and attempted obstruction of justice.

He paid \$125,000 in fines and sentenced to serve a year in jail by Senior Judge Robert E. Tehan Sr., sitting in U.S. District Court in Milwaukee.

Judge Tehan refused a plea of clemency for Dr. Margoles, saying "I don't think he deserved it."

Judge Tehan failed to pay his own income taxes for eight years before becoming a judge in 1949. At the time, Tehan was a member of the Wisconsin Legislature. He paid the back taxes before he was nominated to be a federal judge.

Dr. Margoles, who had practiced in Milwaukee until his conviction, served four years on probation after his release from prison, but was prohibited from practicing medicine in Wisconsin. This also blocked his being licensed elsewhere.

His son, Perry, 28, a Chicago lawyer, enlisted the aid of Rep. Robert McClory (R-Ill.), in whose district Dr. Margoles now lives, and the support also of Rep. H. R. Gross (R-Ia.).

Rep. McClory said he became convinced the doctor was the victim of political prosecution after pressure was brought on him when he unsuccessfully sought a presidential pardon from President Lyndon B. Johnson.

Dr. Margoles was licensed to practice in Illinois in 1971 and opened his office in Zion, in McClory's district.

Perry Margoles said that his family spent approximately \$400,000 in legal costs, appeals and fines since the case began in 1957.

[From the Chicago Tribune, Dec. 28, 1972]

CAPITOL VIEWS—CAMPAIGNS TO CORRECT

(By Willard Edwards)

WASHINGTON, Dec. 27.—In this farewell column, the temptation is to look back over the years and lament, "Where are the giants of yesteryear?"

It would be easy to list some of the leaders in Congress during the '30s and '40s, to note their high stature in history, and to compare them with men occupying the same leadership positions today. The verdict would have to favor the veterans.

There is in the Senate no Robert A. Taft, Richard Russell, William Borah, George Norris, Arthur H. Vandenberg, Walter George, Everett M. Dirksen, or Huey Long. In the House, no leader approaches the political sagacity of Sam Rayburn or Carl Vinson.

Unfortunately, this exercise would be dishonest. My memories of those early days are too clear. With an exception or two, the senators and representatives then encountered were about the same breed as now. The years have exalted their virtues and dimmed their faults just as the future will, undoubtedly, add luster to the reputations of men and women now serving. If, in the '70's, there is a lower level of intelligence, industry, and dedication among members of Congress, as compared to the past, I am unable to detect it.

The age level is much lower and that is all to the good. A few decrepit chairmen cling to power on Capitol Hill, but the recent election revealed their vulnerability. Younger men are taking over in Congress.

The younger generation is not to be envied as it takes a crack at national and world problems which have not yielded to the attacks of their elders. I plan to stick around long enough to write, I hope, about their successful efforts.

Changes in the press are much more evident than in Congress. For a particular reason, I have been cheered by the development of the newspaper as an assistant to the ordinary man, battered by frustrations in this computer age.

If I were attempting to pick the most notable improvement in newspapers in the modern era, I would cite the emergence of such departments as the Action Express column in this newspaper. Its potential for inspiring good will is unbounded.

The greatest reward of working for a newspaper is the somewhat similar opportunity to wage a successful campaign to correct injustice in the case of a man or woman otherwise helpless against the arrogance of bureaucracy. It is here that the reporter or columnist can, by repeated pounding on such an issue, eventually summon public opinion to the rescue.

He must, it seems unnecessary to note, have editors who are patient, allowing him space to develop the pattern of injustice to an individual whose only crime has been zeal in the performance of his duty. In a case such as that of Otto P. Otepka, eight years may pass before government yields and vindication is accomplished. In the similar case of John D. Hemingway, justice is still delayed after four years, but his prospects are brightening.

In the last four years, the political harassment of Dr. Milton Margoles has been repeatedly stressed in this space. There was comfort last week in reporting President Nixon's issuance of a full and unconditional pardon to the physician. That was a victory over powerful political forces and, as Dr. Margoles said, it would have been impossible without the help of the press.

These rambling observations now come to an end. A year ago, when some young friends gathered to note my 50th anniversary in the newspaper business, I was inspired to write a sonnet in response. Its concluding two lines will serve very well here:

*"How long we'll march together,
I don't know—
"I'll take some fragrant memories
when I go!"*

THE GREAT OIL SEARCH: THE SOVIETS IN THE PHILIPPINES, THE UNITED STATES IN RUSSIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RARICK. Mr. Speaker, while the American people are being told that U.S. development of Soviet oil may be one of the solutions to the energy crisis, the Soviet Union announces that it is ready to explore for oil in the Philippines.

Apparently the Soviet Union is also experiencing energy problems, and being aware that it does not have the needed oil potential, is looking elsewhere while encouraging U.S. investors to squander their time and money in the Soviet oil pipedream. I include the following newsclipping:

[From the Washington Post, Feb. 8, 1973]
SOVIET OFFER

MANILA.—The Soviet Union has expressed readiness to send an oil exploration team to

the Philippines, the government said. Moscow, which has no diplomatic relations with Manila, offered only to help the Philippines explore for oil and to leave the country once a strike is made.

BALANCED TRANSPORTATION

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. CLARK. Mr. Speaker, under leave to extend my remarks, I include for the benefit of the Members the details of an interesting paper presented recently before the Australian Road Research Board in Canberra, Australia, by Mr. Ted Holmes, former Associate Administrator, U.S. Federal Highway Administration, and currently staff consultant International Road Federation. Mr. Holmes has some pertinent and interesting comments on "Balanced Transportation":

BALANCED TRANSPORT REAL MEANING CITED

"Balanced transportation" is not simply the distribution of the various types of transport but the balancing of transportation with public and private development on the land highways serve.

That was the thesis of a detailed paper presented recently at the Sixth Annual Conference of the Australian Road Research Board meeting in Canberra by E. H. Holmes, former Associate Administrator, U.S. Federal Highway Administration and currently Staff Consultant, International Road Federation.

The problem of maintaining balance between transportation and other development has led to an in-depth study by IRF entitled "The Coordination of Urban Development and the Planning and Development of Transportation Facilities", with Mr. Holmes as the principal investigator.

He already has consulted with officials in eight European countries and he reported in general terms to the Australian meeting on some findings in the field of planning, realization of the plans, financing and citizen participation.

Pointing out that it would still be some time before his final detailed report was made, Mr. Holmes made this comment:

"In the United States we are wont to dismiss European experience on the grounds that 'things there are different.' Certainly they are different, but in my visits to Europe I have found far more similarities than differences, even or perhaps especially in the area of motor vehicle transportation.

"And it seems likely that there is far less difference between the United States and Europe than between countries within Europe and between states within the United States.

"I am under no illusions that the product of this IRF project on which I am engaged will have any visible impact in the United States. I am convinced, however, that preservation of our heavy investment in highways and motor vehicles demands control over the use of the land our highways serve, and in their own selfish interests if for no other reason, highway officials could well afford to take the lead in gaining acceptance of effective land use control.

"I am also convinced that elements of European practice could be synthesized into a procedure for control of development within our political system, if we are ready to accept it.

"In my opinion as a nation we are not ready. But on the other hand there are some states that may be becoming sufficiently concerned about urban development in their future that they may soon be ready and will-

ing to accept the necessary degree of control of land use. When that time comes, the experience of others, as developed by projects such as this, can provide useful guidelines.

"And hopefully in the meantime, the product of this and other projects like it may help to speed the day when some unit of our government will adopt effective land use control measures and strike a sound balance between transportation and other development."

FIGURE PRESENTED

Mr. Holmes cited figures to show the extent of highway transportation in the United States noting an annual traffic volume increase of 4%. In intercity movement, 88% of the total miles traveled is by private vehicle and 2% by bus, meaning 90% total on highways.

"Apart from the economic aspects, important as they are, the situation in intercity movement boils down to the highway system having to provide for nine-tenths of the person miles of travel and four-tenths of the ton miles of goods and commodities.

"In intra-city movement, of course, the story is different. Here virtually all goods movement is by truck, but unfortunately deliberate provision for it is seldom considered in our planning and the total dependence of the city on the motor truck and the street system is generally overlooked or over-shadowed by the problem of personal travel.

"In the smaller urban areas, those below 50,000 population, all personal travel is by highway, virtually all by private vehicle. It is only in the "urbanized areas that public transportation appears as a factor, but even here it is of little significance except in our largest cities. In all urbanized areas (those with 50,000 or more population 93% of all trips were by automobile, 5% by bus and 2% by rail, either rapid transit or commuter railroad. And this 2% is virtually all in our five cities with subways and nearly half of that in New York. Thus the question of distribution by mode is a specialized or localized problem, and not one of general concern. The question might quite reasonably be raised as to whether this should be a matter of national concern.

"Looking at our largest metropolitan areas, we have not one problem but two very distinctly different ones. First is that of the peak hour movement, five days a week, to and from the downtown area, and the second the general travel throughout the entire area all days and into the night seven days a week in most of the largest areas not more than 5% of the trips are to or from the downtown area, and 40 or more percent of those trips are in the morning and evening peak. Yet it is this problem of access to the downtown areas of our largest cities that has produced what is called the "transportation crisis" in our cities, where in fact in transportation viewed on a 24-hour-a-day, seven-days-a-week basis we've never had it so good. . . .

REASON FOR CRISIS

"It is not a result of deliberate political or economic decision that some certain portion of our national effort should be devoted to highways and their use. Rather it is the result of application of private resources and the mobilization of user charges by the several levels of government to accomplish a purpose desired by the public."

He said the United States has had a unique opportunity to measure the effect of highways through the Interstate System which started from scratch and which has 80% of its 42,500 miles completed. It is estimated it will have cost \$75 billion by completion but by that time, user savings, in operating costs, accident cost reduction and time savings will have reached \$108 billion. The additional saving of time for passenger cars was not included in the computation.

Turning to public transportation, Mr. Holmes said there was an obvious need in urban areas.

"But the question can be raised, in the

writer's opinion, as to whether this is properly a problem of national concern, and not simply whether highway funds should be funneled off from the highway program to aid in providing rapid transit for cities as they are developing."

He said that of \$10 billion authorized for mass transit, more than two-thirds will go to subways and "will have no impact on transportation save in ten or a dozen cities and will have little impact on the total transportation needs even in those cities, save for travel to and from the central core."

NO POLICY

Mr. Holmes said there was no effective national transportation policy in the United States.

"Federal aid for two major modes of travel and transportation, highway and air are fully supported by their users. Both are programs of national scope and logically of national concern.

"The third major mode—public transportation in urban areas—cannot support itself and must have aid from some public source if it is to be preserved. It is a matter of local rather than national concern, however, and the question could well be raised as to whether federal funds should be directed to this end. It is not a factor in transportation on a national basis, and could better be viewed as a cost of maintaining the cities as they are built and are building . . .

"What is unfortunately overlooked in all our discussion and debates is that save a small percentage of the trips, transit is not an alternative to highways. It is a supplement and providing it will not materially reduce traffic congestion. In most cities with rapid transit it will be found that the heaviest traffic congestion is on the streets under which the subways run . . . Most riders shifted to the subways not from automobiles but from surface transit lines or drove to the rapid transit stations instead of all the way downtown, thus simply shifting the points of congestion."

Referring to criticism of highways by environmentalists, Mr. Holmes detailed federal legislation requiring consideration of the environment in highway planning. Involved are "prudent" alternatives, the problem of disruption of neighborhoods, the question of air pollution.

While there is no doubt the automobile pollutes the atmosphere, Mr. Holmes pointed out that federal legislation requires the virtual elimination of air pollution by motor vehicles after 1976. In fact he said "we have an incongruous situation in which there are federal requirements already in effect which may well be unnecessarily severe, but which would virtually eliminate vehicular air pollution, and at the same time groups calling for alternative to the motor vehicle."

ACT REQUIREMENT

He explained the National Environmental Act requires that environmental factors must be fully considered in major highway decisions.

"In interpreting this requirement the agency (Environmental Protection Agency) requires a written environmental impact statement to be prepared for each project for review by the EPA. . . . With the thousands of federal aid highway projects each year, delays in approving projects by the Federal Highway Administration have been severe, especially in projects where the design had largely been accomplished prior to the application of the act, and the project had to be pulled out of the 'pipeline' of preconstruction work."

Then Mr. Holmes turned to what he considered the major problem of balanced transportation—the balance between transportation and other development, public and private.

"Could we strike a balance, and maintain that balance, between the way our cities grow and the amount and form of transportation

we provide to serve that growth, the problems arising from special interest groups jockeying for favored position and the disharmony between the community and the transportation interests would certainly be alleviated and might, for practical purposes, disappear . . .

"Since 1965, in conformance with the Federal Aid Highway Act of 1962, federal aid highway programs cannot be approved in any urbanized area unless they are based on a 'continuing comprehensive transportation planning process carried on cooperatively by the states and the local communities' . . .

SIMPLE APPROACH

"In principle the approach is very simple—develop a land use plan, or better several alternative plans, calculate the transportation requirements for each, ask the people of the area which plan they prefer, and then go ahead and execute it. . . .

"But the planning tools are not designed to ascertain just what form of community the people really want, or perhaps can have within the available resources, and they cannot execute the public aspects of the plan nor control the private development envisioned in the adopted plan of land use. Other programs and other tools are necessary to do those things. And those are what we lack to insure 'balanced' transportation. Transportation plans can provide for a balance between automobile and transit travel or the private and public modes. The highway portion of plans, usually components of a statewide highway plan, can in large measure be financed from federal and state highway user funds, and highway programs move quickly forward. . . .

"Funds for developing transit facilities come largely from local sources, with little state aid and significant federal aid only in recent years, and often little progress is made in that mode—a situation leading to criticism that the plan was 'highway oriented' when in fact it was the program, not the plan that was at fault.

But the real problem comes in keeping private development in line with the plan. The unfortunate experience has been that private development goes on almost unchecked, with zoning the only land use control we have, and that in many cases, particularly in the urbanizing areas around the larger cities, so weak as to be almost ineffectual. Zoning seems almost invariably to give way to economic pressure. As a result high density use, residential and commercial, has followed new highway construction as accessibility to undeveloped or lightly developed land has been improved, often quite inconsistent with the plan. Highways become congested and can no longer serve their designated purpose, and the inner city is pressed to accept still more automobiles . . .

"In plain fact, cities as they are developing are creating transportation problems that for all practical purposes transportation cannot solve."

POSTAL EMPLOYEES RIGHT TO STRIKE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. WALDIE. Mr. Speaker, on November 22, 1971, I stood on this floor to introduce a bill which would authorize the employees of the U.S. Postal Service the same right to strike that is guaranteed to employees in the private sector by Federal legislation.

I pointed out at that time that a year

previous we had enacted a bill into law that was held out as the Magna Carta for postal employees. It allegedly put employees in the Postal Service on comparable terms to the employees in the private sector in terms of engaging in collective bargaining through representatives of their own choosing. I pointed out that it guaranteed the postal employees all of the rights, privileges, and obligations that employees in the private sector possessed, except for the one right—the most fundamental right—that any employee, and particularly a trade unionist possessed, that is: the right to strike. At that point I stated:

Without that right, the union is for all forms and purposes a paper dragon and has no means of bringing any economic pressure whatsoever on an employer.

I then quoted from a concurring opinion in a district court decision involving postal workers, wherein the judge stated:

It is by no means clear to me that the right to strike is not fundamental. The right to strike seems intimately related to the right to form labor organizations . . . A union that never strikes, or which can make no credible threat to strike may wither away in ineffectiveness. That fact is not irrelevant to the constitutional calculations. Indeed, in several decisions, the Supreme Court has held that the First Amendment right of association is at least concerned with essential organizational activities which give the particular association life and promote its fundamental purposes.

Collective bargaining only works when both sides—management and labor—can sit across the bargaining table as equals, each one having certain weapons to equalize the strength of the other: labor—the power to strike, and management—the power of the lockout. But in the Postal Service collective bargaining the deck is stacked against an employee and his union representative who is forbidden to strike, while management—which is to say, the Postal Service—has the right of lockout, or more precisely, the right under Federal law to not only discharge, but to imprison the employee for striking. It is, therefore, little wonder that Postal Service employees bitterly characterize this kind of "collective bargaining" as "collective begging."

I wish to point out again today as I did at the time I originally introduced this bill in the 92d Congress, that in fact what we did in enacting the Postal Reorganization Act was to hold out a short piece of bait to the employee and at the same time withhold the most basic fundamental right employees in a true collective bargaining situation ever have—that is, the right to strike.

A representative of one of the Postal Service unions pointed out at hearings conducted on the previous bill that the 40th American Assembly, a respected conservative organization, had expressed concern that government should not set either an unrealistic or unfair prohibition against employees and concluded that public employees should have at least a limited right to strike. That assembly, at its Western Conference in May 1972, went even further. It was the consensus of more than 100 leaders of government, management, education

and labor that took part in this meeting that Government workers should have the same rights to unionize, bargain collectively and strike as workers in private industry have.

Mr. Speaker, if this is true of all Government employees, then it is certainly even more true for the employees of the Postal Service who have been removed from the protective umbrella of Congress insofar as their wages, rights, benefits and working conditions are concerned, but who are nevertheless denied the basically essential weapon which would put them on equal footing with the employer, the Postal Service.

This constitutes a double standard being enforced by the Government, that of prosecuting private individuals for failure to end discrimination, while tolerating discrimination in its own establishments. Government as a labor arbitrator bans restrictive practices of employers and discourages punitive attitudes on the part of employees. But the Government and, in the present instance, the Postal Service as an employer, is engaging in the same negative practices that it condemns in others.

I am, therefore, introducing again today this bill to remove the postal employees from this special category and to grant them full parity with the rest of the employees in the private sector of our economy. I include the attached section-by-section analysis to be printed in the RECORD at this point:

SECTION-BY-SECTION ANALYSIS

Section 1. States that the act shall be known as "The Postal Reorganization Act Amendments of 1973."

Section 2(a). This section, by striking the reference to Sec. 3333 would remove the requirements that every Postal employee take an oath not to strike. By adding the proviso at the end of the subsection the applicability of Section 7311 is removed insofar as Postal employees are concerned. This is the prohibition against striking. The section contains various other prohibitions but the courts have invalidated all but the strike prohibitions.

(b) This section removes Postal employees from the applicability of criminal penalties (Sec. 1918, Title 18 U.S.C.) which may be imposed against employees of the Federal government for striking. The remainder of that section has also been invalidated by the courts.

Section 3. This section would repeal that portion of Chapter 12—"Employee-Management Agreements" entitled "Labor Disputes" and which sets forth the machinery for mandatory arbitration in the event of an impasse between labor and management which in an ordinary non-governmental situation might, but not necessarily, lead to a strike. Since this was inserted in the Postal Reorganization Act as an alternative to the right to strike it is logical to eliminate it when the strike restrictions are removed.

Section 4. In striking Sec. 1207 the provisions for mediation were also removed. This section would merely make the general law provisions of conciliation applicable to the Postal Service. Please note that it also contains the Taft-Hartley provisions for handling "National Emergency" strike situations.

Section 5. This section would remove the prohibition against postal employees being affiliated with a labor organization, which imposes upon them an obligation to engage in a strike against the government.

MORE SUPPORT FOR STANDING COMMITTEE ON ENVIRONMENT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. BROTZMAN. Mr. Speaker, on the opening day of the 93d Congress, I introduced a resolution to establish a standing Committee on the Environment in the House of Representatives. Today, I am introducing the proposal with 12 additional cosponsors. This brings to 140 the number of Congressmen who have joined with me in offering this proposal.

It is my thinking that the broad support existing in the House for a standing Committee on the Environment justifies hearings on the proposal at an early date. The House must reorganize itself to the task of meeting threats to our environment. Without one committee having legislative jurisdiction over air pollution, water pollution, herbicide and pesticide abuse, noise control, and solid waste management our efforts will continue to be fragmented.

Nothing more clearly indicates fragmentation in the congressional efforts to improve environmental quality than does the number of committees before which the Environmental Protection Agency must testify. During the first session of the 92d Congress, EPA testified before eight committees of the Senate, eight committees of the House, and two joint committees for a total of 18 different committees. During the second session of the 92d Congress, testimony was presented before eight Senate committees, 10 House committees, and one joint committee for a total of 19 different committees.

The important feature of the standing committee proposal as distinguished from proposals to create a select committee or a joint committee is the fact that a standing committee would have legislative jurisdiction, including the authority to have bills referred to it and the authority to report bills to the floor of the House. It would represent a streamlining of the House and not merely create another layer in legislative process.

Mr. Speaker, I am pleased to announce that the following Members are today joining in cosponsoring a standing Committee on the Environment:

JAMES CORMAN of California.
SAMUEL DEVINE of Ohio.
WALTER FAUNTROY of the District of Columbia.
ANDREW J. HINSHAW of California.
MORGAN MURPHY of Illinois.
ANTONIO WON PAT of Guam.
OTIS PIKE of New York.
BERTRAM PODELL of New York.
JOEL PRITCHARD of Washington.
RONALD SARASIN of Connecticut.
DICK SHOUP of Montana.
BOB WILSON of California.

EXPRESS BUS SERVICE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KOCH. Mr. Speaker, today the New York City Board of Estimate is considering a petition submitted by the Riverdale Transit Corp. in the Bronx for a permanent franchise to run express buses from Riverdale to mid-Manhattan. The route that the bus company has been using and for which it has requested permanent status runs down Fifth Avenue and returns via Madison Avenue with several stops in mid-Manhattan. The express bus has proven to be successful and popular among Riverdale residents working and shopping in Manhattan.

The route is opposed, however, by some Manhattanites who fear that additional buses coming down mid-Manhattan will increase noise and pollution.

My congressional district is in Manhattan, and I support the transit company's application. I believe that its express service is the type of bus service that should be expanded, not thwarted. Realistically, the alternative to such express service is more private cars coming into Manhattan, and this, I would submit, produces more pollution—and more congestion—for the neighboring residents than buses which can and must be required to carry effective emission control devices. Furthermore, it should be remembered that the streets of New York belong to all New Yorkers and not just the particular neighborhood in which they are located. The people of Riverdale have a right to efficient access to the central city.

New York City, and Manhattan in particular, is faced with a serious pollution problem. And just recently a Federal court told the State that it will not be allowed a 2-year extension beyond the 1975 deadline to reduce its pollution to an acceptable level. To achieve the air quality required by law, major changes will have to be made in the city's traffic patterns. According to the New York State Department of Environmental Conservation which has drawn up an air quality implementation plan to meet the air quality standards, the influx of cars into the central business district—CBD—will have to be reduced and greater use be made of mass transit. In its report, the department spoke favorably of the success in express bus service feeding mid-Manhattan. The institution and growth of this service from several of the city's outer boroughs has reduced an on-going diversion of people from mass transportation to their cars in traveling into the CBD.

Just this week I testified before the Senate Housing Subcommittee in support of legislation I have introduced to expand the Federal mass transit program. I pointed out that only through improved public transportation will many cities like New York be able to meet the air quality standards mandated by the 1970 Clean Air Act. The health of our

citizens requires the air quality standards mandated by the 1970 law. But, to meet these standards cities will have to receive assistance from the Federal Government to improve their transit system.

In the case of the Riverdale express service we have an operation that is providing its riders with a practical, and for many a preferable, alternative to the automobile. This kind of bus service benefits the whole city of New York, as well as the residents of Riverdale.

PERSPECTIVE ON VIETNAM PEACE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. PICKLE. Mr. Speaker, below is a perspective on the Vietnam peace which appeared recently in the Daily Texan, the newspaper of the University of Texas at Austin.

The article was written by Prof. Walt Rostow. Since Dr. Rostow was intimately involved with Vietnam policy during the Johnson administration, I find his perspective now quite useful and want to share it with my colleagues here.

The article reads as follows:

Evidently, the wobbly cease-fire in Vietnam which went into effect on the evening of January 27th could prove either the prelude to a resumption of major hostilities in Indochina or the prelude to stable peace.

On the hopeful side, five essential elements sought over the years by the United States and the government of South Vietnam (GVN) are present in the agreements:

The DMZ at the 17th parallel is recognized as a line of demarcation not to be violated by force, reunification to come about (as in Korea) only "by peaceful means, through negotiation between North and South Vietnam without coercion or annexation."

The vulnerable flanks of South Vietnam are protected by the reaffirmation of the Geneva Accords of 1954 on Laos and Cambodia, guaranteeing their independence, and of the 1962 Accords on Laos: all foreign troops, including the North Vietnamese, must leave, and further infiltration of South Vietnam is forbidden from the present forward, except for monitored replacement of existing equipment and personnel.

The cease-fire is to be monitored by substantial international forces, not bound by unanimity in investigating violations, equipped with their own transport, including helicopters.

The international conference to be convened within thirty days will, presumably, reaffirm these principles and provide similar flexible inspection provisions.

Self-determination for the South Vietnamese is affirmed and the organization of elections is to be arranged by a committee within which the GVN has a veto.

All this flowed from Hanoi's momentous decision, revealed on October 8, 1972, to move for a cease-fire without demanding prior change in the GVN. That decision ended a negotiating impasse of at least seven years.

But the pitfalls are numerous and, in some cases, inevitable in a process of peacemaking that starts with a cease-fire in place. For example, U.S. forces move out quickly and the mines are promptly removed from North Vietnamese waters, whereas the North Vietnamese forces in South Vietnam are placed under pressure to leave only as the provisions

on Laos and Cambodia are fully implemented. The terrain of Laos and Cambodia, as well as the western part of the DMZ, lends itself to violation of the provisions on infiltration, even with an alert and flexible international monitoring force. It remains to be seen if the Communists will negotiate promptly with the GVN to achieve national elections, or stall within the framework of the cease-fire to build up military and political enclaves within South Vietnam. From the Communist point of view an extremely delicate and important issue is unresolved and must be negotiated with the GVN: the release of Communist prisoners. As the Canadian government has indicated, bearing as it does the wound stripes of almost twenty years of monitoring experience in Indochina, it is essential that the forth-coming international conference create a responsible body to which the inspection group in Vietnam can report cease-fire violations. And the list of problems which makes the agreement fragile could be extended.

The outcome will hinge on many factors, starting with the unity and steadiness in these complex circumstances of the government and people of South Vietnam. The posture and policy of Russia and China, as they will emerge in the forthcoming conference, will, of course, bear on the outcome; has either or both come to the conclusion that their old conflict for influence in Hanoi and their abiding interest in extending their influence in Southeast Asia would best be served by stable peace?

And, there is Hanoi itself. The greatest hope for peace lies in a possibility I, at least, cannot confidently assess. For almost all of their mature lives the men who bear responsibility in Hanoi sought to succeed to the French colonial empire in Asia. After achieving a part of their dream in 1954, they revived the military struggle in 1958. They did so in the post-Sputnik period when the whole Communist world was enflamed with new hopes and ambitions for the extension of Communist power. Crises in Berlin, the Congo, and the Caribbean, as well as in Southeast Asia, reflected this mood. It began to wane in the West after the Cuba missile crisis in the autumn of 1962. In Asia things began to change slowly by the end of 1965, after the American forces dispatched in July by President Johnson stopped the disintegration of South Vietnam and the Communist coup in Indonesia failed. The determined men in Hanoi persisted, however, down to the failure of their massive offensive which began on March 30, 1972.

Now, what do they see? North and South Korea in negotiation; East and West Germany in negotiation; President Nixon dealing constructively with their great (but mutually hostile) allies in Peking and Moscow; most of Asia moving forward rapidly in economic and social development, while North Vietnam remains a dreary military encampment, its progress arrested for some fourteen years. Perhaps (as in North Korea) these dedicated Communists will conclude that an historical phase has arrived, inappropriate for war and revolution, in which, to use their phrase, "building socialism in the North" should enjoy priority, for a time at least. Perhaps some years of concentration on these constructive tasks will create a vested interest in getting on with them. Perhaps the present leaders will come to perceive that the rise of an authentic nationalism in post-colonial Southeast Asia has overtaken the dream of their youth that a Communist Hanoi could exercise hegemony in the area. Perhaps a new generation of leaders will come to responsibility to whom the glories of Dienbienphu and the political victory in Paris in 1954 are part of history, not guides for current policy.

Perhaps. But if something like this process is to take place, we Americans must continue to bear a heavy responsibility. The

Congress and the American people must support President Nixon in his determination that the cease-fire yield "a peace that lasts." Hanoi will watch closely whether American sensitivity to violations of the agreement declines, once our prisoners are home. We will have to back our government in assuring "that the terms of the agreement must be scrupulously adhered to" while also reaching out to North Vietnam in the spirit of reconciliation President Nixon offered.

It is simply not good enough to deplore the horrors of war or to rejoice at the end of the killing without facing up to the conditions for stable peace. This is what we owe to the American dead and wounded, to the millions of human beings in Asia who have died or suffered from this war, to ourselves, and to our children.—W. W. Rostow.

A PROBLEM OF CHILD NEGLECT

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ECKHARDT. Mr. Speaker, being a proponent of legislation for the implementation of a system of national health security, I want to acknowledge the efforts of another crusader in the field of mental health.

Mike Gorman, the executive director of the National Committee Against Mental Illness, has been described as "the country's greatest missionary for mental health." Mr. Gorman, a professional journalist, internationally recognized for his crusading efforts against mental illness, began his long battle to bring the plight of the mentally ill to public attention in 1945 as a reporter for the Daily Oklahoman.

Since then he has served under Presidents Truman and Kennedy in the capacities of Director of the President's Commission on Health Needs of the Nation, and a framer of the Joint Commission recommendations which passed the Congress as the landmark Community Mental Health Centers Act of 1963, respectively.

He is the author of many books on the subject of mental illness and has received honorary degrees from the New York University. He is a member of Phi Beta Kappa and is fellow of the New York Academy of Sciences.

In honor of Mr. Gorman's unprecedented achievements in the field of mental illness I have the privilege of reading a speech that was delivered by him on December 1, 1972, in Houston, Tex., to the annual meeting of the Texas Association for Mental Health. His words of mercy for the unfortunate multitudes is worth heeding by this honored body of legislators.

As the speech was delivered while Congress was in adjournment, I offer it now for the Members' consideration:

CHILD DEVELOPMENT CENTER LEGISLATION:
OUR HIGHEST PRIORITY
(Keynote address to annual meeting, Texas Association for Mental Health, December 1, 1972, Embassy Room, Shamrock Hilton Hotel, Houston, Tex., by Mike Gorman, Washington, D.C., executive director, Na-

tional Committee Against Mental Illness, member, Joint Commission on Mental Health of Children, fellow, American Psychiatric Association, honorary, and fellow, American Public Health Association)

In 1965 Senator Abraham Ribicoff introduced legislation providing partial federal funding for a privately incorporated Joint Commission on Mental Health of Children to take a long, hard look at the plight of our emotionally disturbed children and come up with specific legislative and policy recommendations.

The Commission, composed of representatives from 53 national organizations interested in children, labored long and hard over a period of four years. Those of us who had the privilege of serving on its Board of Directors waded through thousands of pages of documentation from 10 expert task forces and held innumerable meetings—many of them quite stormy—in an effort to produce the most meaningful final report.

We frequently assert that ours is a nation devoted to its young. Our acts, however, belie our words. We have failed to commit our vast resources to eliminating the innumerable ills which hinder the healthy development of our young. Through our failure, we do violence to our most precious natural resource and, ultimately to the destiny of our nation. The number of mentally, emotionally, and physically handicapped youngsters in our midst is living testimony of the most devastating form of this violence.

From the time of the first White House Conference on Children in 1909 we have repeatedly, and with considerable eloquence, announced our intentions to develop strong, imaginative programs for children and youth. Yet, our programs for maintaining the health and mental health of infants and children remain woefully inadequate to the present day. Further, our preventive programs are most deficient where they are most crucially needed, that is, during the prenatal period and the first three years of life. For millions of our young, these highly critical periods of development go unattended. The consequent damage to health and mental health are inseparable and frequently lead to irreversible handicaps.

Our corrective and remedial efforts often reflect the same historical apathy. For example, we have not even met the needs of our emotionally disturbed children and youth, although these needs have long been recognized. The 1930 White House Conference on Child Health and Protection, composed of several thousand citizens and government officials, proclaimed that:

"The emotionally disturbed child has a right to grow up in a world which does not set him apart, which looks at him not with scorn or pity or ridicule—but which welcomes him exactly as it welcomes every child, which offers him identical privileges and identical responsibilities."

The 1930 White House Conference estimated that there were, at that time, at least two and one-half million children with well-marked behavioral difficulties, including the more serious mental and nervous disorders.

In the four decades since the issuance of that report—the care of the emotionally disturbed child in this country has not improved—it has worsened considerably. During the four years of its deliberations and fact-finding efforts, the Joint Commission gathered together an impressive body of descriptive material on the plight of the emotionally disturbed child in America today.

Our major national, professional organizations estimate that there are now approximately four million children under the age of 18 who are in need of some kind of therapeutic intervention because of emotional difficulties. Of this number, anywhere from one-half million to a million children

are so seriously disturbed that they require immediate treatment.

What happened to these emotionally sick children for whom there are no services in the community? Each year, increasing numbers of them are expelled from the community and confined in large state hospitals so understaffed that they have few, if any professionals trained in child psychiatry and related disciplines. It is not unusual in this year 1972 to tour one of these massive warehouses for the mentally ill and come upon a child, aged nine or ten, confined on a ward with 80 or 90 sick adults. Data for 1969 indicates that over 27,000 of these children were confined in state and county mental institutions. On the basis of a trend which had been developing over the past few years, the National Institute of Mental Health correctly projected in 1963 that by the end of 1970 the number of children aged 10-14 hospitalized in these institutions would double.

Sad to relate, it did.

The National Institute of Mental Health also reports that thousands upon thousands of elderly patients now confined on the back wards of these state institutions were first admitted as children 30, 40, and even 50 years ago. A recent report from one state estimates that one in every four children admitted to its mental hospitals "can anticipate being permanently hospitalized for the next 50 years of their lives."

From all of its studies, the Joint Commission concluded that it is an undeniable fact that there is not a single community in this country which provides an acceptable standard of services for its mentally ill children.

The Commission therefore recommended that federal funding be provided for the establishment of a network of Child Development Councils throughout the nation. These Councils would act as the direct advocate for children and youth. They would have the responsibility and prerogative of insuring that complete diagnostic, treatment, and preventive services were made available to all children and youth in the neighborhoods which they serve.

Our report received almost unanimous acclaim. Practically every professional organization concerned with the problem of mental health hailed the Commission report as both a definitive description of the crisis in child mental health and a bold and pragmatic prescription of the measures we had to take as a nation to tackle the problem.

Legislation was introduced early in 1971, but it languished on the back burner while the Congress voted a \$250 million loan to Lockheed and pledged hundreds of millions of dollars to have the Penn Central and other examples of creative American enterprise from immediate collapse.

While the legislation was bottled up in committee, the problem didn't go away. Drug addiction among our youth reached a record high. Because of shortages of staffs and facilities, Mental Health Clinics and Community Mental Health Centers all across the country turned away hundreds of thousands of children who could not function either in the world of school or in the world of work.

However, a remarkable series of events occurred last year which gave strong hope that we could develop and pass a monumental piece of legislation which, under the umbrella concept of comprehensive child development centers, could bring about an even more dramatic revolution in child care than the child advocacy concept.

We are not talking here about baby sitting services for working mothers. Let me give you the definition of a comprehensive child development program as enunciated by the Office of Child Development of the Department of Health, Education, and Welfare:

"An attempt is made to meet all the needs of a growing child and his family. The program directs itself to the educational, nutritional, health and psychological needs of children and involves parents through instruction in the fundamentals of child development and family counseling."

There is nothing new in this comprehensive child development concept. It exists in one form or another in most of the European countries and has reached its fullest fruition in the Soviet Union. Those of us who were members of the official U.S. Mental Health delegation to the Soviet Union in 1967 came away with the very crystal clear impression that from the fifth month of pregnancy, every resource is brought to bear to aid the new-born child. I cannot give you the full flavor of the Russian system in a short time, but let me quote just two paragraphs from an article I wrote for the *International Journal of Psychiatry*:

"For children under the age of three, there is a vast network of nurseries. It is estimated that more than 50 percent of Russian children get their early upbringing in these nurseries. Working parents may leave them in these nurseries during the entire working week, just bringing them home for weekends. In addition to intensive pediatric care, the nurseries in recent years have concentrated on developing educational staffs to motivate the child and introduce him to the learning process. If the psychiatric consultant to any of the regular nurseries detects an emotional problem in a child, he can transfer him to one of the specialized nurseries that handle psychiatric disorders in children.

"From the ages of four to seven, the child goes to a kindergarten, which may be located in the district where he lives or in the factory in which his father and/or mother works. Here, again psychiatric consultation is available, and there are several specialized kindergarten schools for disturbed children."

Contrast this with the situation in our country. Today, more than 26 million children have mothers in the labor force (up ten million in a decade); six million of them are under six years of age. That's a lot of kids.

What happens to these children while the mother is working? The average woman in the work force earns \$4000 a year. Even the least expensive center charges \$10 to \$20 a week per child; the services vary from good to deplorable. Because of these obvious economic considerations, day care centers (defined as facilities for more than six children) enrolled only a little over half a million children in 1970—less than ten percent of the preschoolers with working mothers.

How are the rest of the children "cared for"? You should know the story. For some of the kids, it's a latch key as they wander the streets; for others somewhat more fortunate, a relative, a boarder or a neighbor may try to do the job.

Both the House and Senate addressed themselves to this problem with great energy and determination throughout the latter part of 1970 and all through 1971. The House committee, under the leadership of Congressman John Brademas of Indiana and Congressman Ogden Reid of New York, held innumerable days of hearings, as did a comparable Senate committee under the jurisdiction of Senator Walter Mondale of Minnesota. Their major purpose, as outlined by its sponsors, was to give reality to President Nixon's oft-quoted 1969 commitment "to provide all American children an opportunity for healthful and stimulative development in the first five years of life."

As finally drafted, the legislation which was sent to the White House late in 1971 was exceedingly modest in scope. For a family of four with an income ceiling of less than \$4,300, day care would be free. Between

that figure and \$7,000 a year, a small escalating fee would be charged depending upon income. For families above \$7,000, there would be a fee schedule to pay for the services.

It seemed for a while as though the Administration looked favorably on this tremendously important development in the care of our children. In June of 1971, for example, Doctor Edward F. Zigler, director of the Federal Office of Child Development, which was supposed to carry out President Nixon's 1969 commitment to the first five years of life, was quoted in the New York Times as saying, "people don't recognize the monumental nature of this legislation and what effect it can have on the country in 20 years."

A few months later, the situation looked even better. The Washington Post noted that on September 9, 1971 the Senate had approved legislation "that could dramatically change the lives of American children and their mothers. The bill would provide high quality child day care at no cost for millions of poor children and at partial cost for millions more in the middle class . . . it would deeply involve the country in comprehensive early education for its pre-school children."

But the story does not have a happy ending. Despite roll call votes for its passage in both the House and Senate, President Nixon vetoed the bill on December 9, 1971. The veto message is a weak collection of old bromides about "the family weakening implications of the bill and the dangers of collectivizing our young." The one about the weakening of the family is a little hard to take when one thinks of several million latch key children wandering around the streets all day while their mothers work. What kind of family structure is that?

But the main thrust of the President's veto was directed at the estimated cost of the program—roughly \$2 billion a year. As a nation with a trillion dollar gross national product, we just couldn't afford this kind of money to salvage these many millions of children Mr. Nixon was seemingly so worried about in the spring of 1969.

Can we afford it? Well, last year as a nation we spent 20 billion on recreation; 12 billion for alcohol and 7 billion for tobacco products.

I could talk about cost over-runs at the Pentagon running into billions of dollars, and I could question a projected 15 billion for a space-shuttle program; 10 to 15 billion dollars for a new generation of bombers and, somewhat on the same order, 15 billion for ULMS (Undersea Long Range Missile Systems).

But I would like to bring it somewhat closer to home where you all participate and must share a portion of guilt. Since the passage of the original Federal Highway Act of 1956, which President Eisenhower described as "the greatest public works program in history," we have spent billions and billions of dollars in an effort to cover this country with a layer of concrete. In 1956 the announced goal was the 41,000 additional miles of interstate highways; the cost was estimated at \$27 billion. Each time the Highway Act was renewed, the cost estimates soared. The latest estimate when this "temporary" act was renewed again in 1970 was that 90 billion dollars will ultimately be expended by 1977, when the present act expires.

But this is not all. The Highway lobby is insatiable. The American Association of State Highway Officials was quoted recently as stating that when the present Highway Act expires in 1977, it will lobby for another \$78 billion worth of public taxes for a vastly expanded road system by 1985.

It really all gets down to a set of priorities, and that's all I am really talking about this afternoon. In the very same year that the Highway boys added billions of dollars to their program, we passed a minuscule amend-

ment to the Community Mental Health Centers Act providing \$62 million over a three-year period to start some Children's Units in our Community Mental Health Centers. What happened to his \$62 million? Mr. Nixon recommended not one cent of the first year's authorization of \$12 million, so we got not one cent. In 1971, when the authorization was \$20 million, he again recommended nothing. After a vicious eight-month battle, we were able to get the Congress to vote \$10 million for these Children's Units. This year Mr. Nixon has recommended \$10 million—the same amount as the Congress voted last year. In very simple terms, with the fantastically small authorization of \$62 million for Children's Units, the best we have been able to do is \$20 million—less than one-third of the authorized sum.

In the coming year, as HEW officials admitted in testimony earlier this year before the House Appropriations Committee, we will be able to open the staggering total of four new Children's Units for the needs of the entire nation.

As you drive your cars along the turnpikes and super-highway which now engulf this lovely state, just think about this—billions for highways and pennies for children.

And you are partially responsible. The elected officials are spending your taxes and they have decided that these are your priorities.

But the Congress and the people refused to give up. Early in 1972, a Senate committee held renewed hearings on the child development legislation. The new bill which it hammered out was immediately sponsored by 14 Democrats and 12 Republicans, a remarkable instance of bi-partisan cooperation in the face of a Presidential veto.

The new Senate bill made only minor modifications in the bill which had been vetoed in 1971. It retained all of the basic principles of the child development center concept, but merely reduced the amount of money to be appropriated, provided additional monies for Head Start, and required that localities seeking to operate a child development center must have populations of at least 25,000.

Under the terms of the revised 1972 legislation, the following provisions were crucial:

(1) The federal government would pay 90 percent of the operating costs of comprehensive child development centers. Project applicants may include states, cities, counties, or any local community group which wishes to operate a child development center—parent cooperatives, churches, unions, and the like.

(2) Each successful applicant must set up a Child and Family Service Council, made up of parents of eligible children and public members with child service skills, to operate the program in their specific area. Parent participation is emphasized by requiring at least 50 percent parent representation on all governing bodies that approve curriculum policy and funding for child development programs.

(3) In order to insure that children with a variety of backgrounds, both economic and cultural, would be included in the centers, the legislation provided for free services to the children of families with an income under \$4,300, modest fees for children of families with incomes between \$4,300 and \$7,000, and a sliding scale fee schedule for families with higher incomes.

(4) In order to draw on the experience of public schools and preserve the continuity between preschool and school age programs, the bill reserved five percent of the funds for pilot demonstration projects run by educational agencies which would coordinate these programs.

(5) There were a number of educational provisions in the bill of significant importance, particularly a lengthy section providing sizable funds for the training of pro-

fessional and semi-professional staff for these centers, since the Congressional hearings had brought out the facts on the severe shortages of all types of child development personnel.

The bill was debated in June of 1972 and passed by the overwhelming vote of 73 to 12—again with very strong support from many members of the President's party.

Due to the massive amount of legislation before the House of Representatives in the closing weeks of the 1972 session the House sponsors, led by Congressman John Brademas, were unable to get the bill on the calendar. However, Congressman Brademas and many members of both political parties in the House have stated repeatedly in recent months that child development legislation will be a priority issue in the opening months of the 93rd Congress.

To those of us in the mental health field, there is no doubt that the child development center, with its emphasis on the early and crucial years in the emotional and educational maturation of the child, is an idea whose time has finally come. Doctor Bertram Brown, Director of the National Institute of Mental Health, has stated on a number of occasions that services for children is the number one priority of his Institute. The National Association for Mental Health is leading a coalition effort in the mental health field to push this idea to fruition in 1973. Even more heartening, the 1971 Coalition of Non-government Organizations, which included the League of Women Voters, the National Council of Churches, the U.S. Conference of Mayors, and numerous labor, professional and other voluntary organizations, expands its strength and membership each day.

With the generally accepted psychiatric consensus that the emotional life style of a child is pretty well determined by the age of five, we must resolve as a nation to intervene where necessary or reap a continuing harvest of mental illness, drug addiction, alcoholism, and senseless violence in our land.

The choice is really yours.

We need your help.

We are determined to prevail.

HOUSE COMMITTEE ON THE ENVIRONMENT

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. SHOUP. Mr. Speaker, I have joined over 100 Members of Congress in sponsoring legislation to establish a standing committee on the environment in the House of Representatives. Creation of this committee is long overdue. We can ill-afford continuation of the fragmented efforts of the past in our attempts to solve our environmental problems.

The executive branch has recognized the need to coordinate their efforts. This resulted in the establishment of the EPA, the Environmental Protection Agency. If we are to assume a leadership role and take positive action regarding our environment, we must consolidate our efforts. The piecemeal process of the past is not good enough.

The House passed a joint resolution for the establishment of a joint House-Senate Committee of the Environment during the 92d Congress. The Senate failed to act on this issue. The joint committee would have proved helpful as a clearing

house, but would not have had jurisdiction to report measures to the House floor. We need more than that.

As a number of bills to upgrade and protect our environment continues to proliferate we owe it to the public to take concerted action. By our failure to take action, we abrogate our authority. By this failure to take action we give over our leadership to the Executive, by forfeit. Let us not complain about Executive orders or actions of the EPA while we remain derelict in our responsibilities.

We need this standing committee with a competent staff to deal with the multitude of environmental issues. The issues are staggering to contemplate, mining and resources generally, air and water pollution, herbicides and pesticides, noise, waste management and weather modification. These are but a few. If we are to act effectively in these areas, we need a Standing House Committee on the Environment.

MANY PROGRAMS AFFECTED BY
THE ADMINISTRATION'S IM-
POUNDMENT OF FUNDS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, I stand today to raise my voice with those of my many colleagues who are alarmed and most concerned with the constitutional checks and balances being so flagrantly disregarded by the present administration. The events of the past several weeks have made me increasingly alarmed over the potential effects of the action taken by the administration to impound funds appropriated by Congress for a number of public programs which I deem most crucial for the welfare of all this country's citizens.

Over this past year, the executive branch has continually ignored the will of Congress and has impounded millions of dollars in funds for programs considered vital by Congress. This impoundment has, in effect, permitted the President to exercise an informal line item veto over projects and programs that Congress wants and nothing in the Constitution, or any other statute, permits such a veto.

For the first time the extremely shaky legal basis for impoundment has been revealed. The newly selected Director of the Department of Health, Education, and Welfare, Mr. Caspar Weinberger, has been trying to make the best of a bad case, maintaining that the President could refuse to spend money in order to control inflation and to help the U.S. balance of payments. But he was at the same time unable to cite specific constitutional or statutory bases for Nixon's actions.

Apparently Mr. Weinberger does not know his statistics regarding inflation. From 1964 to 1968, the wholesale price index rose 8.2 percent. In approximately 4 years of the Nixon administration, this

index has risen about 17.3 percent, or more than double that of the Johnson administration. Wholesale industrial commodities prices rose 7.7 percent in the Democratic administration from 1964 to 1968. During the Nixon administration industrial commodity prices have risen 15.8 percent—again, more than double.

Under price controls, the figures show an even more revealing trend. In the period since phase II started in mid-November 1971, wholesale prices of all commodities have risen about 5.7 percent and industrial commodities have increased approximately 4 percent. In the last full year of the Democratic administration, all wholesales prices rose 3.2 percent with industrial commodities increasing 2.8 percent.

The Nixon economic record has already cost this country about \$175 billion in lost production and a \$50 billion shortage in expected Federal, State, and local revenues and now he would like to make up that deficit by pulling out money from those least able to afford it while at the same time increasing the military commitment.

Programs which have been affected by the impoundment of funds include transportation, water quality, housing, urban renewal, education, and agriculture, and in most instances, the only explanation offered to Congress is that the programs are in the process of "internal review" by the Office of Management and Budget.

Mr. Speaker, for whatever reason, the funds which have been authorized and appropriated by the Congress are being prevented from reaching the people whom they were intended to help. My own State of New Jersey will, as a result of such impoundments, be unable to spend over \$580 million for projects earmarked as crucial by the U.S. Congress. I am appalled about the audacity of the administration in presuming that it knows more than my State's own representatives, or legislators of all other States, what is needed for certain programs. It seems clear that the President is withholding funds from programs he dislikes personally, even when Congress has passed those programs over his veto. This action is done in open defiance of congressional power, congressional judgment, and congressional sensibilities.

I feel, Mr. Speaker, as do many of my colleagues in this body, that if congressional directives can be defied as the administration is attempting to do, we will have moved a long way toward a government dictated by the Executive—something few Americans would knowingly tolerate.

Accordingly this issue of the impoundment of funds by the Office of Management and Budget, under the direction of Mr. Nixon and the new Director of the Office of Management and Budget, Mr. Roy L. Ash, has become a critical constitutional matter. The policy of withholding congressionally approved funds has enabled the Executive Office to invalidate legislatively enacted programs at will and it is a matter to which Congress must give immediate attention.

I should like at this time to outline some of the, as yet, "unofficial" impoundments presently in effect:

On November 28, 1972, the administration announced that it would withhold \$6 billion in contract authorization for fiscal 1973 water pollution control. It is unbelievable it would take this action, canceling in one stroke two constitutional rights: Congress' right to set expenditures and its right to override Presidential vetoes.

This legislation was to establish comprehensive regulations and programs to control and abate water pollution. It was the intent of Congress to declare it a national goal to eliminate the discharge of pollutants into navigable waters by 1985 with an interim goal to achieve a water quality suitable for fish and wildlife, swimming, and other recreation by 1981. Impoundment of these funds will cause a great loss to the State of New Jersey of approximately \$231 million earmarked for this project.

This measure was passed in the House of Representatives by a vote of 366 to 11 and the Senate passed it unanimously. In his management of the water pollution issue, President Nixon has not only disregarded the overwhelming judgment of Congress, but has explicitly refused to conform to the terms of the law enacted over his veto.

The administration officials have more than once reflected Mr. Nixon's contention that the financial outlay contemplated under the bill would be inflationary. It is hard to believe that the President's economic advisers can seriously advance an opinion as farfetched as that. In the first place the moneys authorized by Congress would be pledged to the States and localities—mostly for the construction of waste-treatment plants—over a 3-year period. It would actually be spent over a stretch of 9 years. Not all the sums authorized, moreover, would have to be committed. The rate of spending could be controlled—subject, of course, to a genuine commitment to move ahead with the job. The question really is how committed is Mr. Nixon to the environmental cause to which he has given so much rhetoric.

Earlier this year, Environmental Protection Agency Director, Mr. William D. Ruckelshaus, announced that "the President has directed me to allocate no more than \$2 billion for Federal year 1973 and no more than \$3 billion for fiscal year 1974." He went on to say that it "was not legally clear" whether EPA would ever get the impounded \$6 billion in contract authority or whether the funds would simply lapse.

I am sure I do not need to point out to Members of this body the crying need for such assistance. One only has to recall the 1969 incident of the Cuyahoga River in Cleveland, Ohio, bursting into flame—or look at the Potomac River here in Washington—or the Hudson River which skirts my congressional district.

Over \$25 million to be channeled to New Jersey via the Highway Fund Act has been impounded, an incredible act when the plight of urban areas is studied. Much of this money was to be used for mass transportation and you may be sure

that my district in New Jersey, just across the Hudson River from New York City, is in desperate need of such assistance.

The administration has also threatened to cut back on almost \$700 million in Federal aid for such programs as job training and senior citizens lunch programs. According to HEW estimates, a \$689 million "savings" would have been effected by elimination of payments to these projects.

Here it is interesting to note that an as yet unpublished Federal evaluation report concluded that the nationwide community action program had been "highly constructive" in meeting the Nixon's administration's goals, but yet this is one program completely cut out of the President's budget as announced last week. Antipoverty workers, states Jack Rosenthal in the New York Times on February 3, says the report has been suppressed because it flew in the face of the administration's new proposal to terminate Federal funding for community action programs because "it was not working." This is not apparently a pet project for the administration now. This community action evaluation, conducted by the Office of Economic Opportunity was completed 2 weeks prior to the announcement of the budget and its results were reported to senior agency officials.

Millions of dollars more have been removed from low- to moderate-housing subsidized projects. Citizens hoping to rehabilitate their own homes have, in essence, been pushed out. Those people with lower incomes, least able to afford home improvements and most in need of them, are now told by the administration that the country needs less to take care of them than we do in maintaining, or even increasing, the defense budget despite the fact a peace has been signed. It seems unheard of that there will be no "peace dividend" considering the cost of the Vietnam war. That war has been costing \$8 billion a year and the ending of a budget item of that magnitude should make funds available for domestic programs needed in peacetime.

I believe that Congress wants to control inflation and wants to limit Federal spending. However, the Congress wants to set different priorities within the budget—not the administration. I cannot defend all the dollars spent by Government on all programs, but I do defend Congress duty—not the President's—to cut and trim.

One proposal which I believe crucial to Congress' retention of its powers is that it must enact legislation which would require the Director of the Office of Management and Budget subject to Senate confirmation and to congressional questioning. Given the enormous policymaking responsibilities of this position, it is necessary that the Director of Office of Management and Budget be accountable to Congress. Certainly when considering the many news accounts of Mr. Ash's previous professional connections with military expenditures—and military expenditures, interestingly enough, are the only expenditures which are not being considered for impoundment by the President and Office of

Management and Budget—serves all the more to illustrate this need for congressional investigation before such appointments are realized.

In addition, I feel we must enact laws that insure that Congress will be kept fully informed of every action taken by Office of Management and Budget and that legislation will set forth the authority of Congress to require the President to cease impounding funds. Bills to this effect have been introduced in this session of Congress, and I want to record my support to the passage of these measures.

In addition, I wish today to voice my support and extreme interest in the newly formed Joint Budget Committee, created as a result of the Ullman amendment to the debt ceiling bill of the 92d Congress. This joint committee has been meeting regularly since the beginning of the 93d Congress, with representatives from the Senate Finance and Appropriations Committees and the House Appropriations Committee and the Committee on Ways and Means, to suggest proposals which these representatives consider crucial to maintain the proper checks and balances with regard to the purse-strings of the country's financial affairs.

The recommendations finally decided upon by this joint committee are to be presented to Congress by the 15th of this month and I will be extremely interested in those proposals.

When I supported the creation of this committee, I envisioned several far-reaching improvements the committee would study which would lead to Congress' control of the budget and wise appropriations of the tax payer's dollar. One such proposal to be studied by this committee was to have been the recommendation that a permanent committee in each House of Congress be established to overlook the budget—and it would propose the Congress' spending ceiling. I feel that Congress, and not the President, should determine its own ceiling. This would result, I am sure, in a Congress with an eye on needed programs as well as an eye on the available revenues. The programs supported then would be the result of a consensus of all legislators and not the result of one man's pet projects as is clearly the case now.

The "Budget Committee" in each body would determine how much could be appropriated for each general area of need without overspending its proposed budget. In addition, it would report back to the House or the Senate so each body may work its will and set its own priorities. Under this proposal the revenue and spending processes of Congress would be in one place in each House—where it should be.

The power of the purse is one of the most basic powers of the legislative branch, and if it is not exercised in a decisive and fiscally responsible manner, the Congress itself may rightfully be accused of abrogating its role under the separation of powers doctrine. While I feel that on occasion the Congress has indeed been a spendthrift and has appropriated money in sometimes irresponsible manner, I do not believe that the President's impoundment of the amounts

appropriated constitutes a cure for our Nation's fiscal and economic woes. Impoundment does not save anybody any money, nor does it lead to lower taxes. It is merely a means whereby the White House can give effect to the social goals of its own choosing by reallocating national resources in contravention of congressional dictates. In any event, the President's motive, however, worthy, cannot legalize an inherently unconstitutional act.

If Congress wants any significant part in national policy, it cannot leave the President with the unlimited power to cut any appropriation, at any time, to any point, that he is now claiming.

SEX DISCRIMINATION IN BANKS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mrs. GRIFFITHS. Mr. Speaker, Detroit Free Press staff writer, Eileen Foley, has written an excellent article on discrimination against women employees in our bank system. Women, who compose the greater work force of banks, long have been relegated to lower paying jobs with opportunity for promotion blocked, particularly to administrative positions. Yet, as is often the case, it is these women employees, who are forced to train the potential male executive in his climb up the administrative ladder.

This kind of discrimination cannot be permitted to stand in today's society. With a higher level of education, working women are asserting their rights to equal job opportunity. As breadwinners, heads of households, wives and mothers, women are seeking better jobs to help provide the necessities of life for themselves and their families. The article follows:

[From the Detroit Free Press, Feb. 5, 1973]

ARE WOMEN SHORTCHANGED AT THE BANK?

(By Eileen Foley)

Item: A Savannah, Ga., bank hires a male management trainee at \$400 a month. He works in the bookkeeping department alongside a woman paid \$280 a month and then as a teller, training under a woman earning \$320 a month.

During a Labor Department investigation of the case (after which 13 women got \$709,000 in back pay, the bank told a compliance officer the difference in pay was justified because the women were more experienced at the work and the male employee, therefore, had to put forth more effort to do the job.

Item: a bank customer in Detroit, standing in line at a teller's window, observes a woman sitting at an official-looking desk. "You must be the manager," says the customer. "It's great to see a woman bank manager."

"Are you kidding?" asks the woman. "I've been the assistant manager for 13 years. I train the managers."

Isolated incidents, yes. But figures from the Michigan Civil Rights Commission, culled from employment data collected from the banks in late 1970 and early 1971 by the U.S. Equal Opportunity Commission indicate:

Women were 63.3 percent of the banks' work force, but held 87 percent of the low-status, low-paid office and clerical jobs.

Men were 37 percent of the banks' work force, but held 80 percent of the top official and managerial jobs.

Of a work force totaling 11,510 persons, 2,210 are black and another 97 Spanish-surnamed. Blacks held barely 5 percent of official and managerial jobs.

The figures came from 10 unnamed (by law) metropolitan area banks (excluding any operating solely in the suburbs).

The expectation is that as historical patterns of discrimination in U.S. society disappear, women and minorities will be represented at all levels of jobs in proportion to their numbers in the work force.

DIFFERENT VIEWS OF FUTURE

Whether you view the current outlook for women and minorities in Detroit's banks optimistically or bleakly depends largely on where you sit.

From his executive vice president's seat at NBD, Norman B. Weston thinks things are improving a lot. So much so he says he can see a woman or a black in his job in 10 to 15 years.

"It'll take a lot longer than 10 years," Detroit Bank and Trust vice president, economist Martha Seger said.

"I have been told in certain cases, though it is less true than five years ago, that I wouldn't be able to do certain briefings to a group because they didn't know how the group would react to a women," she said.

"So even if a woman were qualified, who would make her chief loan officer if they think customers won't go to her for loans? It's worse than the black problem. Today everyone feels guilty about that."

A REPORT—REACTION

Detroit's banks are really no worse off than 15 other banks in five major American cities. A study published last fall by the Council on Economic Priorities, a non-profit, New York research company, concluded that women and minorities in banking in Detroit and five other cities were "shortchanged."

"You didn't need a study by anyone to know that, says David Harper, president of the First Independence National Bank.

Several Detroit bankers were critical with the council report because it used EEOC figures that were two years old. Yet many of the banks wouldn't make today's figures public. When they did, they coincided with the two-year-old Michigan Civil Rights Commission figures.

For instance, of 162 official and managerial jobs at City National Bank, the bank says about 20 percent are held by women.

On the other hand, the Council on Economic Priorities found only 2.2 percent of the officers at Manufacturers were women. At National Bank of Detroit, the only women officers are assistant trust officers, a spokesman said. At Detroit Bank and Trust, the council says, there are 11 female executives. No figures were available from Michigan Bank.

Bank of the Commonwealth would not say how many jobs it has in the official and managerial class. It did say that 20 of 28 assistant branch managers are women; as well as 55 of 70 administrative assistants and 27 of 46 supervisors.

"REAL ISSUE IS POWER"

The Council on Economic Priorities was critical of the banks' secrecy on how well and how much they were complying with federal equal employment dictates, and it knocked federal compliance agencies for failing to press for faster action.

Detroit banks explained their zippered lips in two ways. First, some said, if other banks knew their plans for equal opportunity, they would lose their competitive advantage. Others felt that the bank's business wasn't the public's business.

"I think the real issue in these things is power," says Sheila Tobias, president of the

Professional Women's Caucus, a national organization. "What actually happens when affirmative action programs are public and enforced is that the person in the hierarchy loses power to guarantee jobs to friends, proteges and colleagues. The capacity to guarantee jobs is power."

The council's stance was moral. It felt the banks, both as government contractors and as businesses whose right to operate is specially chartered and regulated by government, owe the public information about what's going on.

Non-managerial bank employees are equally ignorant of management's specific affirmative action plans for their departments, Detroit banks say.

A ROUND WON IN COURT

What this internal secrecy means, says Alameda County (Cal.) Legal Aid director, Clifford Sweet, is that women, blacks and chicanos have no right to review things, so they cannot determine whether or not their employer is in compliance.

Sweet's office has won round one in federal court to force the Treasury and Labor Departments to open records on individual banks and other federal contractors to public scrutiny.

Under the Freedom of Information Act, U.S. Circuit Court Judge Alfonso Zirpoli has granted Legal Aid and the public access to all affirmative action programs, statistical reports on work force composition and compliance review reports prepared by the Treasury Department on each bank. The government is appealing the decision.

Banks do business with the government in many ways, participating in account insurance, student and housing loans, bond sales and other programs.

Their status as a federal contractor, however, hinges largely on government tax and loan accounts, the channels through which employers pass tax deductions, taken from employe salaries, on to government.

The Detroit Clearing House Association reported last fall that the downtown commercial banks had the following amounts in U.S. government deposits:

THE MANAGERIAL STORY AT DETROIT BRANCHES

	Total	Women managers	Black managers
NBD.....	105	7	6
City National.....	31	2	2
D.B. & T.....	84	6	2
Commonwealth.....	57	4	2
Manufacturers.....	73	3	0
Michigan Bank.....	30	4	0
First Independence.....	0	0	0

Bank of the Commonwealth...	\$8,078,160
City National.....	11,597,249
Detroit Bank and Trust.....	34,839,765
Manufacturers Nat. Bank.....	78,058,020
Michigan Bank.....	12,937,492
National Bank of Detroit.....	137,790,083

First Independence National Bank, still too small to be scrutinized by the Treasury Department's Equal Opportunity Program, said it averaged about \$15 million a month in U.S. government deposits.

Detroit bank managements say they have not presented detailed accounts of their affirmative action programs to their own boards of directors. All say, however, that individual directors could request the data.

Perhaps the specifics of affirmative action have never been an issue in the boardroom, says one woman, because there are so few women and minorities on the banks' boards.

NBD, City National, DB&T, Commonwealth, Manufacturers' and Michigan National Bank have no women on their boards. Commonwealth and Manufacturers have one black director apiece. In contrast, First Independence, rooted in the black community, has

19 black members out of 20, including two women.

Banks say things are changing because government rules are forcing change. Some add, too, that it's good business, say, to have black people behind the counter in black neighborhood branches, much as they had Italian and Polish people in Italian and Polish neighborhoods in the old days.

But it is also true, that banks have not been prodded very hard by the Treasury Department's Equal Opportunity Program, the office charged with reviewing banks' compliance under executive orders.

The prime reason is that the Treasury EOP office has only 14 people to keep about 14,000 U.S. banks in line. Many U.S. banks have never been reviewed. Detroit's six downtown commercial banks were last reviewed in 1970-71 and were found to be in compliance.

"Compliance is relative," says Treasury EOP assistant director Inez Lee. "It means they are willing to get into better shape. It doesn't mean they aren't discriminating."

"THEY HAVE TO SHAPE UP"

To Irv Miller, who heads a clinical program in employment discrimination at WSU's law school, the Treasury EOP manpower shortage is proof that "the government is not really sincerely interested in eliminating discrimination against blacks, minorities and women."

Dave Harper of First Independence is more hopeful, because the affirmative action programs make government contractors set goals for employment and upgrading of women and minorities department by department, branch by branch, job category by job category.

This is significant, he believes, because "top management and government have found that writing edicts is not a solution to the problem. Organizations just don't respond."

"With affirmative action programs, top management is getting into the field and saying, this is for real. Individual managers are beginning to recognize that they are going to have to have departments that perform and hire blacks and women as well. So they have to shape up, just in their own best interest."

A woman bank official is more cynical. "What's down on paper and what actually happens are two different things," she says.

The area where Detroit women in top bank jobs are most skeptical of their employers is pay. They doubt they earn the same as male counterparts.

Banks frown on salary discussions among employes. They aren't unionized, so there are no posted pay scales. One bank official said there could be a 50 percent pay variance for any top job.

The one area where the six banks have improved policies for women is maternity leave. Each permits a woman to work as long as her doctor says it's okay, and to come back without loss of seniority or other benefits within 90 days.

QUALIFIED PEOPLE LACKING?

The principal problem Detroit bankers say they face in bringing women and blacks into significant jobs in their organizations is "availability," of qualified personnel.

Banking is a business where you qualify inside in most instances. If you start at point zero, that takes time, insiders say—a minimum of four years to train a bank manager, six to eight years for a personnel director.

Detroit bankers say substantial gains have been made in the past five or six years through promoting women and minorities to positions of importance in branches and giving them a bigger piece of management training programs.

NBD says 20 percent of its management trainees in the past two years have been black.

But bankers and compliance officers both feel societal bias has to end before true

equality arrives for women and minorities. Only when both are encouraged from home, to school, to college and graduate school to study business, finance and trade will both be adequately represented at management levels.

ATTITUDE SHIFT NEEDED

For women, perhaps even more than men, there has to be a shift of attitude and posture, feminists say. They think women in banks must become less passive and grateful for tidbits. They should be more aggressive, accomplished and cocky.

"It's so tragic that the women won't do anything," said Marcia King, formerly of the Dallas Women's Equity Action League, which filed a complaint against over two dozen Dallas banks on behalf of women.

"Out of 10,000 women employees in Dallas banks, WEAL received a phone call from one, and over 100 women were promoted to officer positions, pretty much directly for the work we had done. The bank women were just hostile to being helped."

The National Association of Bank Women's approach to women and affirmative action plans is soft line. Its president, Barbara Pendleton, of Kansas City, Mo., said NABW had no plan of action for demanding that banks recruit and upgrade more women. It simply encourages women in banking to go to school, she said.

"It's going to be left up to the efforts of any little guy or gal out there with enough moxie to stand up against companies, with help from federal judges," says WSU's Irv Miller.

To date about four women have complained to the Michigan Civil Rights Commission about job or promotion discrimination in Detroit's six major commercial banks.

SUITS BEGUN IN TWO STATES

In New York and California women have begun suing their bank employers for equity.

San Francisco attorney Barbara Phillips filed a federal court suit in March 1971 on behalf of three women against U.S. financial giant Bank of America. They charged it with discrimination in hiring, promotion, training, job classifications, pay, access to facilities and benefits.

Going out on a legal limb by yourself can seem dangerous to many women, who aren't used to that kind of insecurity. It worked for Bev Wadsworth, though, whose case against First National City Bank of New York is about to be decided.

"Banks don't like aggressive, pushy, militant women," she said, "and they don't hire them. I wasn't like that when they hired me until I discovered they weren't going to do a damn thing for me."

Bev, married, with two children, quit the bank in 1970 while her suit was in progress, went to graduate business school, specialized in marketing management and became a Harriman scholar.

She sees her future as bright, even without a bank in it. "With this case," she says, "I couldn't ever get a job with a bank. They wouldn't touch me with a 10-foot pole. Banking's a very closed system. They all get in touch with each other."

Law suits, complaints and other confrontation tactics are just piecemeal strategies. One federal compliance officer thinks that equity for women will ultimately require an entire restructuring of jobs and the values placed on work.

"For instance, the reason there are hardly any males in those clerical jobs (in banks) is that they don't pay enough. And, for some reason, women are willing to work for less," he said.

"We've decided as a society that the job of clerk or secretary in a bank deserves less money than that of machine operator or punch presser. In union shops where clerical people are a part of the bargaining unit and

are paid shop wages, the clerical jobs are filled by men.

"It will take more than Revised Order 4 to cause that kind of restructuring."

ENERGY AND THE FUTURE

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. BAKER. Mr. Speaker, the energy crisis this country faces is very real. The specter of what we are up against as conventional energy sources play out is frightening. Some say we will have rationing in the very near future. Whether we like it or not, our whole mode of living could change drastically.

This is the time when we look to the leaders in the energy field. They know the dimensions of the problem. They are familiar with latest research and technology and what the prospects are for meeting the crisis by making sure that we have the tremendous quantity of energy we need, at prices we can afford, and produced without significant damage to our national environment.

One of the respected leaders in this field is A. J. Wagner, Chairman of the Tennessee Valley Authority. He addressed the Northside Kiwanis Club in Knoxville, Tenn., on January 31, 1973. His remarks were made under the title, "Energy and the Future," and I feel they should be required reading for every Member of Congress. People are looking to us for some of the answers to this problem. Mr. Wagner, in his remarks, presents a refresher course for us on the sources of energy, our growing dependence upon it for survival, and what the possibilities are for getting what we need. I urge all my colleagues to read and profit from what he has to say about "Energy and the Future":

ENERGY AND THE FUTURE

(By A. J. Wagner)

Energy is vital to man's survival on earth. His ability to command and use energy, in one form or another, more than anything else has lifted him from a starvation existence in the swamps and caves of pre-history to the comfortable life we know today.

Oil and gas shortages of recent weeks have underscored our dependence on energy and created fresh interest in what is commonly called "The Energy Crisis":

In Denver, Colorado, high schools were on a three-day week to conserve fuel. One plant sent its 700 employees home when it ran out of fuel in bitter cold, even after operating for weeks with 45° temperature in the plant in an effort to conserve gas.

In West Virginia, Illinois, Mississippi, and elsewhere factories were shut down when fuel tanks went dry.

Jet fuel became so scarce at New York's JFK airport that some planes couldn't take scheduled nonstop flights across the country.

Towboats with barges of coal were docked for days because there was no oil to run their diesel engines.

Atlanta's ice storm, earlier this month, at its peak knocked out electric service in nearly 150,000 homes, leaving them without light, heat, or power.

These and similar incidents serve as re-

mindings of our dependency on energy—and the threat of national impotence without it, even for a short while. But it is much more consequential, much more far-reaching than the inconvenience and discomfort that accompany such brief and temporary interruptions.

Last year Britain's coal miners struck for six weeks, shutting off coal supplies to her power plants. As the strike wore on, 15 percent of her electric generating capacity had to shut down. Entire residential and business districts were blacked out for as much as nine hours a day. Homes and businesses went dark and cold. Industries curtailed production, then closed. By the sixth week, three million Britons were out of jobs. It was calculated that if the strike had continued two weeks longer, 20 million workers—two-thirds of the entire work force—would have been idled. England's industry would have been stopped dead.

Yet even a near-disaster such as Britain experienced is little more than a hint of our total dependence on the heavy use of energy—as gas, oil, coal, or electricity. Virtually everything we do, everything we use is touched by our use of energy in one way or another. The walls of our homes and the roofs over our heads needed electric power to manufacture and to construct. Our homes and our morning coffee are heated with electricity, or gas, or oil, or coal. Gasoline drives us to work in an automobile that required great quantities of energy for its manufacture.

There are countless illustrations of this energy-dependence. But it is brought home most forcibly in an example cited by scientist-authors Lawrence Rocks and Richard Runyon in their new book, *The Energy Crisis*. They point out that only 1 percent of this country's industrial energy is expended on the farm; yet that 1 percent of our energy permits us to feed 100 percent of our population. Then they calculated that "The energy output of all 200 million Americans as biochemical energy is equal to the energy now employed on the farm."

In other words, it would take the muscle-power of every man, woman and child in the Nation to replace the work of the tractors, harvesters and other energy users that now produce the bountiful food supply of our farms. There would be no one left to build our homes, make our clothing or anything else. Even worse, there would be no one to manufacture the chemical fertilizers and insecticides we now use. And without them farm food production would be cut in half.

I have dwelt at such length on the essential place of energy in our lives because we all—every one of us—need to be aware of the consequences of running out. And, as I will discuss later, we can run out. It is not inevitable, but it is possible. And if we do run out of energy, any life worth living will run out, too.

This is why Rocks and Runyon introduce their book with these words:

"The most profound issue we face today is an impending power shortage. Most other environmental problems are theoretically solvable: Pollution can be largely abated by the same science that created industry, and substantial percentages of materials can be recycled, and thereby held in perpetuity. But energy cannot be recycled.

"Our energy deployment capabilities and their consequences will supersede all other environmental, economic, and political issues before this decade has passed."

A realistic appraisal of the future must also recognize that the need for energy, the public demand for it, will continue to grow both in this Nation and around the world.

For a good many years, now, our use of energy in the United States has doubled about every 10 years. Our living standards—the quality of life we read so much about to-

day—are a direct reflection of that growth. In this country, for example, the energy used in industry amounts to about 10,000 watts per person, the equivalent of 100 slaves working for each of us continuously. In India, by contrast, the figure is 500 watts—or five slaves. Our living standards reflect the difference.

Energy use will continue to grow in this country primarily because I do not believe Americans will readily accept lower living standards. Quite the contrary! We strive continually for more, not less, quality in our lives.

In addition, the cleaner environment we all want will require more energy for such purposes as to recycle materials, run waste treatment plants, and to make the equipment used in pollution control facilities.

The citizens of India, China, Africa and the many "have-not" nations around the world are all seeking better food, clothing, shelter, education, and health. All of these basics require energy.

Quite apart from our increasing *per capita* demands, there are more people on the earth every year and these new families want warm homes, refrigerators, washers, driers, televisions, automobiles and all the other things we have. While population growth rates are declining, in the United States, our total population is still increasing about 1 percent every year. Worldwide the figure is higher.

So we are faced with a world full of more people every year, each one using more energy than the year before. And, as you read and hear daily, energy use even in presented day quantities, is presenting us with serious problems of air and water pollution that must be corrected.

Some are suggesting that we solve this dilemma by cutting back on our use of electricity. They often illustrate by pointing out that we could do without electric toothbrushes, electric carving knives and other similar gadgets. True, we could. But that wouldn't even scratch the surface of the problem. For example, a whole family can run its toothbrushes for a year on the electricity generated by less than a pound of coal.

If we really want to make significant cutbacks in electricity consumption, we will have to take more drastic actions, such as do without hot water, live in colder homes, stop production of aluminum and many chemicals basic to our economy. We will have to close down or slow down the industries and businesses that give our people jobs. These are the really heavy users of electricity.

Any wasteful uses of energy—electric or otherwise—should, of course, be abandoned. And we could do much with better insulation and improvements in other building and industrial practices. But I believe that if all such actions that the public can accept were taken, it would result in a saving of less than 10 percent. This is little more than one year's growth, and then we are right back where we started.

Thus it is clear as crystal that if we want to maintain anything approaching our present living standards, we must find ways to provide increasing amounts of energy in the years ahead. The question is: "Where will it come from?"

At the present time the United States gets about 40 percent of its energy from oil, 31 percent from gas, 25 percent from coal, 3 percent from water power, and 1 percent from nuclear plants. (These, of course, are the *basic sources*. About 9 percent of this energy is used by the consumer as electricity, a proportion which is increasing rapidly. But it must be recognized that electricity is a *form* of energy, not an original source.)

How well can these basic energy sources meet our needs in the years ahead? While estimates vary widely, depending on assump-

tions made as to future rates of use and as to undiscovered reserves, the figures for fossil fuels run about like this, for reserves in the United States, matched against our national needs:

Oil—15 to 20 years.
Gas—30 to 40 years (some estimate as low as 12 years).

Coal—200 to 300 years (if used to synthesize oil and gas at present growth rates).

Note that while 40 percent of the energy we are now using comes from oil, we have only enough in this country to last another 15 or 20 years. Of course that period can be extended, as could others, by imports from foreign countries. And, as you know, some of this is being done. But it is probably not in the national interest to depend on foreign sources for something so vital to our national well-being as our energy supply.

In any case, one fact is clear and incontrovertible. Fossil fuels, both in the United States and in the world, are finite and limited in their amount. When they are used up, they are gone forever. Respectable estimates forecast that, if we continue to increase use of fossil fuels at present rates, all of the coal, oil and gas will be gone by the middle of the next century—just a lifetime away. (Because of the valuable chemicals they contain, we will ultimately need them for other purposes and we ought not to use them for simple fuels any longer than is absolutely essential.) We simply must have other energy sources—and time is running out!

Water power, even if it were all developed, could supply only about 5 percent of the world's present energy needs. Tidal power, wind power, and geothermal power could not provide significant help by presently known technologies. The same is true of direct solar energy.

Nuclear fusion, the power of the hydrogen bomb, could solve the world's energy problems virtually for all time. But the technology for harnessing it still eludes us and no time-forecast for success is possible.

As you have perhaps observed, the energy problem really breaks down into three time periods: First, the period covering the next decade or so; second, the period reaching into the beginning of the next century; and, finally, the long-term future.

In the near term, we must continue to rely on fossil fuels. We simply have no workable alternatives yet available. There will be problems of supply, of price, of air and water pollution—all severe and all interrelated. We will have to solve them as best we can. But we can't continue indefinitely because we will run out.

Through the balance of this century and into the next, it seems clear to me that we have no choice but increasingly to turn to nuclear fission reactors—the type that we and others are now building—to meet our energy needs. They present us with problems too, but I believe they are being solved. Even here, the kinds of reactors now being built would exhaust this Nation's economically recoverable uranium supply within a few decades.

That is why President Nixon, looking to the long-term future in his Energy Message in June 1971, proposed a program to build this Nation's first breeder reactor. And that is why we in TVA, backed by the utility industry generally, have committed ourselves fully, along with the AEC and Commonwealth Edison Company, to its construction and operation here on the Clinch River, near Oak Ridge.

The breeder reactor, utilizing uranium and plutonium in its fuel has the unique ability to produce more fuel than it consumes! It can extend the life of our uranium reserves by about 100 times, solving our basic energy source problem for many centuries and giving us time to perfect nuclear fusion

technology or perhaps something even better.

Truly, as the President has said, the breeder is "our best hope today for meeting the Nation's growing demand for economical clean energy . . ." It must be developed for safe, dependable, economical operation, compatible with a clean environment. This is the purpose of our demonstration plant.

The problems of energy supply are not easy for the layman to understand. They are so highly technical and so far-reaching in their implications and interrelationships that even few "experts" can fully grasp them in their total scope. But we all need to, in fact we must, understand their essentials because our survival depends on energy—in tremendous quantity, at prices we can afford, and produced without significant damage to our natural environment.

These are the essentials:
Energy is vital to our survival.

The amounts we need and use will continue to grow, and more and more of it will be used in the form of electricity.

Its cost will go up but we must hold its price at a level we can afford.

Fossil fuels must serve as our major source in the near-term future. But our fossil reserves are running out and we must find alternates.

The only feasible alternative presently available is nuclear power.

Light water fission reactors must continue to be built, to serve into the next century.

The breeder reactor must be perfected to conserve our available uranium. It will replace the present types of nuclear reactors, and it will solve the problem of basic energy source for many centuries.

At the same time, we need to push research on fusion reactors, direct solar energy and other even better methods for meeting our energy needs far into the future.

These are some of the critical issues that the public must understand. These are the courses of action we must support and follow. Life depends on it.

HARRY S TRUMAN

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. RHODES. Mr. Speaker, President Harry S Truman was absolutely unique. I think his career as President can be summed up by the observation that no man's decisions were ever more questioned or derided when he made them, or more praised and approved 20 years later.

Harry Truman was a true American in every facet of his being. His patriotism was a religion which governed his every action. Although he was intensely loyal to the Democratic Party, he found time to be kind to Republicans, as I discovered.

In 1962 while I was on a tour of duty with the Army at Fort Leavenworth, Kans., President Truman came to address the graduation of the Associate Course of the Command and General Staff College. Maj. Gen. Harold K. Johnston, who later became Chief of Staff of the Army, invited me to have lunch with him and the President. Mr. Truman was absolutely gracious, and we enjoyed chatting about things in Washington as they were then, compared to the situa-

tion Mr. Truman had known. I was also flattered at the fact that Mr. Truman remembered my father, who had been associated with him many years ago in promoting better highways for the States of Missouri and Kansas, as well as for the entire United States. These recollections will always be treasured by me, as a chance to rub elbows with one of the great Americans of our time.

To Mrs. Truman, and to Mrs. Daniel and her family, I extend my deepest sympathy.

EXTREMISM ON THE LEFT

HON. GALE W. MCGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Thursday, February 8, 1973

Mr. MCGEE. Mr. President, as many in this body are well aware, on numerous occasions I have expressed my concern regarding the extreme rightwing elements in the United States. These elements play upon the fears of individuals and our basest instincts. They utilize distortions of fact and, in many instances, accusations which are without foundation whatsoever, as their basic tools of attack.

However, it is not only extremism on the right which represents a threat to our decency as a humane society. This same phenomena occurs among extreme leftwing elements in our Nation.

In a recent publication of Facts, a periodic report for the Anti-Defamation League of B'nai B'rith, there appeared an analysis of the extreme leftwing propaganda assault which has been launched against the State of Israel. I believe the article raises some very crucial issues and points and is certainly worth the scrutiny of this body.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

[From the Facts, November, 1972]

DANGER ON THE LEFT

For the past four or five years, major elements of the political Far Left in the United States have been moulding and sustaining a vigorous propaganda barrage against the State of Israel—and, in consequence, against any and all support for Israel that comes either from the operation of U.S. foreign policy or because of the natural concerns of the American Jewish community. The campaign varies in approach from group to group, and in intensity from month to month (chiefly determined by the degree of concentration or passion given at any particular time to the competing issue of the Vietnam war). It is nonetheless abundantly clear that Israel is, and will continue to be, a prime enemy of America's Far Left as it weighs and interprets the world scene.

The anti-Semitic quotient is evident. As a natural consequence of their opposition to the very existence of a Jewish state in the Middle East, most of the propaganda mechanisms of the Far Left have turned their fire on those who support that existence—Jews, predominantly—while they warmly acclaim and profess a virtual alliance with those who threaten it.

The attack is ostensibly against "Zionism"—seen as the handmaiden of "U.S. imperialism." Zionism is portrayed by the radical leftists, as by the anti-Semites of the Radical Right, as a sinister force manipulated by agents allied with all the other evil entities conceived in the radical demonology (the "imperialists" in the eyes of the Left, as it is the "communists" in the eyes of the Right).

Jewish communities the world over have a deep, abiding commitment to the survival of Israel. In the wake of the Nazi Holocaust, the question asked by a whole people, if not by the whole world—Where are the persecuted to go?—was answered in the birth of the long-promised Jewish state. Wherever they may be today, Jews overwhelmingly believe that, whatever legitimate controversies may exist in the Middle East and whatever the conflicting viewpoints between Israeli and Arab, Israel's existence as a sovereign state is absolutely non-negotiable. Manifestoes and propaganda calling for the destruction or the dissolution of the Jewish state are, therefore, direct assaults against world Jewry and, along with activities supporting those sworn to destroy Israel, constitute the ultimate anti-Semitism.

The style and the semantics of the anti-Israel assault from the Far Left, moreover, often carry an undeniably anti-Semitic impact of their own. It is obviously possible to be unsympathetic to Zionism, or to oppose Israel's position on specific issues, without being anti-Semitic. But much of the propaganda and activity that currently passes for legitimate opposition masks a real hostility to Jews, or to their aspirations and concerns, and much of it is couched in anti-Jewish terms or anti-Jewish innuendo. It is this hostility that awakens the ancient fears of Jews the world over and that all too often is manifest in the publications and the activities of the Far Left.

Anti-Semitism and the Left

History testifies that in modern times, anti-Semitism has been a tendency found most often in movements of the extreme Right. Movements of the Left, especially those aimed at combatting tyranny and autocracy, or at achieving social reform and betterment, have often seemed solicitous of minority rights and protective of Jewish security, often in the face of anti-Semitism by extremists of the Right.

Nevertheless, the record of Left movements in the 19th and 20th Centuries is itself marked by blots of anti-Semitism. Many 19th Century European socialists regarded anti-Semitism as a vehicle for awakening class-consciousness among the workers, teaching them to recognize the "evil" of capitalism through suspicions about Jewish businessmen, merchants and bankers. In the United States, the agrarian radicalism of various movements in the latter part of the 19th Century, including the Populists, was tainted with blatant manifestations of anti-Semitism.

More recently, Communists collaborated with the Hitlerites during the Nazi assault on German democracy in the early 1930s and during the notorious Hitler-Stalin pact of 1939-1941.

The current antipathy to Israel among radical leftists, including some Jews, has its roots in Lenin's opposition to Zionism as a "bourgeois" philosophy, a political rival for the loyalty of Jews, and a manifestation of "nationalism" destructive of world revolutionary unity. (For their own part, some Jewish radicals have regarded Zionism as a force retarding their assimilation into a world socialist society from which Judaism itself, and consequently anti-Semitism, would disappear.)

The hostile position of so great a portion of today's Radical Left with respect to Israel brings home with renewed impact to Jews

the world over a consciousness of the fact that political extremism—that of the Left as well as that of the more familiar Right—presents a dire and continuing threat to Jewish security.

The extremists' anti-Israel war is only one aspect of the peril they present to the Jewish community. Their fundamental struggle is against the democratic system and those liberal values that have afforded safety and opportunity to an historically beleaguered minority people. The creation of social ferment, including the condoning, the advocacy and even the use of violence, is the tactic of their "revolution," and it is in revolutionary violence and assaults against the democratic process that Jewish security has been endangered and in which overt anti-Semitism easily breeds. The campaign against the Jewish state in the Middle East, a campaign with its own anti-Semitic impact, has been one major and recent focus of the danger.

The left and Israel

A current impetus to the Far Left position on the Middle East has been the militant anti-Israel stance of the Communist world and of the revolutionary "national liberation" movements of the "Third World" which enjoy the widest possible leftist support. These movements and their advocates in America identify closely with the Palestinian guerrillas in their terrorist war to destroy Israel. The Palestinians, cast in a role parallel to that of the Castro revolutionaries and the Viet Cong, have had great appeal to radical leftist youths. Yasser Arafat, leader of Al Fatah, has been accorded the cultish hero-worship given by the American Far Left to Castro and Che Guevara, to Ho Chi Minh and to Mao.

The struggles of the Arab *fedayeen* have been viewed as part of the worldwide revolutionary war against "imperialism." (Totally ignored is the fact of Israel's socialism and the fact that it is a political democracy born in a war of true national liberation. To recognize these facts would be to contradict the romantic, simplistic image and purpose now assigned to the Arab guerrillas; so Israel becomes an "imperialist" power and the enemy of the "people's" war.) "The fight against Zionism," declared writer Stephen Marks in the Marxist paper, *Worker's Power*, is "a vital part of the world revolutionary struggle."

THE TROTSKYISTS

Spearheading the Radical Left's anti-Israel, anti-Zionist campaign in America and lending its unflinching support to the Palestinian guerrillas, is the Socialist Workers Party (SWP), the part of the Trotskyist communists, together with its wide array of publications and affiliated organizations—the most important of these being the Young Socialist Alliance (YSA), since 1969 probably the fastest growing Radical Left group aimed at students and other youth.

Support for the Palestinian revolutionaries and opposition to Israel have received a higher priority in the activities of the Trotskyists than has been the case with most of the other parties and organizations of the Far Left. Policy decisions adopted during 1971 indicate that the SWP apparatus may well be giving an even higher priority rating to the Middle East in the period ahead.

In the spring of 1971, the National Committee of the SWP met in New York for four days and adopted several major resolutions to be submitted to the party convention. The April 30 issue of *The Militant*, the SWP newspaper, reported that the meeting, "one important aspect of the international situation, the struggles in the Middle East, was singled out for a special resolution" which, the paper said, "developed the SWP position in support of the Palestinian people . . . against Zionism and the state of Israel, and in support of the struggles of the Arab Peoples against imperialism and its Israeli beachhead."

At the SWP convention, attended by more than 1,000 delegates and observers and held August 8-12, 1971, in Cleveland, the party resolution was introduced via a report presented by Gus Horowitz, who, according to the September 6, 1971 issue of the *Intercontinental Press*, another SWP publication, emphasized that "the major task confronting American revolutionaries remains that of educating the radicalizing youth about the real history of the Zionist movement and the revolutionary character of the Palestinian and Arab struggle for destruction of the state of Israel." (Emphasis added.)

The resolution adopted by the Trotskyists was a lengthy document that set forth the basic political line of the party on the Middle East, purported to answer "the main Zionist arguments in defense of the present state of Israel," and outlined "the tasks the SWP has set itself in defense of the Arab revolution." The document pledged the SWP's "unconditional support" to "the struggles of the Arab peoples against the state of Israel."

That Israel has no right of survival in the eyes of the Trotskyists was made clear in the following passage (emphasis again added):

"The struggle of the Palestinian people against their oppression and for self-determination has taken the form of a struggle to destroy the state of Israel. The currently expressed goal of this struggle is the establishment of a democratic, secular Palestine. We give support to this struggle of the Palestinians. . . ."

With respect to the policy of the United States, the Trotskyists charged that "the central role played by U.S. imperialism in continually attempting to contain and crush the Arab revolution" raised the possibility of a Middle Eastern confrontation with the Soviet Union that could lead to war. They declared that "this places special obligations upon the SWP to educate the American people about, and mobilize opposition to, Washington's aims and actions in the Middle East."

The Trotskyists rejected as "false to the core" arguments that the Jewish people have a right to a state of their own or to self-determination of any kind. The party resolution stated:

"We explain to the Israeli Jews, as we have in the past, that their future lies only in aligning themselves with the Palestinian and general Arab liberation movements, wholeheartedly and without any reservation whatsoever. It will be to the extent that they do this that they can escape from the trap that Zionism and imperialism have set for them in the Mideast."

The ultimately anti-Semitic impact of the SWP propaganda is seen again in its insistence that the Jewish people surrender their security and their entire future to the Arab guerrillas "without any reservation whatsoever."

Examples of the major emphasis given to the Middle East in the Trotskyists' press include:

A party pronouncement concerning "perspectives for world revolution" that appeared in the February, 1971 issue of the *International Socialist Review*, another of the SWP publications, declaring that the Palestinians' fight would go forward "as long as the state of Israel continues to exist."

An article in *The Militant* by party Middle East specialist Robert Langston declaring that the Arab guerrillas would never "come to terms with the existence of the Zionist state" because even to accept the mere existence of Israel would be, for them, "national suicide."

Publication by the *Intercontinental Press* in November, 1971, and by *The Militant* in December, 1971, of an interview with Abu Omar, official representative of the Palestine Liberation Organization (PLO), the terror-

ists' propaganda apparatus, under the headline, "The New Phase of the Palestinian Resistance."

Publication in two successive issues of *The Militant* (October, 1970) of an official Al Fatah document calling for the dismantling of Israel and including a broad attack on the Jews of all countries. The manifesto, carried by the Trotskyist paper "for the information of our readers," said in part:

"Jews contributed men, money and influence to make Israel a reality and to perpetuate the crimes committed against the Palestinians. The people of the Book . . . changed roles from oppressed to oppressor."

The disdain for the Jewish people so glaringly apparent in such pronouncements showed itself in a *Militant* editorial following the barbarous murder of Israeli athletes by Arab terrorists at Munich during the Olympic Games of 1972. The editorial, published on September 15, said in part:

"The deaths of 11 Israeli participants in the Olympic games on Sept. 5 brought forth a hypocritical uproar of indignation from government officials and news media in capitalist countries around the world."

There was no uproar of indignation whatsoever from *The Militant*, which criticized the murderous outrage merely as being "ineffective" and a "diversion." The SWP paper added that the purpose of the world's outcry had been "to make the criminal look like the victim"—thus laying the blame for the massacre on the corpses of the murdered Jews while blaming the Arab terrorists only for a mistake in tactics.

The commitment of the Trotskyists to the support of the Arab revolutionaries includes, in addition to the steady drumfire of such articles as those quoted above from the SWP and YSA periodicals, a number of pamphlets and booklets produced and distributed by arms of the party publishing apparatus such as Pathfinder Press and Merit Publishers. It includes rallies, lectures, forums, and teach-ins at which the guerrillas are extolled and Israel vilified. It includes the formation of front groups and *ad hoc* committees for similar propaganda purposes. It includes active collaboration with Arab student groups and "Third World" organizations in cities and on college campuses all over the country.

In short, the commitment is total, and its threat to the deepest concerns of world Jewry is clear.

The Young Socialist Alliance

The Trotskyist anti-Israel thrust on the campuses and among other young people has been largely the work of the SWP's youth arm, the Young Socialist Alliance, which has been the largest Radical Left youth movement in America since the splintering of the old SDS in 1969.

On its own or in cooperation with Arab student groups, YSA has organized Middle East rallies, "teach-ins" and "Palestine Support Weeks" to boost the Arab guerrilla cause on scores of campuses around the country. It has published, and widely distributed, a number of pro-guerrilla pamphlets, one of them Peter Buch's *The Myth of a Progressive Israel*. Buch, a leading SWP spokesman on the Middle East, toured the United States early in 1971 under party auspices and with the aid of YSA promotion, covering more than 60 cities and college towns. At each stop, Buch assailed Israel and "Zionism," and extolled the Al Fatah and other Arab guerrillas.

On America's campuses, Buch claimed, there is "a new spirit of confidence on the part of Arab students and their supporters" and he expressed joy over what he saw as "a mood of diffidence among pro-Zionist students."

The YSA itself has collaborated with a number of Arab organizations which tag Israel and "Zionists" as their enemies. Members sold copies of the *The Militant* to guests at the 1970 Convention of the Association of

Arab-American University Graduates, held at the end of October. Earlier that month at a meeting of the pro-Arab Middle East Institute in Washington, D.C., an Al Fatah display table was manned by YSA members. And at the YSA national convention in New York, December 27-31, 1970, a discussion panel on the Middle East included representatives of the guerrillas, the Organization of Arab Students (OAS), and Palestine House (Washington, D.C.). Of this convention *The Militant* January 15, 1971 reported:

"All agreed on the necessity for closer collaboration and solidarity between American revolutionaries, Arab organizations in the U.S. and the revolutionary movements in the Arab countries."

The convention's decision was actually the climax of a Trotskyist pro-Arab propaganda campaign that had swung into high gear during the Middle East crisis period in the fall of 1970. At that time, the YSA, declaring that "the struggle of the Palestinians to regain their homeland usurped by Zionist Israel is just struggle," issued a call for massive demonstrations on campuses throughout the country under the guidance of a Radical Left coalition. The YSA national office declared that the Middle East crisis had "thrust the situation" there "before hundreds of thousands of students."

The first manifestations of an intensive anti-Zionist campaign by YSA had taken place even before the national office published its call. Late in September, 1970, a week of teach-ins and rallies took place at George Washington University in Washington, D.C. and at the University of Maryland nearby—with speakers from YSA, the Organization of Arab Students (OAS) and the Arab Information Center. The week's climax was an "emergency" rally staged by the "Fair Play for Palestine Committee," a coalition that included YSA and OAS, joined for the occasion by the Student Mobilization Committee to End the War in Vietnam (SMC), which was dominated at the national level by the Trotskyists. That same week, hundreds of students attended rallies at Massachusetts Institute of Technology and in downtown San Francisco, both addressed by Arab students and SWP officials.

The call issued from the YSA convention in December resulted in increased Trotskyist youth activity on behalf of the Arab guerrilla cause, beginning in the early months of 1971. Teach-ins and "Palestine Weeks" were held on a number of campuses. There were anti-Israel demonstrations before the United Nations in New York and on the streets of other cities.

During the April, 1971 demonstrations against the Vietnam war in Washington, the YSA chapter of George Washington University circulated flyers inviting the demonstrators to take part in a number of events, including speeches on "Zionism and the Palestinian Revolution" and "How to Make a Revolution in the United States."

Front groups

As has long been the practice of other communist parties, the Socialist Workers Party supervises the formation of other organizations designed for specific propaganda purposes and/or to appeal to specific audiences. Sometimes the SWP participation is masked, sometimes not.

One such activity was the formation of an *ad hoc* group called the "Committee of Black Americans for Truth About the Middle East" (COBATAME). Its sole apparent purpose was to offer an imprimatur for a half-page ad in the November 1, 1970 issue of *The New York Times* which harshly attacked Israel and Zionism. Funds for the Times ad were solicited in advance via an announcement published in the SWP's *Militant*.

The COBATAME chairman was Paul B. Boutelle, who had been the SWP's candidate

for Vice-President of the United States in 1968 and who had just returned from the Middle East, where he and five other members of his "Committee" had been guests of the Al Fatah terrorists. Boutelle subsequently addressed college audiences under the sponsorship of YSA.

Several other Trotskyists were signers of the *Times* ad, along with a number of black nationalists, most of whom had little or no prominence in the black community, or in the community at large. Their declaration that "imperialism and Zionism must and will get out of the Middle East" was in marked contrast to another pronouncement, published some time later in the *Times*, which called for firm U.S. support for Israel and which was signed by a number of distinguished Black Americans including Roy Wilkins, Bayard Rustin, Carl Stokes, and the late Whitney Young, Jr.

Another SWP front group, the "Committee for New Alternatives in the Middle East"—founded by Berta Langston, who headed it, and her husband, *Militant* writer Robert Langston—was apparently wrested from Trotskyist control in January, 1971 by members who proposed it develop a less one-sided approach in seeking Middle East "alternatives." In resigning from the slightly reconstituted committee, Mrs. Langston declared that she could not "support an organization that is not clearly and unambiguously opposed to Zionism." The Trotskyists' stand has always been clear and unambiguous.

Vietnam and the Middle East

The Trotskyists have opposed the injection of issues other than Vietnam into the programs of the National Peace Action Coalition (NPAC) and the Student Mobilization Committee to End the War in Vietnam (SMC), the two anti-war groups they dominate. They fear that the injection of other issues would divide their hard-won coalition and lose them the allies and the following they have acquired by exploiting the widespread opposition to the Vietnam war. But they regard the lessons, the techniques, and even the loyalties garnered in the anti-war movement as "transferrable" to other concerns when the time is right. One such concern is the war to destroy Israel.

The resolution adopted by the Socialist Workers Party at its August, 1971 convention likened the Palestinian guerrillas to America's enemies in Vietnam. And it declared:

"The mass anti-war movement has sensitized large numbers of people to the role of U.S. imperialism and to solidarity with the colonial revolution. The expansion of these movements will be important factors in the increasing growth of sentiment in solidarity with the Arab revolution."

Even the slogans to be used in opposing U.S. support for Israel, said the SWP, would be "analogous to the slogans around the issue of Vietnam."

Influential leaders on the Far Left have already urged that the anti-war organization be used as the nucleus of a mass movement opposing U.S. aid to Israel and rallying support for "Palestinian liberation." The rationale was spelled out in August, 1971 by James Lafferty, a radical Detroit lawyer who has served as one of the national coordinators of NPAC. Lafferty's law partner, Abdeen Jabara, who has served on NPAC's steering committee, is the editor of *Free Palestine*, the leading pro-Fatah newspaper in the United States.

While there is no evidence that Lafferty has ever been an SWP member, he has worked closely with the party's activists in NPAC and in other causes.

Lafferty, writing on "The Anti-War Movement and the Struggle for Palestine Liberation" in the August issue of Jabara's publication, contended that the lessons learned in the "peace" coalition "are transferrable to

the effort to build a movement to support Palestinian liberation." Answering some leftist criticism that the anti-war forces had not done enough "to support other struggles," Lafferty argued that the supporters of the Arab guerrillas could learn much from the anti-war movement, which, so far as "education" and tactics are concerned, already "provides the most effective possible support for Palestinian and other liberation struggles." Although "ostensibly" limited to the Vietnam war, he wrote, it had had a "beneficial impact" on the Arab effort to destroy the Jewish state.

Lafferty himself, while working in NPAC, has been active in behalf of the Arab cause. In October, 1971, his law partner, Jabara, filed suit in Federal Court in Washington, on behalf of 12 plaintiffs including Lafferty, against Defense Secretary Melvin Laird Secretary of State William Rogers, and Presidential advisor Henry Kissinger, seeking to obtain public disclosure of alleged government "studies concerning the extent of American involvement and commitment in the Middle East." The suit followed a letter of September 2 from Jabara to the three officials which described his client, Lafferty, as being concerned that American politics in the Middle East were creating a situation "not unlike" that in Vietnam.

"Zionism serves the aggressors"

Peter Buch of the SWP, writing in the September, 1971 issue of Jabara's *Free Palestine*, was even more revealing of how the Trotskyists are planning to utilize the anti-war movement for their own purposes with respect to the Middle East. Buch wrote of the "unparalleled opportunities for Palestine supporters to reach many people with their views during the massive demonstrations and community activities of the anti-war movement."

The Socialist Workers Party, wrote Buch, connects "the Vietnam and Palestine liberation struggles within the anti-war movement," citing as an example his own six-month speaking tour "organized by the SWP in defense of the Palestinian revolution where I spoke to campus and anti-war audiences all over North America."

Buch explained that "the leadership of the anti-war coalition, in which the SWP plays an important role," had not called out the masses in support of the Arab guerrillas because most of the people in the movement "don't yet understand that Zionism serves the same U.S. imperialist aggressors who are destroying Vietnam." And yet, he declared, the Trotskyists are looking ahead to an improvement in that situation. He wrote:

"There will surely come a time when the Palestine support movement will have a broader sweep than it does now, as U.S. intervention in the Middle East becomes more palpable and as our continued educational work around the issue becomes more effective. The lessons we have learned in building a massive anti-war movement surely will help us to build an effective opposition to American and Zionist aggression in Palestine, if we understand how to build a real united front on a principled basis, how to use defensive formulations that relate to the actual consciousness of the masses of people, and how to avoid the sectarian and self-isolating mistakes that doom such efforts from the start.

"Right now, we can make more progress in that direction with concerted educational efforts all around the country. The broadest based Palestine teach-ins, debates, lecture tours, ad hoc committees, literature distributions, etc., should be organized. The elementary civil liberties of Palestinian and Arab groups should be defended. Special efforts must be made to approach not only the anti-war movement, but also the women's liberation movement, the Black, Chicano and Native American liberation move-

ments, with the truth about Palestinian liberation. And those who approach these movements not only as revolutionary supporters of Palestine but also as builders and defenders of those movements will get the best hearing about Palestine too!"

In short, the SWP and the chapters of the YSA on college campuses around the country—using their array of publications and their dominant position in NPAC and SMC—are preparing to escalate their campaign against Israel and against Israel's friends in America to even greater levels of intensity in the period ahead.

WORKERS WORLD PARTY

Buch's article in *Free Palestine* was sparked by charges that the Trotskyists had failed sufficiently to link the Middle Eastern issue with that of Vietnam—charges which had appeared a few months earlier in *Free Palestine* under the by-line of Mrs. Rita Freed, leader of the Committee to Support Middle East Liberation (CSMEL).

The CSMEL is a front group of Youth Against War and Fascism (YAWF), which in turn is the youth arm of the New York-based Workers World Party (WWP). The WWP was formed in 1959 by pro-Peking dissidents of the Trotskyist SWP—though in recent months, the Maoist ardor of the WWP has substantially eroded in the face of diplomatic developments between Washington and Peking. Mrs. Freed's article, reprinted in *Free Palestine* from the May 21 issue of *Workers World*, official organ of the WWP, asserted that for several years YAWF and CSMEL had "sought to explain to the progressive movement in the U.S. why support for Vietnamese Liberation must be accompanied by support for Middle East liberation as well." She declared that in the view of the WWP apparatus, "it is the same imperialist system at work in both cases."

Mrs. Freed assailed the role of Israel's friends in America, mentioning the "difficulties in the U.S. in freeing the public, even the progressive movement, from decades of anti-Arab brainwashing . . . because American Zionism is actually a mouthpiece for U.S. capital." She chided Buch and the SWP for not trying to straighten out such "difficulties" within the anti-war movement itself. But it is clear that the disagreement between the WWP-YAWF-CSMEL complex and the Trotskyists—it had crystallized at an Arab sponsored conference in Algeria attended by both Buch and Mrs. Freed—centered on tactics and timing, not on basic ideology. They disagree on whether the time is right to connect the "peace" cause totally with that of the Arab guerrillas; but both factions are equally anti-Zionist, equally zealous in support of the Palestinian revolution, and resolute in their opposition to U.S. friendship with Israel.

Mrs. Freed's article, written shortly after her return from Algeria, was one item in a barrage of pro-guerrilla propaganda that has issued from the WWP complex that includes not only YAWF and CSMEL but also the American Servicemen's Union, a WWP-dominated group that has for several years sought to organize a cadre of the revolutionary left in the U.S. armed forces.

Article after article in *Workers World*, the bi-weekly party publication, has brought the Mideast ideological line of the WWP to the party's small but zealous membership. It also announces anti-Israel activities carried on by the WWP and its assorted units and fronts.

Many of these demonstrations are staged by WWP, YAWF and CSMEL in cooperation and solidarity with Arab students on campuses around the United States.

An article in the *Workers World* of May 7, 1971, for example, told how demonstrators mobilized by the Organization of Arab Students (OAS), with the aid of YAWF, had sought to convert an Israeli Independence

Day celebration at the University of Chicago Circle Campus into a pro-Palestinian demonstration. Another told of a picketing effort at an "Israeli Bond Festival" dinner carried out by YAWF "in a coalition with Arab and Iranian students and independents" who were joined by YAWF members from Detroit and Milwaukee. Guerrilla flags and banners reading "Victory for the Palestine Revolution" and "Indochina to Palestine—One Struggle, Many Fronts" were carried by the demonstrators, the article said, and these "answered the demagoguery of capitalist politicians and Zionist collaborators at the 'Festival' who try to associate the State of Israel with progressive causes. . . ."

A picture caption in the May 21 issue boasted that YAWF and CSMEI were "the first groups in U.S. to link Palestinian revolution with the international anti-imperialist struggle."

Two weeks later, these WWP groups announced a demonstration at New York's Rockefeller Center the purpose of which, a CSMEI leaflet trumpeted, was to "STOP WALL ST'S OTHER VIETNAM" in the Middle East. News coverage of the event in the June 8 *Workers World* was extensive. A headline proclaimed: "Commemorate 4th anniversary of U.S. Israeli aggression against Arab people." Another article, headlined "A talk with Palestine Guerrilla Spokesman—'We need solidarity in deeds,'" was an interview with Ahmad Kayali of the Democratic Popular Front for the Liberation of Palestine. In another piece, writer M. Margolies, after reviewing some of Israel's domestic problems, asserted:

"Israel is an artificial state created by Western imperialism (and now the puppet of the U.S.) as a military outpost in the oil-rich Middle East—it is no coincidence that rights, privileges and political power are dominated by Western Jews."

On June 19, in downtown Detroit, a group of CSMEI activists staged an anti-Israel demonstration in front of an Israel Bonds office carrying signs calling for the liberation of "Palestine" and denouncing "Fascist Zionism."

A WWP statement published in the July 30, 1971 issue of the party's paper declared: "Workers World Party urges all partisans of Arab liberation to help expose the systematic plan to destroy the Palestinian people. Stop the genocide against Vietnam and Palestine!"

In September, *Workers World* headlined an Arab "March Against U.S.-backed Oppression in Palestine"—a motor caravan of "Arab workers and students" from New Jersey and New York, followed by picketing demonstrations at the Israeli U.N. Mission, the United Nations and the Jordanian Mission. Organizations identified as taking part included the Arab Clubs of New Jersey, the Progressive Arab Students, and the CSMEI. Speakers charged that King Hussein and Israel "had become equal partners in the genocide of the Palestinians." One slogan proclaimed: "Nixon, Hussein, Dayan—My Lai, Amman, Gaza."

Deep concerns of American Jews other than Israel have also been assailed by YAWF radicals. The November 3 issue of the WWP newspaper told of YAWF activity in Seattle to denounce a "Freedom Bus" then embarking on a tour of American cities to demand that Soviet Jews be allowed to go to Israel. The article denounced the "Freedom Bus" as "imperialist-contrived" and "Zionist."

The campaign against Israel by the WWP, YAWF, CSMEI and the other units of the Workers World apparatus continues. On February 16, 1972, *Workers World* published an article charging that "the puppet state of Israel is directly dependent on U.S. support and control and, like the U.S. puppet government in Saigon, the Israeli government

makes no move without first checking it out with the White House." It also asserted that in the Middle East, the U.S. has "a whole state (Israel) at its disposal as opposed to a few corrupt politicians it controls in Vietnam." The declaration concluded: "The heroic struggles of the Arab people will prove an empire shattering defeat for the mad money-men of Wall Street."

The same issue told how activists from CSMEI, YAWF, the American Servicemen's Union, and the Organization of Arab Students had staged a demonstration on February 10 during a UJA meeting at New York's Hotel Pierre where Israeli Defense Minister Moshe Dayan was present during a trip to the United States. The article bore the byline of Ibrahim Ebeid, who spoke at the demonstration telling those participating that Dyan's "end and the end of his partners is coming sooner than they expect."

The irony in the attitude of much of the revolutionary Far Left in the United States toward the "common" people and "peoples" that they claim to serve is demonstrated by the WWP reaction to the brutal massacre at the Lod Airport on May 30, 1972—by Japanese terrorists trained by the Arab guerrillas. A *Workers World* editorial of June 15 declared:

"The fact is that the 25 people killed at Lydda Airport were, like the 50,000 GIs killed in Indochina, victims of a situation created by imperialism. Palestine is an occupied country renamed 'Israel' by its occupiers. . . ."

There was no condemnation of the killers of 25 innocent persons (mostly visiting Puerto Ricans), no sign at all of a balanced humanitarian concern. Only a continued hewing to the pro-terrorists, anti-Israel, anti-American line that has marked the propaganda of the WWP and other radical U.S. movements over the past several years.

THE COMMUNIST PARTY

Given the political commitment of Soviet imperialism to the Arab cause in the Middle East and the traditionally slavish adherence of the American Communist Party to the "line" set in Moscow, the pro-Arab and anti-Israel posture of the CP-USA is utterly predictable. The withdrawal from Egypt of the major part of the Soviet expeditionary force, at the request of Egypt's Sadat, does not change the political relationship.

While the CP-USA has (in its 1972 platform) affirmed the right of Israel to "exist," the Party—in common with other voices on the Far Left in the United States and in line with the declarations of policy from Moscow—continually assails "Zionism," which Party leader Henry Winston has dubbed "the nationalism of the Jewish bourgeoisie." Party theoreticians fill many a page of *Political Affairs*, the party's ideological journal, with attacks on Israel and harsh criticism of the pro-Israel views and activities of American Jews. One of the more important attacks of this kind was a long two-part diatribe entitled "The Reactionary Role of Zionism" that appeared during the summer of 1971 in *Political Affairs* under the byline of the editor, Hyman Lumer, the main CP theoretician on the Middle East.

Lumer berated American Jewry for its support of the "racist" and "oppressive" State of Israel which he said has become the chief focus of activity among U.S. Jews. Lumer asserted that "among the pillars of Zionist support are the synagogues and temples" and charged that "the major Jewish organizations, Zionist and non-Zionist alike, play the role of political arms of the Israeli government." Clearly, Lumer used his criticism of Zionism as the basis for an attack on the entire American Jewish community itself. And Lumer declared:

"The fight against Zionism is an important part of the fight against U.S. imperialism. And in this fight the Communist Party must at all times be in the forefront."

The Kremlin speaks, the CP follows

The Moscow "line" on the Middle East was re-enunciated at the 24th Congress of the Communist Party of the Soviet Union held in the Soviet capital during the spring of 1971. The Soviet Party's resolution declared that the "representatives of the 14-million-strong army of Soviet communists sharply denounce Israel's imperialist aggression against the Arab states, conducted with support from American imperialism. . . ." It also denounced "the expansionist designs of the Israeli ruling clique and the Zionist circles," and praised "the constructive position of the Arab countries."

The Soviet Communist Party asserted that "the legitimate rights and interests of all the Arab peoples, including the Arab people of Palestine, will triumph," and called upon the "fraternal parties" (the Communist parties in all countries) "to strengthen solidarity with the peoples of the Arab countries and to give them active support in their struggle."

The Communist Party of the United States responded with expectable obedience. Its 20th National Convention, held at New York in February, 1972, adopted a resolution similar in tone and content to that adopted in Moscow. It read:

"End the alliance of U.S. imperialism and Israeli expansionism directed against the peoples of the Arab countries and Africa. We call for complete withdrawal from all Arab territories in accordance with the 1967 resolution as a prerequisite to a political settlement. This includes the guarantee of the right to Palestinian self-determination and the continued existence of Israel."

The issues to be acted on by the CP-USA convention were set forth in a series of "Draft Theses" that were summarized over a period of weeks in the *Daily World*, the party-oriented newspaper published in New York.

One of the theses, dealing with "anti-Semitism and Zionism," told the party faithful that "Zionism . . . has become a weapon of imperialism" and that "the state of Israel, tying itself to the imperialist warmakers of the U.S., has become the oppressor of the Middle East." Turning to American Jews, the thesis declared:

"To carry out the aggressive policies of Israel, its Zionist supporters in the U.S. have sold themselves to the U.S. State Department. They support the Vietnam war and spread State Department slanders about Soviet 'anti-Semitism.'"

Another of the Draft Theses, critical of the Communist Party's own shortcomings, asserted that the CP-USA had been "permissive in the fight against nationalism, especially in the Jewish field and also in the Black Community. . . ." At another point, the CP-USA criticized the "serious upsurge of Jewish nationalism, particularly the rising influence of Zionism."

Lumer's Anti-Zionist Diatribe

Hyman Lumer's lengthy two-part "analysis" of "The Reactionary Role of Zionism," carried in the July and August, 1971, issues of *Political Affairs*, was saturated with the pungent aroma of gutter-level anti-Semitism. Not only did Lumer attack the American Jewish community, its major organizations, "Zionist and non-Zionist alike," and its "synagogues and temples" for their support of Israel, but in decrying American contributions to Israel and investments in that country (those of non-Jews as well as Jews), the Communist theoretician denounced the alleged role of "Jewish bankers," specifically naming the "Morgenthau, Rosenwalds and Warburgs . . . Kuhn-Loeb and Lehman Brothers"—the very same "Jewish bankers" that for four decades have been the whipping boys of the anti-Jewish lunatic hate fringe, such as Gerald Smith and the late neo-Nazi George Rockwell.

Lumer echoed the theme used by Arab propagandist and anti-Semite alike—that big Jewish organizations and large blocs of Jewish voters in big cities and politically crucial states wield undue influence in domestic American politics and in American foreign policy with respect to the Middle East. "Accompanying these mammoth fund-raising drives," Lumer wrote, "is an uninterrupted flood of political activity, aimed at winning support for the Israeli government and its foreign policy. In the major centers of Jewish population, and especially in New York City, the big Jewish organizations wield not a little influence in the political arena. (Editor's note: Not Zionist organizations, but "big Jewish organizations"). The Communist ideologue went on to talk of the "well-organized pro-Israel lobby" which he said had been described as including "scores of Jewish organizations which have large amounts of manpower, money and zeal."

Lumer charged that the American people are not being told the truth about the Middle East by the press, the radio and television—then made the charge preposterous by himself citing articles unfavorable to Israel that had appeared in such organs of the mass media as *The New York Times* and the *National Observer* (Dow Jones).

Lumer made a similar charge in the West Coast pro-Communist paper, *Peoples World*, on July 15, 1972. He wrote that there is a "Zionist mythology" in the United States, "built up by the systematic propagation of a mass of falsehoods and distortions by Zionist sources with the help of the ruling class, its political spokesmen, the communications media and every other avenue of influencing public opinion." And Lumer added a menacing touch:

"The ugly reality which it covers up would, if it were made known, arouse the most widespread indignation and protest."

In his earlier *Political Affairs* articles, Lumer railed against the United Jewish Appeal, complaining that contributions to UJA are tax-deductible. He explained UJA's tax-exempt status in terms of the CP line: "... as long as Israel's policies serve the interests of U.S. imperialism, the U.S. government is hardly likely to question the use which UJA makes of the funds it raises."

Lumer went on to charge that the "heightened influence of Zionist ideology" had led, among other things, to "an alarming growth of racism and chauvinism within the Jewish community." This, he said, had aligned "the Jewish people with the forces of racism" and had produced "a campaign of vilification and slander" against the Soviet Union "based on the Big Lie of official 'Soviet anti-Semitism' and persecution of Soviet Jews, which has been built since 1967 to frenetic proportions."

"All the major Jewish organizations are actively involved," Lumer declared.

"Spearheading the Zionist movement in the United States today," he continued, "is a major section of Jewish big capital. This group has provided the lion's share of the contributions which have helped Israel to finance its enormous military expenditures. It is the main purchaser of Israel bonds. It has made large investments in Israel... and it has exercised preponderant ideological influence."

Setting the line for the CP-USA, Lumer declared that "in this country, the heartland of U.S. imperialism and the home of the largest Jewish community in the world, the fight against Zionism takes on exceptional importance. It is here, above all," he wrote, "that the battle must be waged against the machinations of U.S. imperialism in the Middle East and for the liberation of the Arab peoples."

The job of the CP-USA

To bring the party line on the Middle East to the party faithful—and to others—Lumer

lectures at the Center for Marxist Education in New York. During the spring of 1972, he scheduled a four-week lecture series on "The Jewish People and the Struggle Against Zionism." Lumer's lectures were scheduled on Friday nights at 8 p.m.—the start of the weekly Jewish sabbath.

Another leading writer and speaker on the Middle East is Tom Foley, whose articles appear regularly in the *Daily World*. In January, 1972, Foley attended the Third Congress of the Communist Party of Lebanon as a fraternal delegate, representing the Communist Party U.S.A. and told readers of the January 18 *Daily World* that the meeting, held January 6-9 in Beirut, "was one of the most important political events to occur in the Arab world in the last decade," and that it might "well mark a turning-point in the history of the Middle East." The parley, he wrote, meant a "dramatic strengthening and unification of the Arab world's forces against imperialism, Zionism and Arab reaction...." As for Israel, Foley referred to the Jewish state as "aggressive, expansionist Israel, armed to the teeth by American imperialism," and guilty of "wanton, barbaric military aggressions...." The job of the CP-USA, Foley declared, "is to mobilize American public opinion against the U.S. government's support of Israeli aggression, so that the peoples of the Middle East will no longer be forced to live in an atmosphere of terror...."

Aiding the Communist Party itself in these efforts are its youth group, the Young Workers Liberation League (YWLL) and the League's publication, *The Young Worker*, as well as *Jewish Affairs*, the party's own publication devoted to issues of concern to its Jewish members and those they seek to influence. With respect to the Middle East itself, the so-called Committee for a Just Peace in the Middle East is a New York-based front group of the CP-USA that was organized in October, 1970, with Alex Kolkin, a member of the national committee of the Communist Party, as its chairman.

Main speaker at the first meeting of the Committee for a Just Peace in the Middle East was Dr. Herbert Aptheker, Communist Party theoretician, who charged that the Israeli government was "racist." Aptheker was joined on the platform by Donna Ristrucci of the YWLL.

The Communist Party has had to wrestle somewhat gingerly with Middle East terror. While the vilest specifics of Arab terrorism can be clearly deplored in its press, Israeli policies are always identified as the root cause, while outcries of shock and protest from the U.S. are labeled "hypocritical." Thus, following the terrorist infamy at the Munich Olympic Games, a pair of editorials in the Communist *Daily World* (September 6 and 7, 1972) began by terming the killing of Israeli athletes "murderous banditry," but then, through the larger portion of the allotted space, condemned what was called "the complicity of the Israeli government" and of the U.S. government, and the "hypocrisy" of both because of the continuation of violence in Vietnam. The Communists' specific objection to the Munich murders was that they had been a "counter-revolutionary" diversion. No sympathy was offered for the Israeli Jews who had been the victims of the outrage.

THE "GUARDIAN"

After Israel had struck back via air raids against Arab terrorist encampments, the *Guardian*, a self-described "independent, radical newsweekly," took the occasion to compare Israel with Hitler's Nazis. While deploring the Munich actions of the Black September Palestinian terrorists as "an indefensible outrage, a distortion of revolutionary principle, and counter-productive to the just cause of Palestinian liberation," the paper asserted:

"But no matter how wrong his assault by the commandos was, it must not be allowed

to obscure the genocidal expansionism and racism of the Israeli government and its U.S. sponsors.

"It is ironic that the Jewish state of Israel should be aping the tactics of the Nazis...."

The *Guardian* concluded:

"The U.S. left and progressive forces have a role to play in the Mideast conflict. These forces, especially in the antiwar movement, must take a strong stand in support of the Palestinian national struggle and against U.S.-Israeli imperialism...."

The reaction from the *Guardian*, founded in the late 1940s, published in New York for a readership spread thinly across the country, was predictable. Like the rest of the Far Left, the *Guardian* is outspokenly anti-Israel in its posture on the Middle East.

OTHER PROPAGANDA MILLS

There are other arms of the Far Left's anti-Israel, anti-"Zionist" propaganda apparatus—other purveyors of pro-Arab pamphlets, leaflets, fliers, reprints, posters, stickers and buttons which are made available singly or in bulk quantities.

One of the more recent and more active of these propaganda mills is the Middle East Research and Information Project (MERIP), formed in the spring of 1971 by a small group of New Left activists, some of them Jewish; several had visited Arab guerrilla training centers as guests of Al Fatah in September, 1970. There are two MERIP units, one in Washington, D.C., and the other in Cambridge, Mass. One of those who has been active in Washington is Sharon Rose, who earlier had been with Jews for Urban Justice (JUJ), a group of Jewish radicals in the nation's capital.

MERIP states that it "provides literature, speakers, films, posters, slides and research material about political, economic and social conditions in Middle Eastern countries and the role of the United States in the political economy of the area." In point of fact, however, MERIP is an unabashed propaganda outlet in the U.S. for the Palestinian revolutionary movement. A packet of some 30 items mailed out by MERIP in the summer of 1971 included materials issued by Al Fatah, the General Union of Palestinian Students, and such Beirut-based organizations as the Fifth of June Society, the Research Center of the Palestine Liberation Organization, the Institute for Palestine Studies, the Arab Women's Information Committee, and Americans for Justice in the Middle East.

Materials distributed by MERIP included such tracts as "Revolution Until Victory" and "Political and Armed Struggle,"—both by Fatah; "Basic Political Documents of the Armed Palestinian Resistance Movement," published by the PLO's Research Center; "A Strategy for the Liberation of Palestine" (PFLP); and "Aims of the Palestinian Resistance Movement with Regard to the Jews," published by the Fifth of June Society in cooperation with the Palestine Research Center.

MERIP activists were present at the Fourth Annual Convention of the Association Arab-American University Graduates, Inc., held October 20-21, 1971 at Boston, where Abdeen Jabara, the editor of *Free Palestine*, was elected AAUG president. Other American Far Left organizations, among them the Trotskyists, set up literature tables at the convention, exemplifying the growing alliance between American and Arab leftists in the United States.

Another such propaganda operation (promoted by MERIP) is the *Palestine Resistance Bulletin*, published monthly by a small group of Arab student activists and New Left radicals at the State University of New York at Buffalo who express "solidarity with the Democratic Popular Front for the Liberation of Palestine"—one of the most extreme of the various guerrilla organizations. The Buffalo activists offer their own list of propaganda issued by the DPFLP—for example,

a pamphlet entitled "On Terrorism, Role of Party, Leninism vs. Zionism."

Low-cost printing and reprinting has been provided for various arms of the New Left apparatus by *The New England Free Press* in Boston. This propaganda factory has offered a lengthy list of materials on various topics of interest to the movement, including several on the Middle East—all of them bitterly anti-Israel. One of these is "Zionism—A Political Critique," by Tabitha Petran, published by the Students for a Democratic Society (SDS) before its collapse in 1969 and subsequently promoted by MERIP.

THE "UNDERGROUND" PRESS

Perhaps the most significant adjunct of the youth "counter-culture"—the numerous though fragmented heirs to the traditions of New Left politics—has been the so-called "underground press," a network of several hundred newspapers sold in metropolitan areas and college campuses from coast to coast.

In the last five years, these papers have produced a torrent of articles and features dealing with the Middle East, and true to the growing tradition of the Radical Left, they have uniformly idolized the Palestinian guerrillas while vilifying Israel and its American Jewish supporters.

Despite its name, the "underground" press is not clandestine; its journals are sold openly and widely. It is more precisely an *alternative* press, published by and for the radical and/or "alienated" youth who oppose traditional values and life styles as well as many of the existing political, social, and economic institutions of the United States—a country they often label "Amerika" to imply a fascist reality. Representative editors of underground papers have stated that their main task is "to build a revolution." Some have published serialized "manuals" on how to conduct guerrilla warfare and to manufacture bombs. The Arab terrorist, holding high his clenched fist and toting a rifle and a beltful of grenades for destroying governments and traditions, is a likely hero. The Jew is not an unlikely enemy.

At their peak, the combined circulation of the underground papers was estimated at 1,000,000 to 2,000,000, with a total readership of perhaps 5,000,000. Through this network of hundreds of papers, fed by its own news syndicates (the Liberation News Service, run by a "collective" of radical young journalists, is the most important), hundreds of thousands of young Americans—perhaps millions of them—have been exposed to unremitting doses of anti-Israel, pro-guerrilla propaganda.

Such articles seem to follow the transparently closed-minded, authoritarian prescription of the Bay Area Revolutionary Union, as published in the *Berkeley Tribe*, one of the leading underground papers:

... the people's press has the responsibility to find out the truth about the Palestinian people's struggle, and become a weapon of the people's struggle, and become a weapon to smash through the Zionist propaganda.

The *Tribe* had made its own position clear: "We at the *Tribe* should support the policies of Al Fatah in their efforts to build a broad-based movement and a People's War to liberate Palestine."

Middle East journeys

In the furtherance of such aims, editors from leading underground papers have visited guerrilla camps in the Middle East, attended Palestinian conferences, and returned to promote the guerrilla cause in the pages of their publications. One such trip took place at the height of the 1970 Mideast crisis in August and September. The underground editors, along with other American "revolutionaries," visited "liberation schools" and commando training centers as the guests of Al Fatah. They also met with representatives

of the more extreme Marxist Arab guerrilla groups, the Popular Front for the Liberation of Palestine (PFLP) and the Democratic Popular Front for the Liberation of Palestine (DPFPLP). After leaving behind a colleague from Detroit whom they denounced as a "Zionist pig" because he had suggested the group also visit Israel, the young American radicals stopped at a Fatah training center in Jordan, met Palestinian sympathizers from France, Italy, China, Cuba and Vietnam, and then pitched in to help build a new guerrilla camp.

From September 2 to 6, 1970, the Americans attended the Second World Conference on Palestine, held at Amman under the aegis of the General Union of Palestine Students. There, they adopted a resolution pledging support for the dual objectives of destroying the State of Israel and "building a revolution in the U.S. which will overthrow capitalism and smash imperialism once and for all."

Also noteworthy was a statement by several Jewish members of the American delegation. A self-hating brand of blatant anti-Semitism, it read in part:

"It is the Zionists in the United States who hypocritically raise the specter of anti-Semitism whenever black and brown people resist exploitation by landlords, merchants and social welfare neo-colonialists who happen to be of Jewish background. . . . We know that our struggle is to get the Zionists out of the black and brown colonies of Harlem, Chicago and Detroit, and out of Palestine. . . ."

Examples from the steady outpouring of anti-Israel, pro-terrorism material from the "underground" press:

An article in the August 30, 1971 issue of *The Great Speckled Bird* (Atlanta), which lamented the setbacks suffered by the Arab guerrillas but recalled the "long march" retreat of the Chinese Communists in the 1930's, reminding readers that the retreat had been followed, 15 years later, by the Red victory in China.

A pro-Palestinian manifesto, published in the August 28, 1971 issue of *Quicksilver Times* (Washington, D.C.), the statement had been issued by pro-guerrilla demonstrators who "liberated" the Arab League Information Center in Washington during a sit-in to protest the failure of certain Arab regimes to support the "Palestinian masses and their Revolutionary movement." Among the demands contained in the Manifesto, which proclaimed that "Palestine Lives," was a call for support of the Palestinian movement "against the racist Zionist state."

At the height of the Middle East crisis during the fall of 1970, pro-guerrilla propaganda received major emphasis in the underground papers and from the Liberation News Service, which had two correspondents of its own in the Middle East to publicize the Arab revolutionaries and terrorists. A few samples from the many voices of the underground in that period:

On October 15, 1970, LNS distributed to its network of clients a major manifesto issued by Al Fatah from Amman. Two weeks later, LNS distributed a first-person article, carrying the by-line of Leila Khaled, the girl terrorist and airplane hijacker of the PFLP, whose name and picture adorned many articles in the underground papers during that period.

The Fifth Estate (Detroit) published a large photograph of Miss Khaled holding an automatic rifle. A few weeks later, the paper published an article, "Who is Leila Khaled?," praising the young lady for her hijacking activities. *The Fifth Estate* also published (October 29, 1970) an LNS dispatch from Middle East correspondents Sheila Ryan and George Caveletto entitled, "There Is No Israel."

The Great Speckled Bird published a dispatch from Ryan and Caveletto extolling the

Arab guerrillas for their opposition to the Middle East cease-fire and asserting that "peace talks will not touch the main causes of the war—racism and imperialism inherent in Zionism." At the time of the Arab hijacking outrages in September, 1970, *The Great Speckled Bird* praised the actions by the PFLP as having "carried the war into the backyards of the imperialist powers."

The Berkeley Tribe also praised the hijacking and linked the PFLP to the revolutionary movement in the United States. The article declared in part: "We are all the new barbarians. . . . The outlaws in the sky are the new woman and the new man of Palestine. Internationally, they are the new, the beautiful barbarians." The piece was signed, "Sirhan."

Good Times (San Francisco) extolled Miss Khaled in a two-part article capriciously titled, "Leila in the Sky with Dynamite."

The Metro (Detroit) celebrated Christmas 1970 with some "humor" of its own—parody carols including "Oy To The World, by Golda Meir." The relationship between anti-Israel propaganda and anti-Jewish ridicule is clear.

The foregoing are random but representative samples of the vast pro-guerrilla output of the "underground" which, in the words of *The Berkeley Tribe* (September 18, 1970) links the "People's War to Liberate Palestine" with People's War to Liberate America," and in so doing has brought the propaganda of the Radical Left in America, and that of Israel's enemies in the Middle East, to millions of America's youth.

CONCLUSION

The Far Left's assault against Israel's right of survival and its world-wide alliance with forces committed to Israel's destruction strike at the heart of a basic Jewish concern and are an assault against the Jewish identity. Excepting the Jewish religion itself, the assault on Israel poses a threat to the greatest hope and the deepest commitment embraced by world Jewry in two millennia.

The unabashed support given by radicals of the Far Left to Arab regimes that have waged war against Israel, or to revolutionary terrorists sworn to Israel's liquidation, are in essence a war against the security of the Jewish community. For just as Israel's security depends in large measure on support from the Jews in the United States and elsewhere, Jews here and abroad have come to believe that their own security and their hope for ultimate survival depends in large measure on the survival of Israel as a sovereign state.

The threat to Jewish security from this assault on Israel would, in itself, be sufficient to warrant the concern about the Far Left already felt by Jews in the United States and elsewhere. But there is yet another dimension to the danger—the parallel assault by the Far Left against those liberal values and democratic institutions which Jews for many decades have seen as essential to their well-being and security in the Diaspora.

Movements of democratic political and social reform have traditionally attracted the Jewish spirit. Such movements in the 18th and 19th Centuries brought full legal rights to Jews in many places and left their indelible imprint on Jewish political thinking and Jewish political loyalties. Concern for liberal values and democratic safeguards—freedom from state tyranny, equal justice under law, and equal opportunity—became a key element in determining Jewish political commitments. Parties and movements espousing liberalism or social democracy tended to exert a magnetic pull on Jews in many countries, including the United States, and shaped Jewish political thinking into a basically left-of-center orientation.

The last few years, however, have witnessed a massive onslaught by movements of the Far Left against liberal values and democratic decencies—against that political civility and respect for the opinions of others without

which democratic government cannot thrive or survive. Extreme Left groups—especially those in the so-called "new Left"—have shrilly proclaimed that the liberal is their enemy, that liberalism is the servant of "corporate monopoly," and that violence is necessary, and even desirable, in carrying out the anti-democratic goals of the revolutionary left. Such groups, in the United States, in Europe, and in the so-called "Third World" of Africa, the Mideast, Asia and Latin America, have often adopted guerrilla warfare, terrorism and other forms of violence as an essential tactic in their program of revolution. In the United States, they have engaged in political violence on college campus and city street as part of their assault on liberal values and American democracy.

In short, the anti-Israel commitment of the Far Left and the violence-prone threat it has posed in recent years to democratic institutions in the United States have confronted the Jewish community with a tangible danger on the Far Left that has aroused ancient Jewish fears of the kind earlier triggered by the more familiar danger on the Far Right, which has been a traditional Jewish concern.

Just as Jews perceive Jewish survival as inextricably linked to the survival of Israel they are increasingly perceiving that their survival is inevitably linked to the preservation of democratic institutions. Threats from the Far Left—to Israel or to democratic institutions—are therefore daggers pointed at the heart of the Jewish community and form part of a new anti-Semitism visible today in the United States and elsewhere around the world.

LYNDON JOHNSON—TRANSPORTATION CRUSADER

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. PICKLE. Mr. Speaker, the employee strike against the Penn Central Railroad has once again focused attention on the problems of mass transportation and freight traffic in the United States, and which makes us appreciate even more the strong interest and effective action which the late President Lyndon B. Johnson displayed.

As a member of the Senate Commerce Committee, Johnson studied the difficulties involved in transporting people and goods within the Nation. As President, he created the Department of Transportation, in recognition of the crucial role which the Federal Government must play in making transportation more efficient in this vast and rapidly changing country.

I take this opportunity to insert into the RECORD an editorial from Traffic World summarizing the late President's accomplishments. Those in the transportation industry, as well as the rest of us, have good reason to mourn his death.

The editorial follows:

THE LATE L. B. J.—TRANSPORTATION PROTAGONIST

Among the men who in this twentieth century have served as Chief Executives of the United States of America, none displayed more interest in or concern about the needs of suppliers and users of transportation services in this country than Lyndon Baines Johnson, the thirty-sixth President, who

died in the late afternoon of January 22 of a heart attack, en route to a San Antonio hospital, after having been stricken at his home on the LBJ Ranch, near Johnson City, Tex.

One important result of President Johnson's recognition of the essentiality of healthy transportation media to the nation's well-being was the enactment, in October, 1966, of the legislation that established the Department of Transportation as a new Cabinet department in the U.S. government. Operations of this department (the DOT) began on April 1, 1967, with Alan S. Boyd, theretofore Under Secretary of Commerce for Transportation and, in the years 1961 through 1965, chairman of the Civil Aeronautics Board, as the first Secretary of Transportation. Most members of the transportation community regarded Mr. Boyd as a "natural" for the top office in the new department; it's doubtful that anyone else could have done a better job than he did as head of the DOT in the first four years of its existence.

It was in the memorable transportation message he sent to Congress on March 2, 1966, that President Johnson made these declarations, among others:

"... America today lacks a coordinated transportation system that permits travelers and goods to move conveniently and efficiently from one means of transportation to another, using the best characteristics of each. . . .

"The United States is the only major nation in the world that relies primarily upon privately owned and operated transportation. That national policy has served us well. It must be continued. . . .

"We must coordinate the various functions of our transportation agencies in a single coherent instrument of government. This policy guidance and support for each means of transportation will strengthen the national economy as a whole.

"I urge the Congress to create a Cabinet-level Department of Transportation. I recommend that this department bring together almost 100,000 employees and almost \$6 billion of federal funds now devoted to transportation."

Such a department, President Johnson averred, would "serve the growing demands of this great nation, . . . satisfy the needs of our expanding industry and . . . fulfill the right of our taxpayers to maximum efficiency and frugality in government operations."

Our acquaintanceship with the late President from Texas dated back to his service, after election to the U.S. Senate in 1948, as a member of the Senate interstate commerce committee. We noted that in the committee hearings he chose to be a listener rather than a speaker. In later years, however he issued more statements and made more public utterances about transportation problems and proposed remedial measures than had been placed on record by any of his predecessors in the Presidency.

He sought and obtained enactment of a substantial number of legislative proposals affecting transportation, in his five years as President. Those enactments included, in addition to the act establishing the Department of Transportation, the so-called "incentive per diem" act of 1966, and an act creating a board of arbitration to make a final and binding determination for settlement of the work-rules dispute between the railroads and rail employ unions.

From some of the bound volumes of TRAFFIC WORLD for the years 1964-1967 we have selected a few "quotes" from statements made by President Johnson on the dates indicated:

January 27, 1964: "... The many basic inequities among the various modes of transportation must be removed, if the travelers and shippers are to have available a wide choice of low-cost and high-quality trans-

portation services. Our tangled transportation policies must be reformed. . . ."

January 25, 1965: "If the nation is to have a truly efficient system of transportation, we must revise the traditional government programs of regulation and operation subsidies and place greater reliance upon the forces of competition. . . . My proposals for charging users of government (supported) transportation services a greater share of the costs incurred in their behalf are consistent with this objective."

July 20, 1965: "It remains surprising and even shocking that about 80 per cent of our business firms have never yet entered into foreign trade. I think this represents a great wasteland of unfilled opportunity that is open. I hope that over the next 10 years we can increase three or four-fold the number of American shippers who sell goods abroad."

May 26, 1966 (on signing the freight car per diem bill (S. 1098) enabling the ICC to include incentive elements in the setting of freight car daily rental charges): "The freight car shortage is only a symptom of our larger transportation challenges and opportunities. The bill I sign today is not a cure-all, or the final answer. It is but a part of the total effort we are carrying out in many fields to use transportation in better and more effective ways."

At the time he signed the incentive per diem bill, President Johnson shared with many others the belief that this was the best available means of spurring action by the carriers themselves to increase or "stretch" the freight car supply. But perusal of the summaries, elsewhere in this issue, of the U.S. Supreme Court's opinion in an incentive per diem case and of a speech made by ICC Commissioner Rupert L. Murphy on January 23, in Fargo, N.D., reveal that the freight car shortage problem remains far from being solved. Presently there seems to be no better approach than the good old one advocated by Commissioner Murphy, namely, that there be a blending of efforts by shippers, carriers and regulators to reach "the common goal" of maximum efficient use of the available car supply.

LYNDON B. JOHNSON

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, I am deeply saddened by the death of former President Lyndon B. Johnson. I came to this body in the same year Mr. Johnson took office as Vice President and served here during his Presidency from that tragic day in November 1963 through 1968. As a member of the Republican Party I often had occasion to oppose the President's programs, but I nevertheless held him in the highest respect as a man of vision, commitment, and determination. We shall remember him in the Congress as a man of great personal warmth and proven leadership abilities. Even as President he remained a creature of the Congress and this was reflected in the mutual flow of respect and courtesy between the White House and the Hill.

Mr. Speaker, I think I shall best remember President Johnson as a man of deep commitment to the cause of civil rights—a man who provided strong and single-minded leadership in this area during the great civil rights battles of the sixties. When he echoed the words of

the late Dr. Martin Luther King, Jr., in pledging, "We shall overcome," you know he spoke from the heart. Perhaps the greatest living tributes to the Presidency of Lyndon B. Johnson are the monumental civil rights acts on the books today as a result of his efforts and deep commitment, and I was deeply honored to be a participant in the signing of the Civil Rights Act of 1968, having played a small part in its passage. I carried away from that ceremony the image of a President possessing a sincere conviction and deep devotion to the dream of a better life and equal opportunity for all Americans, and that image remains with me today.

GOV. PHILIP NOEL'S STATEMENT
WITH REGARD TO NO. 2 FUEL
OIL

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. TIERNAN. Mr. Speaker, we in Rhode Island are very fortunate to have elected a Governor who, after only 1 month in office, has demonstrated rare insight and ability in addressing himself to critical problems affecting the welfare of our citizens.

Today Gov. Philip Noel is testifying on behalf of the New England Governor's Conference at the Cost of Living Council's hearings on oil price increases.

The Governor has concluded that the National Government's persistence in maintaining oil import quotas, despite widespread evidence of their responsibility for the crisis in fuel oil supply, "reveals a high degree of incompetence, bad faith and insensitivity to State and consumer interests on the part of Federal officials."

I completely agree with the Governor. We in the Federal Government have known for some time that a crisis was imminent. President Nixon was fully aware of the situation—his own Cabinet-level task force told him some time ago that a dangerous shortage of fuel oil was unavoidable if the oil import quota system was not abolished. The domestic petroleum industry also knew what was going to happen. Their fuel oil reserves at the beginning of the winter were below even last year's dangerously low level. Yet they displayed a callous disregard for the health and safety of the American consumer by continuing to produce more profitable gasoline at the expense of fuel oil production. Now they are capitalizing on a situation of their own making by charging higher prices for the oil that is available.

We talk a lot about the ability of State and local government officials for dealing with their own problems. Here is a Governor that wants to display that ability. Let us untie his hands by demonstrating that primary goal of America's international petroleum policy is not economic protectionism, but the welfare of our citizens.

Mr. Speaker, I include the full text of Governor Noel's statement in the RECORD at this point:

GOVERNOR NOEL'S STATEMENT ON NO. 2
FUEL OIL

I appreciate this opportunity to present, although in brief form, the views of the New England states regarding the recent price increases of home heating oil. I would be happy to submit in writing a more comprehensive statement on any areas of special interest to the Council.

My term of office as Governor of Rhode Island began hardly thirty days ago and I am thus a new member of the New England Governor's Conference. In preparation for this meeting with you, I reviewed the history of the almost continuous dialogue between the New England Governors, Republicans and Democrats alike, and the Federal Government on oil policies.

I am truly appalled. The record reveals a high degree of incompetence, bad faith and insensitivity to state and consumer interests on the part of Federal officials. For the last several years, the Governors have petitioned the government for a new policy on home heating oil. They have convincingly demonstrated that import quotas have impaired our regional industrial growth and the welfare of our residents and would inevitably lead to serious shortages and even higher oil prices.

The responses from Washington over the years have been a patchwork of special deals and short term pallatives—in reality the maintenance of a program that benefits only the domestic oil industry. Each alleged remedy has been too late and too insignificant.

I assume now that the basic economic irrationality of the oil import program is finally forcing the government to abandon it. We regret, of course, that the government has waited so long to do something so obvious and that our national well-being has been jeopardized.

The key issue now is what characteristics the new oil policy will have. The views of the New England Governors are as follows:

1. The program can contain no quotas. President Nixon's own Cabinet Task Force, chaired by Secretary Schultz, and virtually every other study on the subject has spelled out the inefficiencies and competitive distortions of quantitative limitations. Quotas must be removed, and they must be removed now.

2. Before any new program involving import restraint of any type can be imposed, we believe we are entitled to a thorough open investigation of all facts and alternatives and a reasoned decision why any restriction is being chosen. Such an investigation and determination process is required under Section 232 of the Trade Expansion Act of 1962.

In the past, oil import policy has been made behind doors closed to State Governors but open to the industry. The Democratic process requires differently. Objective analysts have recommended programs with alternatives less burdensome than import restraints. For example, oil storage. Any recommended decision by the Cost of Living Council or the President must contain a complete analysis of these alternatives. I should add that the matter before us today is not one involving only economics but also health. Because of the shortages in low sulphur fuel created by the combination of the government's oil import program and the anti-competitive behavior of certain oil companies, at least one New England State (Massachusetts) has been forced to modify its pollution standards. The states and cities that have adopted low sulphur requirements are prepared to bear the additional financial burdens that a clean environment costs in a competitive economy. They are not prepared to squander private and public funds for the costs of an

oil import program that provides no benefits whatsoever.

We are at a loss to understand why the Federal Government actively hinders our efforts at pollution abatement.

The specific question before the Cost of Living Council is whether you should permit the recent increases in prices of home heating oil. My answer to you is a categorical no. The oil companies may tell you that their costs increased, that the price of imported #2 fuel oil has gone up, and that they are entitled to additional returns. But, first, I have serious doubts whether the major suppliers of fuel oil have in fact been affected by high spot rates for fuel oil or tankers.

Presumably, their investigation which should be made public, will clarify this question. Second, the high price of imported #2 heating oil is temporary. If quotas are removed, as they must be, our New England terminal operators would be able to obtain this #2 oil at lower prices. Finally, to a great extent, any additional costs now incurred by the major oil companies are their own doing. There have been allegations that the oil shortages have been purposefully created. I assume you are also investigating this. Even if these allegations are not true, it is clear that the major oil companies could have produced more #2 oil in the United States if they chose to. You would obviously establish an unfortunate rule if you permit industry to create inflationary pressures and pass on costs which could be avoided.

The Cost of Living Council and its Chairman have new authority with respect to the oil import program, and, as noted before, I am a new member of the New England Governors' Conference. I start today with optimism that you will finally remedy this problem. I ask that you see that this optimism is not misplaced.

CORPORATE DISCLOSURE ACT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. VANIK. Mr. Speaker, today, I am introducing legislation that will require disclosure of corporate income tax information with respect to larger corporations with assets over \$50 million. This bill will make available only the Federal income tax totals which appear on Schedules C-I-J-M1- and M2 of the Federal corporate tax returns.

This requirement is necessary for the larger corporation because it utilizes a consolidated return which shelters and conceals vital information which is clearly available in the public financial statements of the small corporate structure.

Small business has a competitive disadvantage resulting directly from the inability of our national economic managers and our antitrust enforcers to know what is really going on in the whole economy. Most of the provisions of every tax act are directly stimulating and feeding giant corporations. Small business catches small crumbs from these tax laws—but only crumbs. As the U.S. Government has become more dependent on taxing policies to stimulate our economy, the focus has been on the top 500 corporations, leaving small business out in the cold.

The bill which I am introducing will

schedule C-I-J-M1- and M2 will be separately stated in the annual reports to stockholders as well as in the 10-k—an annual report to the Securities and Exchange Commission. This information will also be available upon request from the Department of the Treasury.

The tax information on schedule C will provide dividend information of that corporation illustrating the degree of holdings in both other domestic corporations and foreign corporations.

The tax information on schedule I will provide information on the dividends received deduction as well as the Western Hemisphere Trade Corporation—a very abused tax provision where a dummy corporation is established to reduce the corporate rate from 48 to 34 percent.

The tax information on schedule M will illustrate clearly how a specific corporation calculated its taxable income from its gross income.

The tax information on schedule J will illustrate clearly how a specific corporation arrived at its Federal tax payment figure from its taxable income illustrated in schedule M. The following show the itemized listings that appear on schedule C-I-M1-M2-and J:

- (A) the taxable income,
- (B) the surtax exemption,
- (C) dividends (and deemed dividends received),
- (D) dividends received deductions and Western Hemisphere Trade Corporation deduction,
- (E) tax imposed by section II (or any tax imposed in lieu thereof),
- (F) the foreign tax credit,
- (G) the investment credit,
- (H) credit for expense for work incentive programs,
- (I) the personal holding company tax,
- (J) the tax from recomputing a prior year investment credit,
- (K) the minimum tax of preference items imposed by section 56,
- (L) total taxes imposed by chapter 1,
- (M) reconciliation of income per books with income per return (including a reconciliation of book depreciation and depletion with tax depreciation and depletion), and
- (N) analysis of unappropriated retained earnings per books.

The information required by this paragraph shall be computed under the method of accounting on the basis of which the corporation regularly computes such information for purposes of the taxes imposed by chapter 1.

This bill, if enacted into law, will be of immeasurable benefit to the investing public across this Nation. A well-informed investor provides a wiser and more solid expansion of our Nation's economy. My corporate tax study of last summer made it very clear that many of Wall Street's largest firms knew little about the true income and tax picture of our Nation's largest industrial firms. There is great danger investing through the eye of a crystal ball rather than by facts. This bill will provide those facts and will legislate an essential degree of corporate integrity.

This legislation will not invade personal privacy or destroy honest competition in any way. Corporations will not be required to disclose how they made their profits. Federal taxes actually paid will be reported. This requirement should

produce no competitive advantage or burden.

This is not the first legislative action by the Congress directed at corporate disclosure. The Revenue Act of 1924 made corporate returns public. Section 257 was known as the publicity clause and its purpose was to eliminate fraud, dishonesty, and income tax evasion.

One year after the 1924 Revenue Act with the publicity clause in effect, corporations paid at least \$100,000,000 more into the Treasury with business income actually lighter in volume than the previous year. Where did all the new revenue come from? Who was sheltered by the arbitrary cloth of secrecy and confidentiality? The secrecy that has surrounded corporate income taxes serves only to protect against the tax collector.

The State of Wisconsin opened virtually all income tax returns from the early 1920's until 1953. Ironically the proponents of the repeal of the law which required complete disclosure were not individuals—who clearly have a legitimate and constitutionally protected interest in personal privacy—but powerful interest groups. It must also be pointed out that before 1953, in the State of Wisconsin, corporations did not flee the State for shelter elsewhere, nor was commerce disrupted.

The Supreme Court long ago decided that the 14th amendment applies to corporations. The idea that constitutional protection that apply to individuals should apply across the board to corporate entities is questionable. Corporations are never jailed or dissolved because they violate the law. Under present circumstances even the fine is deductible—as a cost of doing business—illegally.

The reasoning process that brought corporations under the 14th amendment has shielded corporate structures from the kind of accountability and the kind of disclosure that would have made them more accountable.

In recent years, I have been very concerned with the loopholes of the tax code that allow these giants to legally avoid their tax liabilities. But the recent speeches of the Honorable Johnnie Walters, the recently fired Commissioner of the Internal Revenue Service, concern me, when he suggests that corporate tax evasion is becoming widespread.

The large corporations, through complex and combined reporting procedures, have made it impossible to accurately estimate from public sources the actual corporate Federal income tax paid for any particular year.

The annual reports published by giant corporations announce to stockholders and to the Securities and Exchange Commission that business is better and profits are improving. The tax statements of these same companies to Internal Revenue paint a picture that reduces their profit figure, which in effect reduces their total tax figure. Like the medieval European peasant, for their stockholders they wear their wedding clothes; for the tax men they wear rags.

As a result of confusing and divergent corporate reporting methods the public is not only being led to believe that cor-

porations pay their fair share to support public services in this country, but they are also being misled in investment decisions.

In my study of corporate taxes in the CONGRESSIONAL RECORD of July 19, 1972, my staff had tremendous difficulty in calculating how much Federal tax was paid by the top 100 corporations of the United States. A barrage of charges and countercharges heaped more confusion and technicalities on this issue. But one fact has remained very solid and very clear—corporations are not paying their fair share—and they seem to be paying smaller proportions each year.

The Congress of the United States, which makes our Federal tax laws, is blindfolded by the shroud of secrecy, consolidation, and confusion that surrounds corporate taxes. I am beginning to feel that Uncle Sam is a blind man throwing a sieve into the sea of corporate profits.

The publicity of corporate taxes provided by this legislation will illustrate exactly who benefits from our present tax code.

Without this information, tax reform may be an exercise in futility. The Congress cannot legislate without facts. Until the tax code produces facts, it cannot produce revenue with justice.

I ask that my colleagues join with me in support of this corporate publicity bill so that every taxpayer can get a fair shake from the tax man.

TRIBUTE TO PRESIDENT NIXON
AND NANCY HANKS, CHAIR-
WOMAN, NATIONAL ENDOWMENT
FOR THE ARTS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. QUIE. Mr. Speaker, to accompany legislation which I am introducing today to extend for 3 years the National Foundation for the Arts and Humanities, I include in the RECORD excerpts from a recent issue of the Washington Post which describes in detail the fine work of our President in supporting the endowments, and the truly remarkable achievements of Miss Nancy Hanks, who has directed the National Endowment on the Arts.

The excerpts follow:

PRESIDENT IS CLOSING FUND GAP ON AID TO
ARTS, HUMANITIES

(By Alan M. Kriegsman)

In the realm of arts and humanities legislation, President Nixon will enter his second term of office with a record of achievement unmatched by any of his predecessors. Some may still question the direction or effect of the vastly increased federal funding brought about under his administration. But Mr. Nixon's own commitment to the cause of the nation's cultural life has been beyond dispute.

In view of the vast economic pressures, both national and international, which will bear on the issue, no one can predict with certainty how much further the President

may seek to go in assisting the arts through the next four years.

One thing seems assured, however. The direction will continue to be forward, and administration support firm.

The Nixon record on the arts speaks for itself. Two major points deserve stress.

First, the appropriations for the National Endowment for the Arts rose from \$8 million in fiscal 1970, the President's first year in office, to nearly \$40 million for the current fiscal year virtually a fivefold increase.

Second, during the Nixon tenure, the previously broad gap between authorization level and actual funding was all but closed. For these two giant accomplishments, as well as many others, Mr. Nixon is due a large measure of personal credit.

In fairness to Lyndon B. Johnson, it should be noted that appropriations grew from \$2.5 million to nearly \$8 million while he was President, a threefold increase that was in itself no mean feat, especially given the less favorable atmosphere toward government subsidy of the arts in those days.

The fact remains that despite widespread notions about the Kennedys' involvement with the arts and the halcyon days of the Great Society, it took Richard M. Nixon to put big money on the line for culture. Perhaps no Democratic president could ever have done what he did, because it needed a Republican to convert recalcitrant Republicans and to lend the movement the cache of a fully bipartisan effort. What matters is that he did it.

Devotion to the arts was part of the Kennedy mystique, as the White House became the scene for chic soirees honoring artistic celebrities, such as the parties for Pablo Casals and Igor Stravinsky in 1962. The aura carried over to the Johnson administration, at least until antiwar protesters on the occasion of the White House Arts Festival of 1965 put a damper on things.

Somehow, the Nixon administration has never been able to generate the same sort of image. True, White House galas have been less frequent. But the President himself has attended not a few Washington performances, and his closest executive associates have shown a real interest in the arts. When the National Symphony was in trouble, Mr. Nixon called a press conference to help prod business support, and when the question of "full funding for the arts" was in the balance in 1971, he put in a personal appearance at a national arts conference to lend the weight of his office to the campaign. In short, while the arts "charisma" may have eluded him, diligence in their behalf never has.

Along with the enormous advance in funding during the Nixon years has come a gradual turn of emphasis and direction. Small, innovative programs centering on individual artists and experimental projects—characteristic of the Arts Endowment in its early history—have given way to large programs of support for established institutions, though aid to individuals has also continued to rise in proportion. During those early days, the main thrust seemed to be toward spurs to creativity. Under Nixon, the major goal appears to have been making the arts accessible to every segment of the population.

The differences can be attributed in large part to the differing level of available funds, but to some extent they also derive from contrasts in Endowment leadership.

Roger L. Stevens, the Endowment's first chairman under LBJ, and still head of the Kennedy Center trustees, worked more or less intuitively, getting sudden inspirations, calling upon his many personal friends in the arts world, and simply plunging ahead. It worked in those days, because the sums involved were relatively small, and the administrative machinery was far less complicated.

As the funds grew, however, so did the bureaucratic processes for allocating and

spending them, and this required a different approach. Nancy Hanks, the present Endowment chairman, appointed by Mr. Nixon, has proven ideal for the challenge. Combining outstanding organizational skill with great personal tact and persuasiveness, she has been able to move mountains, both with her staff internally and on the Hill. At the same time, Endowment operations have become more regulated and systematized. An activity that once took place in a few small rooms in the Executive Office Building now occupies four floors of federal offices. But it runs with enviable efficiency.

What lies ahead? This won't even begin to become clear until the administration submits its budget requests at the end of the month. In the course of the recent election campaign, the White House issued statements expressing general support for renewal of Endowment authorization, and increased funding "in partnership with increased support from corporations, foundations, individuals and state and local governments." Since then, an administration spokesman has indicated hopes that coming legislation will define a role for cultural programming "in the development of a Bicentennial celebration that will make a substantial and continuing contribution to the quality of American life."

Miss Hanks, for her part, foresees a shift in Endowment concern, over the next few years, away from appreciation of the arts and towards participation in them. She sees this change as a natural and desirable reflection of a nationwide momentum towards active involvement of the individual, toward "doing one's own thing," as illustrated, for example, by the recent enormous growth of interest in manual crafts.

And noting how the example of increasing federal activity has generated a corresponding jump in state, local and private support for the arts during the last four years, she says with a chuckle of well-earned satisfaction, "I don't see anybody telling us we ought to cut back."

CONSERVE WORLD'S WILDLIFE RESOURCES

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. YOUNG of Florida. Mr. Speaker, many of the world's fish and wildlife resources are diminishing rapidly and some species now face extinction. Recognizing the problem, America acted to preserve our endangered species with legislation in 1966 and 1969.

To strengthen this legislation, I have introduced H.R. 1461, the Endangered Species Act of 1973 to supplement existing regulations and do a more effective job in preserving some of our marine and wildlife for the enrichment of this and future generations.

Specifically, this bill would provide for the administration of the endangered species program jointly by the Departments of Interior and Commerce. There would be an annual review of the endangered species list, and States would be allowed to adopt their own preservation programs.

In addition, the Endangered Species bill would remove the distinction between native and worldwide endangered species. The Department of Interior would have

authority to control exports of native endangered species just as it now controls imports of endangered wildlife, thus allowing us to do as much for our own wildlife as we are doing for foreign endangered species.

Further, H.R. 1461 would allow us to conserve not only those species of wildlife now threatened by extinction but also those which are diminishing at an alarming rate. For example, the eastern timber wolf, the wolverine, and the cougar in the United States, and the kangaroo in Australia are in trouble although not yet facing extinction.

The 1969 act called for an international conference to preserve, protect and propagate our threatened fish and wildlife on a global level. The State Department, I am happy to note, has sponsored such a conference here in Washington starting February 12th. Hopefully, a worldwide treaty can be worked out for the cooperative protection of endangered species everywhere.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HOSMER. Mr. Speaker, each month I release to various individuals and organizations within my district a newsletter called "Washington News Notes," the February issue of which follows:

WASHINGTON NEWS NOTES: FEBRUARY 1973

At last, peace in Vietnam—Richard Nixon finally has achieved what he and the American people have sought so long. Under the circumstances, the Vietnam cease-fire agreement is as good as we could have expected. As Dr. Kissinger carefully pointed out, none of the parties achieved all they wanted, but that's the point of "negotiating."

The President stood firm in his demand for an "honorable peace." That doesn't mean "victory," which was an impossible goal in this impossible situation. While unthinking and impatient voices shouted for an illusion of peace, the President had the courage to hold out for ending the war in a way which promises real peace. Let's be grateful to Richard Nixon for what he has done to keep future generations off the battlefield.

The major issues facing the 93d Congress—KFWB Radio recently asked Congressman Hosmer to list some of the major issues which the 93d Congress will face. His response (in no particular order of importance):

(1) Presidential impounding of funds appropriated by Congress; (2) Executive branch reorganization; (3) National energy policy; (4) Diversion of highway trust fund money; (5) National health insurance; (6) Congressional reforms; and a new one (7) appropriations to help rebuild both Vietnams.

A boost for year-round daylight time—Democratic Congressman John Moss of Sacramento is "Mr. Big" in the House when it comes to legislation effecting time. He is chairman of the Commerce and Finance Subcommittee that hears all time legislation. So it was big news when he decided to co-sponsor Congressman Hosmer's bill to establish year-round daylight saving time.

Congressman Moss told an AP reporter that he had been cool to the bill in the past,

but now favors it because of the growing fuel and electrical shortage. Like Hosmer, he thinks daylight time in the winter will cut the nation's fuel bill. He also hinted at plans to hold hearings on the measure this year.

About that executive pay raise—to clear up any misunderstanding or lingering doubt, the Nixon Administration has made it clear there will be no pay raise for members of Congress, Federal judges or top Executive branch officials this year. A Commission on Executive Pay will be set up to study the issue, but the President says he won't make any salary recommendations until at least 1974.

Youth vote lower than expected—A special survey by the Census Bureau indicates that young Americans didn't exactly flock to the polls last November in the numbers expected. In fact, fewer than half of the 18-20 age group actually voted. The proportion of those under 21 who did vote was about 15 percent less than for the population as a whole. And according to most professional opinion polls, they divided their votes almost evenly between the Republican and Democratic candidates.

Humor at the IRS—Officials at the Internal Revenue Service were redfaced recently when they discovered that someone had filled in some sample tax returns with humorous names. Instead of the traditional "John Doe" or "Jane Q. Public," the phantom bureaucrat invented a new mythical citizen: "Hubert H. McGovern of 1599 Pennsylvania Ave., Washington, D.C."

The Director of the IRS didn't think it was funny, apologized to Senators Humphrey and McGovern, ordered the offending pages stricken from the IRS publication, and no doubt wishes he could get his hands on the comedian.

Federal spending in 32d District—According to Congressman Hosmer's figures compiled from a report prepared for the Executive Office of the President, Federal spending in FY 1972 increased substantially in the 32nd Congressional District. The massive report, which itemizes all Federal expenditures, shows that Uncle Sam spent \$465.9 million in Long Beach, \$79.9 million in Huntington Beach and \$5.1 million in Fountain Valley. The expenditures ranged from big prime defense contracts to VA and Social Security checks to pencils and paperclips.

Congressional calendars available—Congressman Hosmer says he has a few official two-year House of Representatives calendars available to local residents. If you would like to have one, drop Craig a note at 2217 Rayburn Bldg., Washington, D.C. 20515.

REPORTS FROM NEW DELHI RAISE SERIOUS QUESTIONS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. DULSKI. Mr. Speaker, startling reports have reached us from New Delhi.

Prime Minister Indira Gandhi is quoted as criticizing the Vietnam peace terms, disparaging the cease-fire, and, incredibly, assigning racial motives to the United States' participation in the war.

Recently, administration spokesmen were proudly citing Mrs. Gandhi's flattering messages about the President and predicting a new era of friendship and heightened good relations on the basis of this adulation.

I hope the President will keep in mind the short-lived good faith in that mutual

admiration society, and realize such gestures are far outweighed by this week's outrageous tarnishing of our national honor.

We all had hoped for improved relations with India. The peace pact and cessation of fighting have been acclaimed Worldwide, and there is no denying that a settlement in Vietnam is beneficial to all Asia.

I have been reproached in the past for voting against foreign aid. Mrs. Gandhi's antagonistic remarks exemplify my reasons for opposition to our country playing benefactor to the world.

No one expects the United States to buy the unquestioning loyalty of another sovereign nation with economic or military assistance. However, we do have a right to expect some measure of respect for our motives in other diplomatic dealings, when we have, openheartedly poured vast sums into India's economy.

In view of these latest insults and the President's drastic slashes in our domestic programs, Congress should take a hard look at budget priorities; our own citizens could certainly use the \$4½ billion slated for foreign aid next year.

CHILDREN AND YOUTH AND MATERNAL AND INFANT CARE PROGRAMS MUST BE SAVED

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KOCH. Mr. Speaker, I am introducing legislation today with 57 cosponsors to extend the children and youth and maternal and infant care programs initiated in 1967 under title V of the Social Security Act. Presently, they are scheduled to be terminated by the Department of HEW on June 30, 1973.

These 69 children and youth programs and 56 maternal and infant care projects located throughout the United States deliver comprehensive health care to over ½ million children and youth of lower socioeconomic levels in central cities and rural areas. They represent one of the major reservoirs of experience in comprehensive health care today, especially to the poor children of the country.

These programs have proven their success for the people they serve both by the health care they render and by reducing the medical costs. They are providing health care at an average cost of \$126 per registrant. This compares with the national average health cost of \$350 per man, woman, and child in this country. Infant mortality has been reduced in some areas served by the projects by as much as 50 percent. Nationwide, they have increased the frequency of well-child registrants by 50 percent.

In June 1972 Congress passed and the President signed into law a bill extending the programs for an additional year. However, the HEW Administrator of Health Services and Mental Health Administration has proposed the phasing out of the Federal grant support of these

and other federally supported medical service programs in favor of funding by third party payment. But for most of the patients in these programs, there is no third party payment available. The majority of patients who are presently cared for by the title V projects are people who are willing and able to work and in so doing are ineligible for medical aid, but too poor to afford private health insurance.

Mr. Speaker, I would appreciate the support of our colleagues for the continuation of these projects—as they are providing quality care to a segment of the population that is without any other acceptable health care resources—until such time as a national health insurance policy system is effected. The list of cosponsors follow:

CHILDREN AND YOUTH COSPONSORS BY STATE

ALABAMA	
Buchanan,	
CALIFORNIA	
Brown, Mrs. Burke, Burton, Corman, Danielson, Edwards, Hawkins, Leggett, Rees, Roybal,	
CONNECTICUT	
Grasso,	
DISTRICT OF COLUMBIA	
Fauntroy,	
FLORIDA	
Fascell, Gibbons, Lehman, Pepper,	
GUAM	
Won Pat,	
ILLINOIS	
Metcalfe, Murphy,	
MARYLAND	
Gude, Mitchell, Sarbanes,	
MASSACHUSETTS	
Boland, Burke, Drinan, Harrington, Moakley,	
MICHIGAN	
Conyers,	
MISSOURI	
Symington,	
NEW JERSEY	
Helstoski, Howard, Roe,	
NEW YORK	
Abzug, Addabbo, Badillo, Bingham, Brasco, Carey, Chisholm, Holtzman, Murphy, Podell, Rangel, Rosenthal,	
OHIO	
Seiberling, Stanton, James J.	
PENNSYLVANIA	
Clark, Eilberg, Green, Moorhead, Nix,	
RHODE ISLAND	
Tiernan,	
TENNESSEE	
Fulton,	
WASHINGTON	
Adams,	
WEST VIRGINIA	
Hechler, Mollohan,	

JOHN SELVESTER—MAN OF THE WORLD

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. JOHNSON of California. Mr. Speaker, for the past 12 years the people of Chico have gathered at the State university there to honor a distinguished individual upon whom has been bestowed the Gen. Douglas MacArthur Citizen-ship Award.

A few days ago the 12th annual dinner was held and the man honored as the "Most World-Minded Citizen" was one of the original founders of the program, the late John Selvester, director of food services at Chico State University until his death last year.

John Selvester had served as general chairman of the dinner for 11 successive years and it is fitting that in this, the 12th year, following his untimely death, and which proved to be the final such occasion, John Selvester was honored.

The program for the occasion I felt summed up very well the type of man John Selvester was, and I quote:

John liked people. He understood their problems and their feelings. He had a deep compassion for people. He regarded them all as equals and he wanted so much for them to feel equal, as persons, to one another. He was friend to presidents, deans, faculty, counselors, librarians, cooks, custodians, and students. They were all just people to him. Students were people. Foreign students were people. White, black, foreign, American, Jew, gentile, Arab—they were just people to John.

Throughout the 11 years that he served as general chairman, John Selvester saw to it that the notoriety and fame on these occasions went to the recipients of these awards. He was a worker, always in the background, never out front, but the sponsors of the 12th annual dinner put him on front stage center for this occasion which climaxed a major effort in achieving better understanding among people, therefore better international relations.

Mr. Speaker, the Chico Enterprise Record and its publisher, A. W. Bramwell and its editor, Bill Lee, long has been a vigorous supporter of this effort and I would like to share with my colleagues the editorial published in that paper marking the final international scholarship dinner:

INTERNATIONAL DINNER ILLUSTRATES SCHOLARSHIP PROGRAM'S SUCCESS

We consider it a happy and highly appropriate coincidence that tomorrow night's 12th annual International Dinner at Chico State University happens to fall on the eve of the scheduled signing of a cease-fire agreement to end the war in Vietnam.

The coincidence arises from the fact that the effort for peace through people-to-people understanding has for many years been the purpose behind the Gen. Douglas MacArthur Scholarship Committee, sponsor of the annual campus-community dinner.

A further coincidence resides in the fact that the dinner also occurs on the 94th birthday of the man whose name the scholarship committee bears, the late Gen. Douglas MacArthur, who did so much after World War II to help rebuild Japan and lay the foundations for ultimate peace and development in all of Asia.

And yet another coincidence can be found in the fact that wholesome and practical efforts for international understanding were hallmarks of the public service record of the late John Selvester, who will be honored posthumously tomorrow night with the scholarship committee's "Most World-Minded Citizen" award. Until his death last year, Selvester was manager of food services for the CSU Associated Students and had for many years played a strong role in assisting foreign exchange students and helping them make their way here in a strange land far from their homes.

Scheduled for 6 o'clock tomorrow night,

the International dinner will be held at Craig Hall, 1400 West Third St. As in past years, the menu will feature exotic dishes from many lands. Most of the dishes will be prepared from recipes included in the International Flavors cookbook, published recently by the scholarship committee and already in its second printing.

The immediate impact of the fund-raising dinner will be financial assistance in the form of scholarship awards for deserving foreign students who are attending Chico State University.

Because of the hall's limited seating capacity, only 300 tickets are being sold for tomorrow night's dinner, and none will be available at the door. A few reservations still may be obtained by telephoning 343-4040 or 342-8647.

The MacArthur Scholarship program was founded in 1955 by Mrs. Vonnie Eastham and Mrs. Alice Anderson, both of whom had resided in Japan during the post-war era when MacArthur was leading the rehabilitation of that land and helping them establish their democratic form of government.

In the 18 years since its formation, the committee has assisted scores of students from foreign lands. These students have been made to feel at home here, they have formed lifelong friendships with young Americans, they have come to understand more about our nation and our way of life and—most important of all—they have come to know that Americans as a people do indeed desire world peace and are not imperialistic ogres as painted by anti-U.S. propagandists.

International understanding, then, has been the primary motivation of the MacArthur Scholarship program—and the warmth of the lasting relationships still maintained with many youngsters who have since returned to their homelands attests to the excellent results attained by the scholarship committee.

As such, we are pleased to wish the MacArthur Scholarship sponsors a successful dinner tomorrow night as we salute them for their many years of effort on behalf of peace and international understanding.

CONGRESSMAN ANNUNZIO URGES EXTENSION OF TERMS OF OFFICE FOR OFFICERS OF LOCAL LABOR UNIONS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Mr. ANNUNZIO. Mr. Speaker, when the 93d Congress convened on January 3, I introduced a bill, H.R. 262, to amend the Labor-Management Reporting and Disclosure Act with respect to the terms of office for officers of local labor unions.

As you may recall, title IV of the Landrum-Griffin Act sets up standards and regulations for union election procedures. Under this title, national labor unions are required to elect officers at least once every 5 years and local unions must elect officers at least once every 3 years. The bill I have introduced is short and simple, with only one provision: To extend the maximum term permitted for local union officers from the present 3 to 5 years, the same length as the present allowable maximum term for national union officers. If H.R. 567 were enacted, section 401(b) of Landrum-Griffin would read: Every local labor organization shall elect its officers not less often than

once every 5 years by secret ballot among members in good standing. The present wording of section 401(b) is exactly the same as this, except it reads "every three years."

Let me stress that the Landrum-Griffin Act specifies only the allowable maximum terms of office. Unions can, and many do, prescribe in their constitutions and bylaws terms of office which are shorter than the present 5 years permitted in title IV for national union officers and 3 years for local union officers.

My bill does not force local unions to switch to longer terms of office, but merely allows them a broader option—the same range as has always been available under the Landrum-Griffin Act for national unions.

The Landrum-Griffin Act was passed in 1959 after several years of investigation by the McClellan committee into the internal affairs of unions. The McClellan committee hearings unearthed several types of union abuse which startled and dismayed the American public. In some cases, local union leaders received kickbacks from employers in return for "sweetheart" contracts which provided wages and working conditions below the prevailing standards. In other instances, union dues were used by officials to buy houses, take lush trips to exotic places, or pad their expense accounts beyond any reasonable limit. On still other occasions, labor leaders won elections by throwing dissenting locals into trusteeship, manufacturing votes from "paper" locals, or intimidating members by threats, physical beatings, or denying job referrals under union hiring halls. In the Landrum-Griffin Act, the Congress not only outlawed transgressions or these types but also wisely attempted to strengthen democratic processes in unions and thus give power to the members to protect themselves against irresponsible leaders.

On the basis of over a decade of experience, it now appears that the Congress in its desire to do a thorough job of curbing abuses was unduly cautious in laying down a statutory maximum of only 3 years for terms of office of local union officials. The period was unnecessarily short. We know from reports of the U.S. Labor Department, the Federal agency empowered to enforce title IV of Landrum-Griffin, that the number of cases of alleged corruption in local union elections has been extremely small. Over the first 10 years of experience under the act, the Secretary of Labor has sought court authority to set aside for wrong-doing only 155 out of well over 150,000 local union elections, an extremely small ratio of one-tenth of 1 percent.

The record since 1959 also indicates that union leaders have been highly responsive to the wishes and needs of the union membership. Ironically, in the relatively rare cases where they have not been completely in tune, for the most part the union officers have shown a more responsible, balanced, and socially aware view than the rank and file. One can think of instances where the leadership has tried to persuade union members to abandon harmful practices, such as racial restrictions, make-work devices, and demands for wage increases that

would threaten the jobs of union men and invite encroachments by unorganized competitors.

The record shows that no harm at all will come from permitting local unions the opportunity to inaugurate longer terms for its officers, the same 5-year maximum already allowed for national union officers. In fact, much good will derive from this change. For one thing it will relieve local unions of the burden engendered by the time lost, expense incurred, and instability created by too frequent elections. We in the Congress know, as much as anyone, that elections involve larger and larger sums of money as electioneering becomes increasingly more expensive.

Another advantage of my proposal is that extending the permissible term of local union office is in keeping with the trend of the 1960's toward longer term collective bargaining agreements. In 1960, the 2-year contract was the most common type of collective bargaining agreement; by 1969, nearly two-thirds—65 percent—of contracts were for 3 years. Contracts for only 1 year dwindled in number, according to these statistics—which are from the Bureau of National Affairs—from 13 percent of all contracts surveyed in 1960 to only 3 percent by 1969. And in 1969, fully 6 percent of all contracts were for 4 years or more, while another 4 percent were for indefinite terms.

Not all these contracts are negotiated by national unions. Many are negotiated entirely by local unions, while national contracts frequently have supplements which are negotiated by local unions. Some local unions with contracts of long duration undoubtedly would find it convenient to have longer terms of office for its bargaining officials. Other locals would most likely shift to longer contracts if they were assured more continuity in their negotiating representatives. Longer term contracts make for greater stability in labor relations, an outcome we all desire. Longer terms for local union officers would do the same.

I feel strongly that this proposal to revise title IV will correct an existing inequity and I urge my colleagues to support it.

MR. GEORGE SURGEON

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mrs. HOLT. Mr. Speaker, a recent edition of the Baltimore News American carried a description of the accomplishments of Mr. George Surgeon, principal of the Brooklyn Park Elementary School in Anne Arundel County of Maryland. In this time of crisis in many of our schools Brooklyn Park Elementary School has remained an institution where young people are successfully taught the art of learning and instilled with the necessary discipline which will prepare them for a productive life. The leadership of Mr. Surgeon is responsible for this achievement. I am proud to be able to call Mr.

Surgeon both a constituent and a friend and I would like to share his accomplishments with my colleagues with the hope that more educators will follow his example. The article follows:

[From the Baltimore News American, Jan 25, 1973]

MAN ABOUT TOWN

(By Seymour Kopf)

When a principal gets up at 5 every morning so he can be at his school at 6, when he doesn't leave his school until 12 hours later at 6 p.m., when he puts in a full day Saturday even though there are no pupils around and four hours on Sunday, when he invites parents from 7 to 10 every Tuesday night, at their convenience, to chat about their children—that's news! That's George Surgeon!

You hear talk of women revolting against the mop and broom today, but a Brooklyn Park Elementary School where George is supervising principal I saw little girls cleaning the tables of the cafeteria—and enjoying it. You see boys working in a tool shop—with even welding equipment—and there is no horsing around and burning each other's hair or pigtails off.

How fortunate Brooklyn Park pupils are! It takes a lot of doing, a lot of brains, and a lot of imagination to equal George Surgeon. Although George is from the rough and rugged hills of West Virginia—and he's a man you'd hate to tangle with—his school is the most civilized place you'll set foot in. The rooms are so big and cozy under a successful "open space" system, it's like visiting a fancy parlor.

Even the lavatories are marked "ladies" and "gentlemen," not "boys" and "girls," and there is an elevator for handicapped children who may have classes on one of the three floors—almost two acres of building under one roof. You see a gym and cafeteria that can open up into an assembly seating 1,100, and an unique "playground" in one classroom that will probably turn out an Olympic star or two.

And just outside the school I saw over 10 acres of forest land that will be developed for a summer theater—to be used by pupils and the community. Back inside the school I talked to an intelligent group of youngsters who publish the best primary school paper in Maryland—it's been repeatedly judged so by Columbia University. Mary Fickel is its advisor. One of its slogans is: "Let us be grateful." A rare word today. Gratefulness.

Yet, no school can be honestly judged on looks alone—or on how good the school paper is or on how good the football team will be. It's the leadership of the principal and his teachers make a school good or bad. At Brooklyn Park Elementary School there hasn't been any turnover of teachers in three years—a new record in this day and age when many teachers are fed up with their principals and many principals are fed up with their teachers.

This is George Surgeon's sign of success—the respect his teachers, pupil and community hold for him. But there was a time when George hated school. True, his mother, Lucy, was a teacher, and his favorite uncle, Floyd, was a principal. But it wasn't until he met schoolmaster Louis Holley in Barbourville, W. Va., that George became inspired. He learned then that the secret of learning is to first have respect for the person doing the teaching. The teacher must be interesting and she must also be firm but fair. First, however, a teacher must command respect by high ideals and purpose.

"Today, in many homes and schools, we have the rule of the child over the parent and teacher. In many cases, children have become the masters and exploiters of their parents and even their teachers. It is a mis-

take to think that children are happiest when they are allowed to do what they want."

CONGRESSMAN JACK BRINKLEY
REPORTS FROM WASHINGTON

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. BRINKLEY. Mr. Speaker, I submit herewith my March newsletter which will soon be mailed to the constituents of Georgia's Third Congressional District, which I am privileged to represent.

The newsletter reads as follows:

U.S. CONGRESSMAN JACK BRINKLEY REPORTS
FROM WASHINGTON
FROM THE PRESS

[From the Columbus Ledger, Feb. 6, 1973]

In answer to questions, Brinkley said that if he remains in Congress for another six years, or longer, he would like most to see three things: victory over cancer and heart disease, an end to world hunger, and domestic tranquility restored.

Medical

"I am positive we can conquer cancer—when will be determined by the extent and scope of our national effort."

Brinkley said that just as with the goal of putting a man on the moon, the United States could find an answer to cancer and heart disease if there is an all-out effort on the part of the government and the nation.

Farming

He spoke of the ability of the American farmers, who "if turned loose can feed the world . . . our productivity is so enormous.

"We have already made a beginning in Russia and China," he said. A worldwide program "could be an economic boon to this country and to all mankind," he said.

Justice

As a third goal, Brinkley called for domestic tranquility, but said that "right now the nation is going the opposite way. People are not secure."

Opportunities for vocational training in the early school years should be increased, he said, to equip and motivate young people to make a living "so they will not think of stealing."

He said Americans have the capability "to make things that are good seem attractive and exciting," and that he would like to see "being righteous" popular again.

In his written statement, he listed some other reasons he wants to remain in Congress.

"We have the destiny of a great nation in our watchcare, or custody," said Brinkley. "We are watchmen on the walls of freedom," he said.

"It is this great patriotic intangible, that grasp for greatness for one's country, which provides the motivation, the fortitude to withstand the sometimes terrible schedules we maintain."

But the rewards are sufficient, said Brinkley. "For me, Congress is where the action is!"

[Photo outline]

Congressman Jack Brinkley (left) confers with U.S. Rep. William Jennings Bryan Dorn of South Carolina, the Chairman of the House Veterans' Affairs Committee. Rep. Brinkley was elected to serve on the Veterans' Affairs Committee for the 93rd Congress—making him the first Georgian in 12 years to serve on the prestigious committee.

GEORGIA STATE SOCIETY

[From the Americus Times-Recorder,
Jan. 18, 1973]

A "new twist" will be noted in the beverage department at the Pre-Inaugural Congressional Reception honoring Members of the Georgia Congressional Delegation, which will be held Friday night (January 19) . . . on Capitol Hill, hot Dr. Pepper with a twist of lemon and a milk bar with sweet and chocolate milk has been added. Jack Brinkley, as president of the Georgia State Society in Washington, will serve as host, and at the suggestion of his wife, Lois, the non alcoholic beverages have been added to the regular cocktail bars.

LETTERS FROM BRINKLEY

To businessmen

Please report to me any practice of OSHA which does not seem to be in keeping with common business courtesy or the rules of reason and common sense.

Also, the U.S. Postal Service, since being removed from Congressional oversight, is undergoing the throes of change. While reports we receive indicate the quality of personnel remains high, the quality of service is diminishing. I have asked the General Accounting Office, which is an arm of Congress, for an in-depth investigation. On February 6th they advised me that, as a result of my request and similar requests from other Congressmen, they intend to prepare a report to the Congress as a whole on the current operations of the Postal Service.

New office in LaGrange

I am pleased to announce that we will be opening a new Third District Congressional Office in LaGrange. Our new office will be located at 301 Broome Street in the Hammett Building with Mrs. Hilda Raley of LaGrange serving as office manager. While the office is not quite ready for occupancy, I am most hopeful that we will be settled in the near future. We are planning an open house at the new office in the Spring and I will make an announcement as to the date when the arrangements have been completed.

New Washington address

At the beginning of the 93rd Congress my Washington office was moved from the third floor to the fourth floor of the Cannon House Office Building. We are now located in Room 407. Hopefully, the next time we move it will be to the Rayburn House Office Building, but that will be at least two terms away. If you are ever visiting in the Washington area please come by and visit with us. You are always welcome.

Astronaut photo

Congressman Brinkley greets Apollo 17 Evans, Capt. Eugene A. Cernan and Dr. Harrison H. Schmitt after the three space explorers addressed the U.S. House of Representatives on January 22. Rep. Brinkley is a former member of the House Science and Astronautics Committee.

"I came away from this flight with a very personal experience which, I think, will stay with me for as long as I live. This was a view of the spacecraft earth. It is a small blue sphere . . . right out all by itself in the blackness of space. This was my home, and I realized it is the only earth we have . . . it only has so much breathable air; so much air space; so much drinkable water, and so much in the way of consumable resources. It made me realize that somehow the human survival requirement means that we have got to conserve these resources and man must learn to adapt to this environment."—Capt. Ronald Evans, Apollo 17 Astronaut, in address to U.S. House of Representatives on January 22, 1973

"I want to see the Potomac River clean again;

I want to see the Hudson River clean again;
I want to see the Great Lakes great again;

I want to see the air we breathe pure again!"

—U.S. Representative Jack Brinkley in address to 4-H Club Awards Banquet, Columbus College, February 2, 1973.

MINUTE QUESTIONNAIRE

1. The Vietnam War:
 - a. With the cessation of hostilities, should financial aid be extended to North Vietnam? Yes. No.
 - b. Should a blanket amnesty be considered for those men who left this country to avoid the Draft? Yes. No.
2. Should the death penalty be restored nationally for certain specified crimes? Yes. No.

3. Do you agree with the President's recent action impounding funds appropriated for specific domestic programs—

- In every instance;
- In most instances;
- In few instances.

Comments.

Please take a minute during the day to fill in this questionnaire and return it to: Congressman Jack Brinkley, U.S. House of Representatives, Washington, D.C. 20515.

LYNDON BAINES JOHNSON

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RHODES. Mr. Speaker, in the death of Lyndon Baines Johnson, America has lost one of its most illustrious sons. Lyndon Johnson truly came from the soil of America, and brought to the high station in life he achieved all of the loyalty and patriotism which can come only from a great love for our land and its people.

Mr. Johnson was a leader in every sense of the word. As majority leader of the U.S. Senate, I think it is possible that he will be regarded by history as one of our most effective legislative leaders. As Vice President, he was industrious and productive, all the while being completely loyal to his President and his country. As President of the United States, Lyndon Johnson went through some of the most troublesome times in our recent history. He always did his duty as he saw it, and did not shrink from making difficult decisions. He was a strong President in every sense of the word.

Lyndon Johnson was very considerate to the Members of the House and the Senate. He seemed to enjoy our company, as few Chief Executives have. The evenings at the White House were prized by all Members of the Congress, and the briefing sessions, which were frequently dominated by the personality of the President himself, were informative. I valued these associations, both as a Congressman and as an individual.

My State of Arizona will never forget that it was in Lyndon Johnson's administration that the long-planned central Arizona project was finally authorized. It was a proud moment for me and my colleagues from Arizona when we were allowed to stand at the side of President Johnson as he affixed his signature to this law which was so important to us and to our State.

Texas, America, and the world will miss

Lyndon Johnson. To Mrs. Johnson and to her two fine daughters and their families, Mrs. Rhodes and I extend our deep sympathy.

THE PEOPLE NEED TO KNOW

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HARRINGTON. Mr. Speaker, early this week, I submitted for inclusion in the CONGRESSIONAL RECORD a series of editorials printed in the Boston Globe on newsmen's privilege. I then pointed out the difficulty faced by Congress in developing appropriate legislation to protect the vitality of the public's sources of information, and the absolute necessity for informed comment on that problem by those who are most concerned—the newsmen themselves. These editorials were particularly helpful in the way in which they discussed all of the developments in the area and provided the perspective from which each occurrence could be viewed.

Yesterday, I found that I had overlooked something. The Government Printing Office has a rule which limits RECORD insertions to two pages. Any insertion which exceeds two pages must be paid for. The Globe articles came to four pages and were therefore rejected.

Now, that rule superficially appears to be based on economy. Let Congressmen play the game of publicizing their views, as long as they are not too wordy. Yet, on closer examination, it is clear that the rule is so restrictive that it prevents Congressmen from doing anything but play the game of publicizing their views. Substantive insertions of the kind I have submitted here frequently run more than two pages, and, moreover, may not be inserted in serial form. It is that kind of insertion which more often proves to be really helpful.

All of us know that it is vitally important for Congressmen to have a means of making public our positions on matters that affect our Government. That is why we make insertions in the RECORD. As a practical matter, it is not possible for each one of us to make a floor statement each time we have something important to add. Indeed, I believe that matters which do not pertain to the pending business on the floor of the House should not appear in the body of the RECORD. For that purpose, the Extensions of Remarks are provided. Some means must exist for including in a public record information relevant to issues of immediate concern, as newsmen's shield laws certainly are, and helpful in developing appropriate legislative solutions. With the current restrictive rule, the Extensions cannot serve that purpose.

To illustrate the value of the insertions I had requested, I am here inserting one of the editorials. This is the second in the series and deals with relationship between the President and the press. I have chosen it because the paramount issue of the day is, in fact, the overbearing at-

titude of the current administration to anything which seems to detract from its powers—such as constructive criticism. The editorial speaks for itself:

THE PEOPLE'S NEED TO KNOW—THE PRESIDENT AND THE PRESS

How much should the American people be told by and about their President? The question is almost as old as the nation itself. Most Presidents have, at one time or another, disliked what the press said. Even Abraham Lincoln was maligned in print as "an ape" and in other unseemly ways.

Yet the people want to know all that is important about the man they send to the White House. And unless they are given all points of view about it, their knowledge is diminished and they are less able to judge.

One means of judging is the presidential press conference. President Nixon, though he almost always makes a strong and favorable impression at them, has held far fewer of them than any other President in four decades.

His total in four years is 27, while the average for his four predecessors (Truman, Eisenhower, Kennedy and Johnson) was from 24 to 36 a year. Franklin Roosevelt held them twice a week, then weekly during World War II.

To be sure, the latter had as an alternative only the "fireside chat" by radio, not television, whereas Mr. Nixon can command a nationwide TV audience any time at the press of a button. Also involved here is what President Nixon thinks a press conference should be.

And on this some light has been shed. Newsmen will never tire of recalling that in a moment of defeat and extreme fatigue, Mr. Nixon once said; "You won't have Dick Nixon to kick around any more." Vice President Agnew once said, "I believe you should be able to have a press conference without having reporters key in on certain divisive issues."

This desire for national unity, with its corollary of suppressing dissent, is perhaps behind it all. President Nixon expressed it last May when he said, on resuming the bombing in Vietnam, "The greatest editors and publishers and television commentators and the rest have . . . the necessity to stand by the President of the United States when he makes a terribly difficult and unpopular decision."

People may honestly differ about the need for healthy criticism at such a moment. We think that in a democracy such a decision should be widely discussed and debated. But in any case, what can be said to defend the request of the White House that FBI agents conduct security investigations of CBS reporter Dan Schorr and New York Times reporter Nell Sheehan, who had written his newspaper's Pulitzer Prize-winning stories on the Pentagon Papers?

Those papers concerned past history, events, and decisions in the Vietnam War only up to 1968, entirely prior to Mr. Nixon's entering the White House.

Their publication, and prosecution of four newspapers for it, involved an historic test for freedom of the press under the First Amendment, and one that has been widely misunderstood. It was a blatant attempt to impose censorship, and it failed.

But what is not so well known is that the way was left open for later attempts to muzzle the press. Let us explain.

The US Supreme Court on June 30, 1971, held by a 6 to 3 decision that "prior restraint"—meaning a court order not to print something—was unconstitutional. And this was most important.

Under the Alien and Sedition Act of 1798, editors were jailed not for what they were

about to print, but for what they had already printed. Even John Peter Zenger in 1735 was jailed for 10 months after he had published, not before, and then a jury of his peers acquitted him after his counsel pleaded truth as a defense.

The Pentagon Papers case involved, for the first time ever on such a scale, a serious and for two weeks successful court effort by the government to prevent publication. And while the effort failed in the end, enough of the Supreme Courts' majority to turn the case around went out of their way to say in dicta that the newspapers might be prosecuted after publication.

Charles Rembar, a New York author and lawyer, wrote later, "The decision should have said: The press is free to publish the Pentagon Papers. Instead it said a lesser thing: the press is free from suit for an injunction. And, most of the Justices added, the publishers had better watch their step; they may very well go to jail after they exercise their freedom."

While inadequately publicized in our opinion, this point has not been lost on the Administration. In many ways, and capitalizing on the unfortunate belief of too many that the press seeks an elite and privileged position, it has moved to limit the freedom to inform the public.

In one area concerning classified information and a claim that national security is involved, it is moving to acquire more sweeping powers of secrecy and censorship than it ever had; in another it is moving to deprive the press of its secret sources of information and its right to print that information.

The former is an issue in the current West Coast trial of Daniel Ellsberg and Anthony Russo. Men may and do differ over whether Ellsberg was right in releasing the Pentagon Papers as he admits doing, but the case also concerns the making of new law on domestic dissent and publication.

The two are charged among other things with violating the Espionage Law, which until now has required for conviction as "intent or reason to believe that the information . . . is to be used to the injury of the United States or to the advantage of any foreign nation." But the indictment charges them with communicating the documents only to "persons not entitled to receive them."

Here the courts will have to decide, in essence, whether it is a criminal offense to violate an Executive Order rather than a statute of Congress. Ellsberg and Russo are charged with conspiracy to "defraud" the government of its "lawful function" of withholding classified information. But Congress has never put such a crime into the statute books nor made the withholding of classified information a lawful function."

On the contrary, Congress specifically wrote into an Espionage Law amendment the provision that "Nothing in this Act (18 USC 713) shall be construed to authorize, require or establish military or civilian censorship or in any way limit or infringe upon freedom of the press or of speech guaranteed by the Constitution of the United States, and no regulation shall be promulgated hereunder having that effect."

The government claims an inherent or implied power under which certain behavior is criminal. Many experts say that if the courts uphold it, the government can make it a crime to make public anything on which it chooses to place a classification stamp, and there will be almost no limit on government's capacity to do anything it chooses.

This poses a problem for both the press and a public which wants to know what the government is doing.

COL. ROBERT L. MCKINNEY

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HUNGATE. Mr. Speaker, from my election to Congress in 1964 until January 3, 1973, Kirksville, Mo., was in my congressional district and many students from all parts of my district attend Northeast Missouri State University which is located there.

That area, now capably represented by my colleague and friend, JERRY LITTON, has recently lost an outstanding citizen, Col. Robert L. McKinney. Colonel McKinney served for several years on my Academy Advisory Committee and made a valuable contribution to his community, our congressional district, and the Nation. Following are some of the tribute paid him upon his untimely death:

COL. ROBERT L. MCKINNEY DIES

Colonel Robert Logan McKinney, assistant to Northeast Missouri State University President Charles J. McClain and head of the division of public relations and information service, died yesterday afternoon of an apparent heart attack in Jefferson City. Colonel McKinney was in Jefferson City to appear before the House Appropriations committee on University business.

Colonel McKinney was born Aug. 8, 1913 in Jackson, Missouri, the son of Mr. and Mrs. H. J. McKinney. Colonel McKinney attended school in Jackson and graduated in 1930 from Cairo High School.

He attended the University of Missouri-Columbia for one year. In Sept. of 1933 he transferred to Northeast Missouri State Teachers College and in 1936 received his A.B. from the college. Colonel McKinney also attended Gem City Business College in Quincy, Ill., and New York University, New York, N.Y.

Private secretary to President Walter H. Ryle was the position Colonel McKinney held from 1938 to Dec. 1940. It was then in 1940, that Mr. McKinney enlisted in the National Guard and was stationed in Fort Robinson, Ark.

Colonel McKinney was married May 1, 1943 to Virginia Frances McCustion, who survives. Mrs. McKinney is presently foreign student adviser at Northeast Missouri State University.

Colonel McKinney continued serving with the U.S. army until March, 1946 when he was discharged and assumed his position as assistant to President Walter H. Ryle and person in charge of publicity and public relations at the college.

On March 15, 1951 Colonel McKinney was recalled to active duty and in 1954 reported for overseas duty. He served in Korea from 1960 to 1962 when he was transferred to Fort Lee, Va. Colonel McKinney retired from the U.S. army August 31, 1965.

Upon his retirement from the armed services, Colonel McKinney resumed his duties at the University in September 1965. He served in the capacity of assistant to the President and head of public relations until his death.

Colonel McKinney received the honor of Who's Who Among College Students while attending school.

Colonel McKinney became the first editor of NEMOSCOPE, the University alumni magazine. He also served as chairman of the

advisory-committee for the Centennial celebration during 1967.

He was a member of the Masons, Rotary, the American College Public Relations Association and a life member of the NMSU Alumni Association. It was also Colonel McKinney who helped with the formation of the Jaycees of Kirksville.

Other survivors include two sons, Robert L., Jr. and T. Hal. Funeral arrangements are pending further notice.

FRIENDS PAY TRIBUTE TO COLONEL MCKINNEY

The death of Colonel Robert Logan McKinney has been felt by many people. In memory of Colonel McKinney, his close friends and associates have made the following statements:

"The University community is saddened by the loss of Robert L. McKinney. He was a faithful adviser and friend, but more importantly his devotion to the University for more than 35 years was never ending. He saw the University through its times of need and through its times of prosperity. When he died he was on University business.

"Northeast Missouri State University has lost a friend in Robert L. McKinney and with him his love of life, his love of people and his deep sense of loyalty. He is gone and he will be missed."

CHARLES J. McCLAIN,
President of Northeast Missouri State.

"Colonel Robert McKinney has been my friend and close associate for nearly 40 years. I have known him since he was a college sophomore. On Jan. 1, 1938 he became my executive secretary and within few months assumed the duties of my assistant, a position which he held until I retired in 1967.

"Robert McKinney's integrity could be depended on in the face of the most trying circumstances. He was fearless in facing crucial issues. It was not a part of his make-up to betray a friend or confidant. One could trust him with the most delicate mission, knowing he would manage it wisely. Trustworthiness was the key stone of his life.

"Robert McKinney devoted many years of his life to the college he loved. He was dedicated to its general welfare. He believed in his mission. He gave unstintingly his time and energy. He was one of the great men of this century old institute."

DR. WALTER H. RYLE,
President Emeritus of NMSU.

"The death of Bob McKinney comes as a great shock to all of us. I have lost a personal friend. The school has lost a loyal servant. I have sought his judgement and advice on many occasions. He always recommended what was in the best interest of the University. He never sought the headlines. Many of the advances at Northeast were the result of his efforts, but he was willing to let others take the credit. He will be missed and cannot be replaced. I extend to his family my sympathy."

Judge JAMES R. REINHARD,
Former President of the NMSU Board of Regents.

"I feel that I have lost one of my closest companions. Besides Dr. and Mrs. Ryle, Bob McKinney was the first member of the NMSU faculty that I met when I was interviewed at Columbia for a position on this campus. We have remained very staunch friends throughout these nearly 27 years. Whenever Bob spoke I knew he was saying exactly what he thought. I've never known a man that I trusted more. He was loyal and sincere to his friends and to NMSU."

ELI F. MITTLER,
Vice-President of NMSU.

"I have known Colonel McKinney since September 1935. He was one of my very closest college mates. We served on the college debate squad. We later took vacation trips together. I always found him to be a warm, kind and generous person, and a very trusted friend."

DR. NOAH RICHARDSON,
Independent Studies Department at NMSU.

"The University has suffered a great loss with the passing of Colonel Bob McKinney. He was a great asset to the University as a whole. He was a friend to the students as well as the administration and will be missed by all. In fact the Board of Regents considered him as our right hand man. I personally feel a great loss and wish to extend my sincere sympathy to his family."

Mrs. MARY ALICE BUNNEY,
Vice-President of NMSU Board of Regents.

"Bob McKinney was a fellow Randolph Countian whose interests and careers successfully spanned many fields and many arenas. Yet, not unlike another great Missourian, whose death we recently mourned, he coupled with a sincere small town friendliness, a sense of tact, soundness of judgment and obvious enjoyment of life. The University and the Board in particular have lost a true friend."

WILLIAM LEE,
Member of the NMSU Board of Regents.

DON LARRABEE DAY

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Mr. COHEN. Mr. Speaker, this past Sunday was Don Larrabee Day in the State of Maine in honor of our native son who has just been inaugurated as the 65th president of the National Press Club.

Over the years I have read Don Larrabee's columns and news articles with a great deal of interest for they have always given me a sense of connection with our representatives and with the events taking place in Washington. But what is singularly characteristic about his journalism is its ring of accuracy, fairness, and moderation. Even in the short time I have been in Washington, I have found this to be his style in the excellent coverage he has given to my activities here.

At a time when all areas of the press have increasingly come under attack from so many sectors, the position Don Larrabee is undertaking will be more important and challenging than ever before.

The power of the pen is restrained only by the character and responsibility of those who hold it. We are, indeed, fortunate that the pen is in Don Larrabee's hand.

On behalf of my fellow citizens of Maine, I want to congratulate Don Larrabee and wish him the best of luck in his new position. I am certain that the contributions he will make to his profession during the next year will merit the trust that has been placed in him by his colleagues.

MERCHANDISE MAIL IS VOLUME BUSINESS

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HASTINGS. Mr. Speaker, I noted with interest the published interview with Postmaster General C. T. Klassen which recently appeared in the CONGRESSIONAL RECORD. Mr. Klassen discussed efforts being directed to the improvement of postal service and the reduction of costs.

I too, am encouraged by Mr. Klassen's remarks, and I am especially interested in the bulk mail network. The first of the 21 major bulk mail centers and 12 satellite facilities is scheduled for opening in New York in 1974. The need for such a network is underscored by an article in the January 29 issue of Advertising Age. The comments of Mr. Maxwell Sloge, president of his own mail order consulting company, indicate, to an extent, the huge volume of merchandising conducted through the mails and the need to move this merchandise quickly and safely.

The article follows:

MERCHANDISE MAIL IS VOLUME BUSINESS

NEW YORK, Jan. 23.—Ever wonder whether anyone orders any of that merchandise promoted in mailings from oil companies, airlines and the like?

Well, they do, and in large quantities, according to Maxwell Sloge, president of his own mail order consulting company.

Speaking to the Premium Sales Executive Assn. meeting here, Mr. Sloge gave his company's estimates of some of the products moved by specialized mail order in 1972.

Among the largest with their estimated unit volume:

Kitchen appliances	6,100,000
Tools, under \$30	5,200,000
Watches, under \$40	2,500,000
Luggage sets, under \$30	2,200,000
Tableware sets, under \$30	1,600,000
Tools, over \$30	1,600,000
Vacuum cleaners	1,200,000
Radios, under \$80	1,200,000
Watches, over \$40	1,000,000
Cookware sets, under \$40	950,000

Because no uniform reporting system exists in the industry, Mr. Sloge emphasized that his figures are just estimates compiled by his company, which serves some of the largest mail sellers in the industry. The figures cover special mail offers, not including catalogs.

His estimates show that over one-third of total film developing is by mail and more books and records are sold by mail than in all retail stores of the country.

"The accelerated growth of in-home buying is inevitable, what with new communications techniques like CATV and video cassettes, and the proliferation of credit cards," Mr. Sloge said.

"Proof that this is being recognized by major corporations is the fact that today approximately 95 New York Stock Exchange listed companies are indirect marketing in some way, and that in recent years such giants as General Foods, General Mills, ITT and Avon have made major commitments to the direct marketing field."

**THE BANNING MEXICAN-AMERICAN
SCHOLARSHIP DINNER—AN IN-
SPIRATION TO UNITY**

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. VEYSEY. Mr. Speaker, I rise to offer a congressional tribute to a strong effort by leaders of a small California community to resolve social problems through unity of purpose rather than through conflict. In the historical western city of Banning, in my district, people of differing racial and ethnic backgrounds are laying a cornerstone for cooperation and mutual understanding which the entire Nation could adopt. In an area where racial conflict has been severe in past years, where there are five distinct ethnic groups and where distrust has prevailed between the various splinter ethnic groups, an informally organized group of citizens has begun a sociological renovation.

Banning, Calif., is a microcosm of America. Its population is 48 percent white, 20 percent Mexican American, 20 percent black, 9 percent American Indian, and 3 percent oriental.

The stress between ethnic groups has been more serious and the misunderstandings have run deeper in Banning than in most other parts of the country. Just over 3 years ago, a group of Mexican-American parents, concerned about their children's education and wanting to avoid the pitfalls experienced by other ethnic-oriented groups, launched the Mexican-American scholarship dinner. Help was sought from citizens from all ethnic groups and the scholarship funds raised during the event were to go to children of all ethnic groups. The theme was simple: Establish "better education for all our children" as the goal of the fundraising dinner; unify the community behind that much-needed objective.

During the past 3 years since that first grand beginning, the Mexican-American scholarship dinner has grown to become a highlight of the spring season. Attendance and support have mushroomed. Children of all ethnic groups have won scholarships, and disbelievers and militants in the Banning area have taken a second look.

The Banning Mexican-American Scholarship Dinner is moving toward a goal which militant factions maintained was impossible. It is helping to unify a diverse and divided community through goodwill and cooperation.

One man's reaction to a plea for help typifies the obstacles that the people of Banning have overcome. When asked for his financial support for last year's dinner, he refused on the basis that such community action efforts were self-seeking. Unbeknownst to him, his own daughter had received a healthy scholarship from the previous year's dinner. The man had not realized the source of the money. Upon finding out, the man not only donated \$20 himself, he convinced his employer to contribute in a big way.

Today, the dinner has the support of educational and governmental entities

throughout Riverside County. It multiplies in income and attendance, and awards more and larger scholarships each year. This year, our California Superintendent of Public Instruction, the Honorable Wilson Riles, will be on hand to deliver the feature address.

Mr. Speaker, we have all heard the political slogan, "Bring us together," which became the byword for a successful presidential campaign. Inspired by a teenager, it has reached every fiber of the Nation.

In the same way, programs such as the Mexican-American scholarship dinner can reach communities across the country.

It is in this spirit of national unity that I ask my colleagues to join me today in acknowledging this selfless and cooperative effort by the citizens of this pioneer California community to bring their own together.

**A COMMITMENT TO LEGISLATION
FOR THE ELDERLY**

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KOCH. Mr. Speaker, it has been well over a year now since the White House Conference on the Aging made its recommendations for improved and expanded government services for the elderly, particularly in the areas of adequate income and health benefits.

Most of us know from personal family experience what a difficult time our older citizens are experiencing in meeting their everyday minimum financial needs. In the past 3½ years, for example, older Americans have faced general price increases of over 17 percent, with medical costs climbing 21 percent, property taxes increasing 32 percent, and hospital daily service charges rising by over 35 percent.

Last year I joined a majority of my colleagues in the House in taking the initiative in the rapid implementation of some of the Conference's proposals and in laying the foundation for early consideration and enactment of others. In June 1972 Congress enacted a 20 percent across-the-board increase in social security benefits despite Presidential efforts to reduce it. Congress also unanimously passed legislation to expand and extend the Older Americans Act at meaningful funding levels, only to be blocked by a Presidential veto. And after nearly 2 years of administration opposition, Congress passed and provided full funding of \$100 million for legislation to assure citizens over 60 at least one hot, nutritious meal 5 days a week.

In addition, in the first month of this new session of Congress, I have reintroduced all the major pieces of legislation which I drew up last year in response to these recommendations. Further increases in social security benefits must, of course, be enacted if our senior citizens are to live at adequate income levels. But at this time the most urgent, related problem stems from the loss of eligibility for certain federal and state programs,

resulting from the attainment of higher income levels through increased social security benefits.

To deal with this, I have introduced legislation which would make sure that recipients of aid under the various Federal-State public assistance programs will not have their benefits reduced because of the 20 percent social security increase.

In order to enable the individual to supplement these benefits, I have introduced the Senior Citizen Job Corps Act (H.R. 2038), which would provide 50,000 part-time community service jobs for the low income elderly. Not only would this act provide extra income for older persons who need it, but it would also give them the opportunity to continue to be active and productive citizens.

Another of my bills (H.R. 699) would encourage family contributions to elderly relatives by allowing a taxpayer to take an exemption for each relative 62 or older to whom he gives \$1,500 or more in support in a year. Presently, such an exemption can be claimed only if the taxpayer contributes more than half of a dependent's support. Generally, the persons benefiting from my bill would be parents, grandparents, immediate aunts and uncles, and brothers and sisters who are at least 62 years of age.

One complaint registered by a number of my senior citizen constituents is that the current provisions in the social security law require the termination or reduction of a widow or widower's benefits upon remarriage. For example, once the widow or widower remarries, his or her benefits are reduced to 50 percent provided he or she is over 60 or are eliminated entirely if the widow or widower is under 60. What my bill (H.R. 707) would do would be to change these laws so as to maintain the benefits regardless of a person's remarriage.

Again in response to the White House Conference's recommendations, I introduced legislation providing for the payment of attorney's fees incurred by an individual who successfully challenges a decision to deny, reduce, or limit Federal or State benefits. I believe that if a person can successfully demonstrate that an agency has made a mistake in reducing, limiting, or denying certain benefits, then the burden of correcting that error should not lie with the claimant, but with the agency responsible for the mistake.

In the specific area of health legislation, I have cosponsored the Kennedy-Griffiths National Health Security Act which is the most comprehensive health care bill pending before the House. Though this legislation would cover the cost of all prescription drugs, as an intermediate step to offset the high cost of drugs to our elderly, I have introduced legislation (H.R. 709) providing that all prescription drugs, eyeglasses, and hearing aids be sold to medicare patients at wholesale cost.

In order to help older persons get around the city at minimum expense, I have drawn up legislation authorizing free or reduced rate transportation for the handicapped and for those over 65. I also have a bill authorizing grants and loans to private nonprofit organizations to assist them in providing transporta-

tion services to meet the special needs of the elderly and the handicapped. Without such assistance many of our older citizens may find it too difficult, financially, or physically, to continue to participate in and enjoy all that our city has to offer.

I am confident that my colleagues in Congress will move promptly in once again unanimously enacting the excellent series of amendments to the Older Americans Act which were killed by the President's pocket veto last fall, and I am hopeful that Congress will also give favorable consideration to such essential legislation as I have described above.

HARRY S TRUMAN

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mrs. GRASSO. Mr. Speaker, the annals of history will record the accomplishments of Harry S Truman.

The people of the United States will cherish forever the memory of his indomitable spirit, and his dedication to duty and country.

Harry Truman was a man of the people. He was, above all, human: tough and gentle, humble and proud, earthy, courageous and stubborn. He used a panoply of qualities to chart a new course in the world for our Nation.

Harry Truman was a tenacious President who matched courage to challenge. His response to the Blockade of Berlin was but one example.

Harry Truman was an imaginative President who met problems with innovative solutions. The Marshall plan stands in bold relief.

And always, good common sense, and a realistic appraisal of the people and nations of the world were reflected in President Truman's leadership. One need only recall the Atlantic Alliance of 1949 and the NATO Defense of Europe.

Above all, a total faith in our Nation and a vision of the role it must play in human events guided the President's way. The Truman doctrine embraced the world and shaped the future of many lands.

All the while, Harry Truman was leading us through the difficult post-war period of transition. As his Point Four program made the benefits of scientific and technical progress available to the world's hungry and needy, the President started our Nation on the too long untraveled road to equal rights for all citizens by creating the Committee on Civil Rights. Increased social security and Federal aid for housing were his achievements, too. And let us not forget that the important Federal programs of the 1960's—medicare and Federal Aid to Education—trace their origins to this remarkable man.

Now our 33d President is dead. The cogent, honest comment we came to treasure will be no more. The great figures of our Nation and the world will no longer journey to his home for special insight and counsel.

All of us miss the man from Independence. We miss him because we respected and loved him—for his courage and persistence, humanness, spirit and will.

A PERSPECTIVE ON IMPOUNDMENT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. PICKLE. Mr. Speaker, before the question of the constitutionality of Executive impoundment is settled, there will, no doubt, be thousands of words written, spoken, and thought.

As many of our colleagues know, I have introduced legislation that would require congressional approval of any appropriated moneys that the Executive desires to withhold.

The final decision on spending—and as important, savings—in Government must rest with the people of this Nation through their elected representatives.

I will be one of the first to admit that collectively we in the Congress have not always held the line on spending, but I do think we have spoken more often than not for the wishes of the American public and for their priorities.

While the legislative branch of the Federal Government has not always been efficient, it has been, for all general purposes, democratic.

I am inclined to think that our Founding Fathers—whose intent and wisdom we are wont to always second-guess—was that they intended to create a republic and Nation that was above all endowed with liberty and democracy. I hope we do not lose sight of that fact during this dialog on expenditures on their final control.

Of the many comments on this subject, a recent editorial in the Washington Post tries to impart some perspective. I am including it at this point to the attention of our colleagues:

[From the Washington Post, Feb. 6, 1973]

THE IMPOUNDMENT BATTLE

"Constitutional crisis" is hardly a term to be lightly invoked. In the battle over impoundment, however, the administration has pushed matters at least to a point of real constitutional strain. The White House has already gone far beyond precedent in using impoundment systematically to control Congress, the budget and social policy. Moreover, President Nixon and his aides seem intent on legitimizing their enterprise by advancing a novel and alarming concept of executive authority, a concept which applies a full twist to the constitutional duty of the chief executive to "take care that the laws be faithfully executed." As Senator Sam J. Ervin observed the other day, the new reading seems to be that the President may execute some laws by carrying them out, and execute others by killing them.

Mr. Nixon put it baldly at his press conference last Wednesday, declaring that:

"The constitutional right for the President of the United States to impound funds and that is not to spend money, when the spending of money would mean either increasing prices or increasing taxes for all the people, that right is absolutely clear."

One wishes that this had been one of the President's occasional offhand remarks, for as a serious argument it is astounding. Most students of the issue agree that impound-

ment is one of the murkier areas in constitutional law, and precious little about the practice is either absolute or clear—except that it is not among the presidential powers (there are no "rights") set forth in Article II. The prevalent view, except at the White House, was expressed by Associate Justice William H. Rehnquist in 1969, when he was an assistant attorney general. He wrote:

"With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that the existence of such a broad power is supported by neither reason nor precedent."

As the Rehnquist memo went on to suggest, a respectable case can be made for impounding some kinds of funds in some instances. Such briefs rely, however, not on any sweeping constitutional claim, but on custom, circumstance and the precise language of specific acts. It is also reasonable to assert that occasional collisions between appropriations and other laws, such as the debt ceiling, may require or permit a chief executive to modulate spending. Finally, there is some authority in the Anti-Deficiency Act, which authorizes creating "reserves" to "effect savings . . . through changes in requirements, greater efficiency of operations, or other developments." But that authority is limited, not that you would know it from some of the administration's interpretation of the law. Last week, for instance, budget director Roy L. Ash stretched the law more than a little when he tried to justify the freeze on housing funds on the grounds that there had been "some very dramatic 'other developments'—the programs had not achieved the results Congress intended."

The underlying issue here is not the fate of any one program, or the sway of politics between a Democratic Congress and a Republican administration. It is the extent to which the chief executive should arrogate the power to amend, suspend and shelve programs duly enacted and funded by Congress. Mr. Nixon is not the first occupant of the White House to invoke the conceit that the president alone speaks for the "general interest." But he is the first to claim in such unqualified terms the "right" to pick and choose among appropriated funds and thus impose his own judgment of what is worthy or wasteful for the government to do.

The administration argues, of course, that Congress has forfeited its legislative power over spending by abdicating responsibility. Indeed, the failures of the legislative branch are all too evident. But as Justice Black wrote in the steel seizure case in 1952, "The founders of this nation entrusted the lawmaking power to the Congress alone in both good and bad times." However inefficient, spendthrift or shortsighted the Congress may be—and it has been all three—the executive branch cannot rush in to rescue the nation without running into, or over, the Constitution along the way.

FIRST WAR VETERANS NEED OUR HELP

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. YOUNG of Florida. Mr. Speaker, the needs of the valiant men and women who served in World War I are being sadly neglected.

With nearly 74,000 veterans living in my Sixth Congressional District of Florida, I am personally aware of the hardships besetting many World War I veterans. Many veterans of the first of the great wars are forced to live out their

remaining years on meager incomes eroded by the pressures of inflation.

For this reason, I have introduced H.R. 1305, the World War I Pension Act of 1973, to remedy some of the hardships confronting World War I veterans and their families. This bill would provide increased pensions for WWI veterans and their dependents, and exempt from determination of their annual income the benefits received from other sources such as social security and railroad retirement.

The measure also would establish a separate pension system for non-service-connected disabilities and a priority system of hospital and medical care. The World War I Pension Act, which I introduced in the 92d Congress and now have reintroduced in the 93d, will go a long way in easing the plight of elderly veterans.

When America called, these veterans answered the challenge, often at great personal sacrifice. When the cause of world freedom called, they responded. Now they need the help of the Nation they served so well. The Congress should act promptly on H.R. 1305 to demonstrate this Nation's gratitude for the sacrifices of our veterans of World War I.

**THE PRESIDENT'S 1974 BUDGET:
ARE THE PROPOSED CUTS
REALISTIC?**

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mrs. GRIFFITHS. Mr. Speaker, the President's budget for fiscal year 1974 estimates a deficit of \$12.7 billion for that year. However, this estimate is based on some budgetary sleight-of-hand, including savings in programs like social security, public assistance, medicaid, and medicare which have open-ended financing.

No doubt there is room for savings in these programs through better management and legislative improvements. But to think that such major changes can be brought about in time to reduce these programs by \$7.2 billion in 1974 is naive to say the least. Of these planned savings, only \$3.3 billion are fairly certain to be realized, mostly due to a cut in social services already enacted. That means that the planned deficit could easily rise to \$16.6 billion, even if Congress does along with all the President's other budget requests.

In order to hold expenditures at the \$269 billion level for 1974, the President has proposed program reductions of \$17 billion. It turns out that half of these proposed cuts are in human resource programs and are mostly plans to cut expenditures in the open-ended programs.

The proposed cuts lack credibility for two reasons. First, much of the savings requires substantive legislation which has no guarantee of passage because every cut means that someone has to pay. The President has not yet submitted

legislation on medicare which he says will reduce expenditures by over \$600 million in 1974. This would result in many aged and disabled persons paying for hospital care out of their own pockets which they had received at no charge before. When a program is squeezed to help the taxpayer, someone else will wind up with higher bills.

The second reason why I doubt these budget figures is that many of the cuts anticipate administrative actions that will fall far short of their goals. For example, a recapture of nearly \$600 million in excessive welfare payments, mostly to AFDC families, assumes that a pending HEW regulation penalizing States for making overpayments will be enforced. A number of States have threatened court action to block this. I am all in favor of avoiding these illegal, costly payments, but I think that it will be impossible to cut this kind of waste in welfare programs under the current, overly complex laws.

Another proposal calls for a saving of \$200 million in the Federal share of medicaid costs. However, this saving requires a more intensive utilization review by the hospitals, although they are supposed to be doing this review already. The only method of enforcement by HEW would be a cutoff of funds, and we may wonder whether HEW would vigorously pursue this course.

An article in the Washington Post on January 30 showed how local governments and hospitals are already hard-pressed to finance our Nation's health programs. Twelve hospitals may have to shift more emergency care patients to the heavily burdened District of Columbia General Hospital, and the Government will pick up the cost. This case dramatically points up the seesaw nature of current health care financing. Attempts to cut health care costs by one party often mean only that those costs are borne by another. These are not real savings.

The President has been unwilling to face the basic tax and spending problem. He has offered no proposals for tax reform, preferring expenditure reductions instead. But he has not yet offered any bills to cut medicare and other such programs. Such legislation would have to be passed at once if his proposed savings are to be realized.

Does he really seek to cut the programs, or does he just want to say he wants the programs cut?

THE GOLDEN YEARS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. JOHNSON of California. Mr. Speaker, 125 years ago gold was discovered at Sutter's Mill in Coloma, El Dorado County, which I am privileged to represent here in the Congress.

At ceremonies marking this anniversary a few days ago one of the Golden State's leading historians, V. Aubrey

Neasham, was principal speaker. Aubrey Neasham is well qualified to trace the history of the gold discovery days, the development of the State of California in the years that followed, and the excavation and restoration of Sutter's Mill where James W. Marshall discovered gold January 24, 1848.

Mr. Neasham was an historian with the National Park Service in 1947 when that agency in cooperation with the University of California and State division of beaches and parks uncovered the mill, restored it in a momentous project. Subsequently he was historian for the California State Beaches and Parks and currently is an instructor at the Sacramento State University. Few in our State have a more thorough knowledge of the gold discovery days and have had a closer association with the restoration of the historic gold rush artifacts and the places and buildings which played such an important role in the Gold Rush which touched off one of the greatest migrations ever known in this world.

Mr. Speaker, I would like to let the words of Aubrey Neasham tell this story and I insert at this point his remarks on the 125th anniversary of the gold discovery:

**THE 125TH ANNIVERSARY OF THE GOLD
DISCOVERY: ITS OPPORTUNITY**

(By V. Aubrey Neasham)

The place—Coloma. The time—January 24, 1848. The event—the Discovery of Gold. The man—James W. Marshall. Thus, on this 125th Anniversary, we celebrate the Gold Rush, which beginning here at Sutter's Sawmill, was to change California from a scene of comparative simplicity to a commonwealth of great complexity. In the process hordes from all parts of the earth, in one of the great migrations of all time, came to settle, forming the basis of what is now the most populous state of the Union, with more than 20,000,000 people.

Although gold had been discovered elsewhere in California previously, such as at Placeritas Canyon near Los Angeles in 1842, and elsewhere by the Spaniards earlier, the find at Coloma was the one that counted, because of its richness and extent along the Mother Lode. This ran for hundreds of miles from south of Mariposa north to beyond Downieville and Weaverville. The date can be and has been argued. We choose January 24, for one of the Mormon workers at the mill recorded it in his diary as such. Marshall, however, always maintained it was earlier, January 20. Perhaps he did, keeping it a secret for several days. It doesn't really matter. January 24 is and will be the accepted date to celebrate.

As for the man, let us continue to pay him homage through preservation of his momentous find, by gathering at the town which grew up here, and by visiting his cabin and last resting place on the ridge above, overlooking the south fork of the American River. This was where he made his greatest contribution. Only thirty-seven years of age at the time of the gold discovery—an excellent wheelright and builder, industrious, and honest—he exemplifies the best of the growing number of immigrants who came to California from the United States in the 1840s. Not only was he the discoverer of gold, but here as an equal partner of Capt. John A. Sutter he built the first sawmill in the Sierra Nevada Region. He was also a pioneer in agriculture, planting more than a hundred varieties of grapes, which won prizes at the El Dorado County Fair and State Fair in Sacramento. We tend to think of him largely during his last years, when almost seventy-five, he was considered by many to be an acco-

holic—eccentric, contentious, and unkempt. Perhaps he was, as many an old person may be. But his life was full of frustration and disappointment, largely at the hands of his fellow beings. Famous, because of his discovery, he was never to profit greatly from it, dying in 1885, not quite poverty-stricken but almost.

As for the sawmill and the spot where the flakes of gold were found, these sites are now preserved in the Gold Discovery State Historical Park, along with portions of the town of Coloma and Marshall's cabin and monument. These now comprise a national historical landmark. Marshall's Monument (under which he is buried) has the added distinction of being the first area of the present state park system, established as a state historical monument in 1890, largely through the efforts of the Native Sons of the Golden West. Shortly thereafter, its companion site of Sutter's Fort in Sacramento was set aside by the state in 1891 and reconstructed.

Not far from the original site of the sawmill the people of El Dorado County, led by Mr. John Hassler of Coloma, in cooperation with the state, have erected a replica of the mill, accurate in every detail, and of the same size. It interprets the early process of lumbering. Hopefully, some day, if the American River can be tamed, it can be placed on the original site. To do so now would only invite its destruction, as winter floods would wash it away.

The foundations of Marshall's Mill are still in place at the spot identified accurately by Phillip Baldwin Bekeart of the Society of California Pioneers in 1924. A large stone monument, standing at the river's edge, marks the spot. Later, in 1945, some of the timbers revealed at low water were taken by the state and stored near Marshall's monument. Late in 1946, this writer with Herbert A. Kahler, Chief Historian of the National Park Service, visiting the site, noted additional timbers. Through the efforts and encouragement of the Honorable Joseph R. Knowland, the National Park Service in cooperation with the Department of Anthropology of the University of California and the State Division of Beaches and Parks conducted a complete documentary and archeological investigation of the site. This was the basis for the reconstructed sawmill.

The Dig early in February 1947, as Mr. Knowland later wrote, "Was both valuable and sensational." The assembled crew, mostly in their twenties (I was the oldest, in my thirties), did yeoman work. Not only were the foundation timbers exposed with the help of a bulldozer, but the tailrace, still in place, was found. With the aid of Lt. Tecumseh W. Sherman's map of 1848 (he was later of Civil War fame), which marked the spot of the gold discovery, we were able to locate the exact place where Marshall picked up the first flakes of gold. State Park Superintendent Robert S. Coon found a similar flake there during our excavation. This is now preserved for safe-keeping by the state. Because heavy rains and melting snows caused a rising river on February 11 and 12, we were forced to end our work, leaving the timbers in place. Covered up with sand, gravel, and rocks, with the aid of the bulldozer, they are well-preserved, protected from the air by cold soil and water, awaiting the day when they can be further exposed and interpreted. Interestingly enough, our excavations proved the gold discovery site was on private property, which, because of the approaching Gold Discovery Centennial in 1948, had to be condemned by the state for inclusion in the Park.

Of the participants in the excavations, most have achieved distinction as scholars—Dr. Robert F. Heizer, Professor of Anthropology, University of California, Berkeley; Dr. Franklin Fenenga, Professor of Anthropology, California State University, Long Beach; F. A. Riddell, Archeologist, California Department

of Parks and Recreation, Sacramento; Dr. Donald C. Cutter, Professor of History, University of New Mexico; Dr. C. E. Smith, formerly Director, Twenty-One Palms Museum; and R. A. Newman. Bob Coon, Homer Metcalf of Coloma (who operated the bulldozer), Newton Grout, (Ranger), and Mrs. Allen Combs were among others who assisted our work greatly. It was Grout who obtained the pump which allowed us to rid the tailrace of water. Mrs. Combs' meals at night did much to restore our vigor after long hours of back-breaking work in cold water and rocks. The artifacts found—tools, implements, bottles, clay pipes, coins, discarded timber, and even specimens of gold we panned—are now on display in the Gold Discovery Site Museum, along with photographs. Our reports were later written up in "California Gold Discovery, Centennial Papers on the Time, the Site, and the Artifacts", California Historical Society Quarterly, Vol. XXVI No. 2, June, 1947, and as Special Publication Number 21, published by that society in 1947. Appropriately, a Joseph R. Knowland Room in the Gold Discovery Site Museum pays tribute to his efforts of more than fifty years to preserve California's historic sites and buildings.

There seems little doubt that the sites of Sutter's Mill and the Gold Discovery will be preserved for posterity, despite the fact that as late as the 1950s a Coloma Dam was included in the State Water Plan. This, if built, would destroy California's most famous historical area. Fortunately, with the aid of more than 100 organizations, the Legislature decreed that the Coloma Dam be taken out of the State Plan. Furthermore, this legislation provided that no dam without the express permission of the Legislature could ever be built that would flood the site. Among those most prominent in the legislation were State Senators Swift Berry of Placerville and "Biz" Johnson of Roseville. Senator Berry, now deceased, will long be remembered for his efforts to preserve history, including the Pony Express. Senator Johnson, with Berry, was responsible for the appropriation of funds for the Museums at the Gold Discovery State Historical Park and Donner Memorial State Park. Johnson, now a member of the United States House of Representatives, continues to encourage historical preservation.

The Centennial of 1948 drew as many as 50,000 people on January 24 to Coloma to pay due honor to Sutter's Mill, Marshall's Gold Discovery, and the town of Coloma. Speeches were made, plaques were dedicated, a moving picture was presented, and a pageant was staged. In the doing all parts of California participated, and were represented. The California Centennials Commission, headed by Joseph R. Knowland, was the guiding force in this celebration, as it was following during the Gold Rush and Statehood Centennials of 1949 and 1950. Some members of that outstanding commission and its advisory committee are here tonight. Several, including Mr. Knowland have passed away. It is fitting that those who remain are here, as well as the "1973 Committee", to celebrate the 125th Anniversary of the Gold Discovery. Some, I am sure, will be here also in 1998 to celebrate the 150th Anniversary. They too will hold their parades, dedications and banquets. In the doing great speeches and oratory will be heard.

But Centennial celebrations, be they the 50th, 75th, 100th, 125th, 150th, or 200th, should be more than passing events, to be staged on an occasional basis. They offer the opportunity to do something permanent, which will have a lasting effect for the benefit, inspiration, pleasure, and knowledge of mankind. So it is with this 125th Anniversary. Are we to let the opportunity pass to do something permanent? I think not!

In honor of the 125th Anniversary of the Discovery of Gold by James W. Marshall, on

January 24, 1973, let us propose that a Gold Rush National Historical Park be established. Coloma would be a major center. I am sure, but all of California which participated in the Gold Rush will contribute. The ingredients, most of them, are already in the hands of the State of California—the San Francisco Maritime State Historical Park (including the Hazlett Warehouse); Old Sacramento, in which the state will reconstruct the 1849 scene along the Sacramento River; Sutter's Fort State Historical Park, the impetus for the Gold Discovery; and Coloma, the site of Sutter's Sawmill and the Discovery. All of these areas can be given lasting recognition through cooperation of the Federal Government, State, counties, and cities involved. Administration can remain in the hands of the state, if desirable, although the National Park Service can contribute with funds, advice, and planning.

In addition, all or portions of Highway 49, from Mariposa to Downville, should be designated as a major parkway by the National Park Service, to include such State held areas as Columbia and Coloma, with selected areas, elsewhere connected with the Gold Rush. Perhaps Donner Memorial State Park, Weaverville, and the town of Shasta should also be included.

It may not be possible at this moment to elaborate in detail all the elements of a Gold Rush National Historical Park, but the precedent has been established in the setting up of the Nez Perce National Historical Park in Washington, Idaho, and Montana, among others, where detached non-contiguous areas and parkways are planned to make up the Park. The time is ripe for a Gold Rush National Historical Park. The State of California already has important segments and is planning a major Park Bond Act in 1974. Under provisions of the Federal Historic Sites Act of 1935 and Historical Preservation Act of 1966, legal authority and provisions for funding have been established for such a project. It will need the best in planning, direction, and coordination, as well as adequate funds. True it would be costly, but perhaps not as much as a squadron of B-52 bombers.

Plans should be ready by 1976 for the Gold Rush National Historical Park, at the time of our Nation's Bi-Centennial. In fact, this could be California's contribution to the Bi-Centennial. Mr. Chappie, provide the legislation by the State. Mr. Johnson do the same in the United States Congress! See that a blue-ribbon committee, perhaps the 125th Anniversary Committee, is appointed to bring the project into focus for the attention of the public. The staffs of the National Park Service, the California Department of Parks and Recreation, the counties, and cities, and towns involved, as well as private organizations and individuals, can all help to bring the project into reality.

This is the challenge of Coloma's 125th Anniversary of the Gold Discovery by James W. Marshall. Let it not go unsung throughout the coming generations! Let it be the inspiration for one of our Nation's great national historical parks, to which California, the Nation, and the world can pay homage in 1976, in 1998, in 2033, and again in 2048. The opportunity is here. It is ours!!

UNIONVILLE, MO.—AN ATTITUDE OF PROGRESS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HUNGATE. Mr. Speaker, the following article outlines some of the many

advantages of one community in my congressional district, Unionville, Mo., which was also the home of a former House Member, the late Clare Magee:

[From the Harbinger, Missouri Division of Commerce and Industrial Development, Fourth Quarter, 1972]

UNIONVILLE—AN ATTITUDE OF PROGRESS

A community can be photographed from any angle, a pro with a camera can make it look extremely good or bad. He can show progress through new construction or he can show decay in run-down buildings and yards that have gone to seed. The one thing he cannot show is an attitude. Every town has one and every town grows or dies depending on its attitude. Change has come to Unionville, Missouri, through a new attitude and the involvement it has spawned.

Up until a few years ago Unionville had gone the way many small farm towns do, it had existed around the agriculture community. In short, it wasn't keeping up with the rest of the world, it wasn't progressing. At one time Putnam Fadeless Dyes were manufactured there, and W. A. Schaefer had invented his automatic fountain pen there; both had moved on. The only remaining long-time standing business left in the community was the *Unionville Republican*.

Unionville is an old town and is the Seat of Justice for Putnam County, organized in 1845 and centered at the northern edge of Missouri. Platted first in 1853 the community was originally named Harmony and didn't become Unionville until 1857.

Turn-of-the-century records describe Putnam County as having "bituminous coal underlying one-third of the country with limestone beneath the coal beds." At one time every small farmer, owning from 20 to 60 acres, had a "slope mine" and worked it during the winter. The Ketcham Coal Company began operations at Mendota, located about 15 miles southeast of Unionville, in 1879. It started as a family operation and, after changing hands in the 1920's, continued operations until around 1940.

Mining of both coal and limestone has played an important role in the county's economy for years, though not to the extent of which it is playing today. Early this year Missouri Mining, Inc., a subsidiary of American Industries and Resources Corporation of Steubenville, Ohio, purchased the Putnam County Stone Company and mining began on a large scale. Starting with two dozers, a highlift and six men from Ohio, the company now employs 60 people, 50 of which are local. The investment in machinery has leaped astronomically and includes a new Manitowac dragline with a seven-yard bucket capacity.

The Manitowac strips away the overburden and uncovers the 36 inch shelf of coal which is then blasted loose and transported to the crusher. Located another yard beneath the coal is a shelf of limestone; it too is quarried and processed.

Missouri Mining has helped build the economy of Unionville in a number of ways: It helped save the Burlington Northern Railroad for the community; it brought new families into town; and has helped spawn new industries. An example is the Tri-County Transfer Company. Tri-County started with two trucks, transporting coal from the crusher to the railroad. Today, the firm has a fleet of 11 trucks and has plans for further expansion.

Another long time product of Putnam County and Unionville is livestock in the form of cattle, hogs and sheep. In 1940 a visionary group of cattlemen formed the Putnam County Marketing Association. The association is credited with starting the first feeder-calf sale in the nation and Unionville continues to hold top spot in Missouri with its fall feeder calf sale; a similar sale is held each spring.

Unionville has a long list of assets and one of the most important is its municipal power plant with a separate water treatment facility. The power plant is capable of an output of 5,360 kw per hour although its heaviest load on any given day is only 2,300 kw, leaving plenty of room for industrial expansion. In addition, the company also has power ties with N. W. Electric Power Cooperative, Inc., headquartered in Cameron, Missouri.

One of the largest users of power is the Unionville R-1 School District. A \$1,100,000 bond issue for the building of a new Senior High School received voter approval in October 1971. The present high school building will eventually house the upper elementary grades, lessening the student loads in the grade schools. The high school carries AA rating.

Another large power user is the Putnam County Memorial Hospital opened September 1963. County supported, it can draw on such funds but has not done so. Originally a 30-bed hospital, a new addition was opened in April 1969, giving it a 44-bed capacity, served by 69 employees. The hospital includes emergency, delivery and operating rooms, lab, cardiac monitor, x-ray, and an obstetrics wing. Four doctors are on the staff.

Next to the hospital is the Putnam County Nursing Home a 45-bed complex. It was opened in April 1969 at the same time the new hospital wing was dedicated. The home was built by the county but is self-supporting and receives no tax money for its maintenance.

Faced with a 60-year declining population and economy in Putnam County, citizens requested to become part of the Rural Area Development Act in November 1962. A county opinion survey the following spring voiced the public's desire for a recreational lake which would lure tourist dollars. In September 1963 engineers surveyed sites and on March 12, 1964, the Putnam County Lake Company was incorporated. Three hundred pledges for an \$850,000 Farmers Home Administration loan spurred the FHA to grant its biggest loan of that kind to date for the purchase of 4,000 acres.

Once completed, Lake Thunderhead was stocked with bass, channel cat and bluegill. The lake area, with its federal and state approved Lake Thunderhead Airport, is destined to become a thriving community of private homes. This new construction will be a shot in the arm to the city's already expanding economy.

Also working to boost growth is the Unionville Industrial Development Corporation with a total current membership of 146. Formed in 1955, the organization has worked throughout the years to make the community attractive to industry. In 1968 the group purchased land and has developed a 32-acre industrial park adjoining the southwest edge of the city.

Since industries scouting cities as possible plant sites prefer Missouri Community Betterment towns, Unionville's business, professional, social and fraternal organizations, plus interested citizens, elected to begin an MCB group in June 1969. MCB's project books have earned Honorable Mention since the inception of the program. Last year Unionville was awarded a Distinguished Award plaque. MCB is working with the Industrial Board on its current Labor Survey, and with the city on the Putnam County Housing for Senior Citizens which is now negotiating for an FHA loan. The newly-formed Putnam County Chamber of Commerce and MCB are backing a proposed Putnam County rural public water district.

Unionville is a town where people are involved. As a result of this involvement the community was awarded second place in the 1972 Community Betterment competition for cities with a population between 1,500 and 2,500. This involvement is no accident, it comes from awareness of community needs

and desires as expressed by the people themselves. MCB is not just another organization; rather, it is a switchboard where all organizations plug in and work for a better community for all citizens.

Today Unionville is a picture of progress and yet, that picture is still developing; its depths are still emerging, its contrasts still evolving. Unionville is a town aware of itself, its needs and its direction. It is a community with a new attitude, an attitude of progress.

CREDIT REPORTING REFORMS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ROYBAL. Mr. Speaker, I would like to express my appreciation to the 31 Congressmen who have joined with me today in introducing legislation to tighten Federal controls on the preparation and release of credit reports.

This bill would amend and strengthen the Fair Credit Reporting Act passed in 1970 which has failed to adequately protect a person's right to privacy.

Under current law investigative agencies produce millions of credit reports a year with virtual immunity from libel or slander suits, even though many of these reports contain serious errors. When an individual applies for a job, insurance or even apartment rental, he stands a good chance of being investigated without ever knowing it. There is nothing in the law which prevents an investigative agency from reselling these reports over and over again. This practice constitutes a very dangerous threat to our right of privacy and free speech.

My bill would correct these gaps in the law by setting up stricter procedures for both "investigative consumer reports" and "consumer reports." An "investigative report" deals with a person's moral character, life style, personal traits and reputation. A "consumer report" is a simple credit check of one's financial situation and credit rating.

Because of the seriousness of the investigative report, the company or employer requesting this report must first obtain the consumer's written consent. The report is then sent simultaneously to both the company and the consumer. In the credit check, the company must inform a person in writing within 3 days that a report may be made. The consumer has the option to ask for a copy of the completed dossier.

For both types of reports, the individual has the right to correct any reporting error or misrepresentation.

The credit reform bill would also recognize a new Federal "cause of action" allowing the consumer to sue any reporting firm that "negligently or maliciously publishes any untrue statement or representation." Civil penalties would include a minimum of \$1,000 or actual damages, whichever is greater, plus punitive damages. This provision would abolish the doctrine of conditional privilege which rests on a showing of malice and would include negligence as grounds for suit.

Finally, the proposed legislation would create a board of examiners to regulate the credit reporting industry. The board would establish Federal standards for licensing credit investigators and carry subpoena powers to probe into credit reporting practices.

Mr. Speaker, I believe this bill will effectively stop the release of reports that brand a person as immoral or irresponsible on the basis of hearsay or some personal grudge against the individual.

Cosponsors of the credit reporting amendments are Ms. ABZUG, Mr. BOLAND, Mr. BUCHANAN, Mrs. BURKE of California, Mr. BURTON, Mr. CLEVELAND, Mr. DONOHUE, Mr. DRINAN, Mr. ECKHARDT, Mr. FRASER, Mr. GAYDOS, Mrs. GRASSO, Mrs. GRIFFITHS, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KOCH, Mr. MATHIS of Georgia, Mr. MOORHEAD, of Pennsylvania, Mr. MOSS, Mr. PETTIS, Mr. ROSENTHAL, Mr. RYAN, Mr. SANDMAN, Mr. TIERNAN, Mr. WALDIE, Mr. CHARLES WILSON of Texas, Mr. WOLFF, Mr. WON PAT, Mr. WRIGHT, Mr. YATRON, and Mr. O'HARA.

The analysis of the bill follows:

ANALYSIS OF CREDIT REPORTING BILL

The Fair Credit Reporting Act speaks in terms of investigative consumer reports and consumer reports. The investigative consumer reports used to emphasize on his character, general reputation, personal characteristics and mode of living. The consumer report deals with a person's financial standing and credit rating within the community.

Section 1 of the bill is a technical amendment

Section 2 prohibits a person from procuring or causing to be prepared an investigative report unless

(1) he clearly and accurately discloses that a report including information as to a person's character, general reputation, personal characteristic and mode of living will be made,

(2) he informs the person in writing not later than three days after the date in which the report is requested, and

(3) he obtains a statement signed by the consumer on whom the report is prepared allowing such party to obtain such report.

The investigating agency must transmit a copy of the completed report to the consumer at the time it furnishes it to its client. The bill contains a clause which prohibits an investigating agency from forcing the consumer to waive his right to receive the report.

The consumer is given an absolute right to transmit to the consumer reporting agency evidence which would correct an error or misrepresentation in the report.

Lastly no person will be held liable under the act if he shows by a preponderance of the evidence that he maintained reasonable procedure to issue compliance with the law.

Section three deals with the consumer report. It states that a person may not procure or cause to be prepared a consumer report unless (1) it is clearly and accurately disclosed to the consumer that such a report may be made (2) not later than three days after the date on which it was requested (3) includes a statement informing the consumer he has a right to request additional disclosures.

The consumer has the right to request to see a copy of the report and it must be furnished to him by the consumer reporting agency within a reasonable time after his written request. The consumer may not waive his right to request such a report. He also has the right to submit evidence to correct a misstatement or error.

Section four contains a federal cause of

action to be used against credit reporting agencies that publish untrue statements. It is exactly like the present libel law except that it removes the conditional privilege requiring malice which credit reporting agencies not utilize to avoid liability.

Section five adds a new title to the law which will require federal licensing of those who work as credit investigators. The President is directed to establish a Board of Consumer Investigator Examiners which will set up appropriate examinations and licensing procedures for the credit investigators.

The Board shall issue a license to engage in this type of activity to a person who is (1) a citizen of the United States, (2) at least 18 years of age, (3) is of good moral character, (4) has passed any examination prescribed by the Board.

The Board may hold hearings to carry out its function and has subpoena power to call witnesses. It may refuse to issue or revoke a license if it finds the holder or applicant (1) has been convicted of a felony or misdemeanor involving moral turpitude (2) or engaged in unethical activity.

There is a provision for sanction, and proper due process procedures.

KOSCIUSZKO HOME NATIONAL MEMORIAL GIVES SPECIAL SIGNIFICANCE TO 227TH ANNIVERSARY CELEBRATION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ANNUNZIO. Mr. Speaker, February 12 is the 227th anniversary of the birth of Thaddeus Kosciuszko, the great Revolutionary War hero, who fought for freedom on both sides of the Atlantic.

Tadeusz Andrzej Bonawentura Kosciuszko was one of the most outstanding of the Polish patriots who contributed to the American struggle for independence a much-needed scientific knowledge of military engineering and an unwavering enthusiasm for the cause of freedom.

As one of those deeply involved in the passage of the bill in the 92d Congress to officially designate the Kosciuszko Home in Philadelphia as a National Memorial, this occasion is of special significance to me. It is important for Americans to remain aware of the fact that American greatness is the result of vital contributions made by all of our ethnic groups and certainly the outstanding contributions of Polish-Americans to the growth and advancement of our country merits the recognition that has now been officially extended through designation of the Kosciuszko Home as a National Memorial.

Under the terms of the First Partition in 1772, Poland was divided up among its greedy neighbor-states, with connivance and cooperation of certain Polish nobles, and at the expense of any Polish citizens hostile to its purpose. The same spirit prevailed in England, where the government was bent upon a policy of bleeding dry its American Colonies, in the interest of British nobility, at the expense of the American people.

Against the tyranny of the Polish partition, a large number of Polish aristocrats and gentry offered open re-

sistance, and for so doing were driven from their homeland. Siding with the patriots, Kosciuszko became an exile in search of justice far from home.

Abandoning his commission in the royal Polish forces, he left his homeland temporarily to serve under Washington in the American response to British oppression. As a military engineer of some consequence, he was welcomed with open arms by the Continental Army. He was first employed in designing the defenses on the Delaware River, the success of which gained for him a colonel's commission and appointment to the staff of General Gates at Ticonderoga. He was the major adviser in fortification of Mount Defiance at Ticonderoga, and the failure to follow his advice in defense of the post was responsible for its capture by the British.

The American defeat of Burgoyne at Saratoga, which was largely responsible for the entrance of France into the war on the American side, was in part the result of Kosciuszko's counsel, and the construction of American fortifications at West Point was in accordance with his design. Transferred to North Carolina, Kosciuszko served as chief of engineers and transportation officer under General Greene, who praised him for his part in the rout of British forces in the area.

The fortification of the Heights of West Point was Kosciuszko's most important undertaking in America. To maintain West Point meant to command the Hudson, and in the words of General Washington:

The Hudson River was indispensably essential to preserve the communication between the Eastern, Middle, and Southern States.

In the midst of difficulties similar to those of Valley Forge, Kosciuszko labored for over 2 years, and within that time made West Point impregnable. General Armstrong wrote:

Kosciuszko's merit lies in this, that he gave the fortifications such strength they frightened the enemy from all temptation of even trying to take the Highlands.

Hailed as a hero by Americans in general, and honored on every side for his contributions to American Independence, Kosciuszko returned to Poland in 1784, and was soon involved in the heroic struggle for Polish independence. Here he was defeated by overwhelming odds—but his name looms large in Polish history, as in American history, despite defeat. He was among the bravest and the ablest of his kind, deserving the respect of every American concerned for our record of National accomplishments.

Kosciuszko spent 6 years in the American Army. His long, faithful, and meritorious service was recognized in 1783 when the Congress made him a brigadier general.

It is an honor for me to join with the American Polonia in this commemoration and I extend my greetings to the Polish-American residents of the 11th Congressional District of Illinois which I am privileged to represent, the city of Chicago and the Nation as they pay tribute to General Kosciuszko and his dedication to the cause of liberty.

MACHINE TOOL LOAN PROGRAM IS IN DANGER

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. JAMES V. STANTON. Mr. Speaker, several months ago I learned of a dispute involving the administration and the House and Senate Appropriations Committees which may result in the termination of a very worthwhile program under which machine tools in the Defense Department's National Industrial Equipment Reserve are loaned to schools for use in vocational education programs. Because this program has not yet been funded for fiscal year 1973, a freeze has been placed upon all new tool loans, and unless a settlement is reached in the near future, the loan program will be completely dissolved. The Brooklyn, Ohio, school system in my district is one of those adversely affected by this freeze.

The dispute arose last year when the administration suggested that the \$2 million budget for the machine tool loan program be shifted from the General Services Administration, where it had been for many years, to the Department of Defense. While the Senate Appropriations Committee approved this change, the House committee did not, and so the program is now in limbo.

I believe it is senseless to have these machine tools just lying idle and gathering dust at a time when they could be put to a highly useful purpose in helping to educate those interested in the machine tool trades. For this reason, I have attempted to inform the interested parties of the seriousness of the situation, and to urge that action be taken to ensure that the program is continued.

I would now like to insert into the RECORD copies of several letters I have sent and received on this matter, and an article and an editorial on it that appeared in the Cleveland Plain Dealer:

[From the Plain Dealer, Dec. 15, 1972]

BUDGET BOO-BOO

Vo-Ed Shops, Including One Here, Suffers
(By Robert J. Havel)

WASHINGTON.—A budgetary blooper by the White House and bureaucratic bungling have imperiled a low-cost federal program that each year helps train 35,000 students and poor people to become skilled machinists.

A Cleveland-area high school is one of the first victims.

The program, an offshoot of a reserve of machine tools the Defense Department maintains for a national emergency, is in danger of dying because of a goof by the White House's Office of Management and Budget (OMB) and infighting between defense and the General Services Administration (GSA), plus sparring in the appropriations committees on Capitol Hill.

Nowhere, it seems, in a federal budget of more than \$250 billion can be found the less than \$2 million needed for the program.

The National Industrial Equipment Reserve, created in 1948, was used extensively in the Korean War by defense-supporting industries but not much in the Vietnam war.

Since 1958, defense has had a program whereby tools in the reserve were lent to vocational training schools. The program has

been administered by GSA, the government's housekeeper, at an annual cost of \$1.8 million.

The government got free storage of tools, while the schools had the free loan of costly equipment. The schools had to pay only for shipping the tools and their upkeep. The tools could be recalled in an emergency by the Defense Department.

The pool contains some 11,000 tools worth about \$80 million. About 8,000 of these, worth some \$35 million, are on loan to 399 institutions in 44 states. Forty more schools, including Brooklyn (O.) High School, were awaiting shipments when the ax fell.

Early this year, in an effort to tidy up the budget, OMB decided that the program was more properly a function of the Defense Department than of GSA but in preparing the budget OMB did not include the program anywhere.

"OMB goofed," said a source close to the House Appropriations Committee.

In testimony before the defense appropriations subcommittee, defense sought to take over the program. There were no funds in its budget request to pay for it, but the department said it would scratch up the money somewhere.

"Privately, though," the committee source said, "defense was not hepped up about taking it over. They didn't really think it belonged in the defense budget."

Neither did Rep. George H. Mahon, D-Tex., the committee chairman, and neither funds nor authority for the program were included in the House version of the defense appropriations bill.

Later efforts in the Senate to put the program in the defense budget failed.

So the program is dying and GSA is discharging 90 employees who administered it.

In response to a question, a defense spokesman at first said the tools now at schools would be recalled—which would seriously disrupt training programs. Later, however, the spokesman said the tools will remain at the schools.

"Nothing will move, because there is no money to move," he said. "We are hoping to get the money to continue to program."

Out of the program, though, is Brooklyn High School. A letter went out to Brooklyn school officials and 39 others in a similar fix telling them the program had ended.

William Pearce, director of vocational education at Brooklyn, wrote Rep. James V. Stanton, D-20, Cleveland, citing the hardship that the discontinuation worked on the school.

The school had applied last May for tools worth \$30,000 and was to pick them up last month.

Pearce said the equipment was "desperately needed" and its lack would "seriously deter" his vocational education program.

Stanton wrote to OMB protesting the dropping of the program. The program, he said, "would seem to further the work ethic about which the President has often spoken."

[From the Cleveland Plain Dealer,
Dec. 22, 1972]

REVIVE VO-ED TOOL LENDING

U.S. Reps. William E. Minshall Jr., R-23, and Louis Stokes, D-21, should use their influence in the coming session of Congress to help revive a program that allows schools to borrow Defense Department reserve tools.

Both serve on the House Appropriations Committee and Minshall on a Defense subcommittee that will consider the matter when the 93d Congress convenes next month.

The program was discontinued this year through a bureaucratic mixup between the White House's Office of Management and Budget (OMB), the Defense Department and the General Services Administration (GSA).

Operated at an annual cost of less than \$2 million, the program enabled vocational

training facilities to borrow the tools by paying transportation costs. The government, in turn, received free storage and maintenance for the tools. In the event of an emergency, the tools could be recalled.

The program, in operation since 1958, has been used by 339 institutions in 44 states. The Cleveland suburb of Brooklyn was one of 40 more schools scheduled to participate in the program this year. Without the tools, Brooklyn school officials say, their educational efforts will be seriously hindered.

It would be foolish to end the program because of this one instance of intergovernmental bungling. We see no good reason why the confusion cannot be straightened out and the program made operational again. Congressmen Stokes and Minshall can be instrumental in bringing this about.

BROOKLYN CITY SCHOOL DISTRICT,
BOARD OF EDUCATION,
Brooklyn, Ohio, November 7, 1972.

HON. JAMES V. STANTON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN STANTON: We need your help!

We had scheduled an appointment to visit DIPED-SOP (NIER) at the Defense Industrial Plant Equipment Center in Memphis, Tennessee last Monday, November 6, for the purpose of screening the inventory and selection of available excess property for loan to the Brooklyn High School Vocational Department. This agency is funded through General Services Administration Property Management and Disposal Service. Mr. W. G. Mears, Chief, Management Support Office, sent us a letter of notification that the arrangements were canceled because all NIER functions have been suspended due to a cut-off of funds.

Can you enlighten us about the problem? We very desperately need this equipment. When we set up our school budget for next year, we were anticipating acquiring an estimated \$30,000.00 worth of excess property for use in our Vocational Education Machine Trades Program.

We here in Brooklyn have introduced a very fine vocational education program that is now in its third year of operation. Our community, as you know, is made up primarily of working class people who are vitally interested in having their children receive vocational education. Close to 50% of Brooklyn junior and senior students are currently enrolled in vocational programs. When our program was in the planning stage, our tax base was an expanding one. Now the reverse is true and we no longer receive funds in the former amount.

This cancellation will seriously deter the vocational education in this school district. With our curtailed budget, there is no possible way we can purchase this equipment.

Please give us whatever information and help you can.

Sincerely,

WILLIAM G. PEARCE,
Vocational Director.

DECEMBER 5, 1972.

Mr. ROY L. ASH,
Director, Office of Management and Budget,
Executive Office Building, Washington,
D.C.

DEAR MR. ASH: Because of a dispute involving the Office of Management and Budget and the House and Senate Appropriations Committees, the program operated by the General Services Administration in which machine tools in the National Industrial Equipment Reserve are loaned to vocational education programs in schools has not yet been funded for Fiscal Year 1973.

As I understand it, the Office of Management and Budget recommended that the approximately \$2 million allotted for the

program be shifted from the GSA to the Department of Defense budget. The Senate approved this shift, but the House Defense Appropriations Subcommittee refused to allow this program to become a part of the defense budget. As a result, the program has come to a halt and a hold has been placed on all machine tools loans.

My concern over this program stems from the fact that the city of Brooklyn, Ohio, a community in my District which offers an excellent vocational education program to its high school students, had been scheduled to receive some twenty pieces of desperately needed equipment from the NIER just this past month. School officials began the process of applying for the tools last May and were scheduled to visit the Defense Industrial Plant Equipment Center in Memphis on November 6 to choose their equipment when, at the last minute, their appointment was canceled.

Brooklyn's need for this machinery is great. Almost half of their junior and senior students are enrolled in the vocational education program, and their tight budget makes it impossible for them to purchase this equipment. The shame of this situation is that the machinery is available and is now sitting idle in government warehouses. How senseless it is that because of a bureaucratic dispute, this machinery is just gathering dust at a time when it could be put to a highly constructive purpose in training high school students.

In no way can these machine tool loans, which cost the government very little and benefit the nation so much, be viewed as being in conflict with any Administration policy, and indeed, they would seem to further the "work ethic" about which the President has often spoken. I am certain the Administration would not want to see so worthwhile a program curtailed because of bureaucratic in-fighting and penny-pinching in the extreme. Thus I urge that you use your influence to put an end to the disputes which have hampered these loans.

Sincerely,

JAMES V. STANTON,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., January 4, 1973.

HON. JAMES V. STANTON,
House of Representatives,
Washington, D.C.

DEAR MR. STANTON: This refers to your letter to Mr. Ash of December 5, 1972, concerning the National Industrial Equipment Reserve program which involves loans of machine tools to vocational education programs.

The President's 1973 Budget proposed that funding for the administrative expenses of the NIER program be shifted from the General Services Administration to the Department of Defense. In reviewing the 1973 budget proposals we concluded that this was not a high priority program and should be subject to examination by the Congress as part of their action on the 1973 Defense program. The budget proposed that 16 programs be absorbed within existing Defense Department funds.

As you know, the Congress decided not to provide funds for continuation of the Industrial Reserve program. While this action was, I am sure, the result of many considerations, I would point out that Mr. Mahon expressed concern that this program appeared to be based more on vocational training objectives than on defense requirements.

In view of the congressional action leading to termination of the NIER program I understand that the Department of Defense is considering a number of alternatives relating to the future of NIER and other Defense equipment reserves. To the extent that any of the stockpiled equipment is declared excess, it

could then be donated to educational institutions for vocational training programs. I appreciate your interest in this matter.

Sincerely,

WILLIAM L. GIFFORD,
Special Assistant to the President.

HOUSE OF REPRESENTATIVES,
Washington, D.C. February 5, 1973.

HON. GEORGE H. MAHON,
Chairman, House Appropriations Committee,
H218, The Capitol.

DEAR MR. CHAIRMAN: We are among the Congressmen in whose District is located one or more vocational education programs which have applied for the use of machine tools in the National Industrial Equipment Reserve, but which did not receive any tools due to the freeze on loans effected several months ago. As you know, because of a dispute involving the Administration and the House and Senate Appropriations Committees, the machine tool loan program has not been funded for Fiscal Year 1973, and it may be completely terminated—a process that would involve recall of the 8,000 pieces of machinery now on loan to some 400 schools—in the near future.

There can hardly be a more worthwhile program than this one. Under it, over 35,000 students are now having their education in the machine trades enhanced through the use of equipment made available by the Federal Government. Without the use of these tools, many vocational education programs will simply have to cut back, because this equipment is not available from any other source at a reasonable cost. Schools can no longer participate in the excess property program, and the selection of equipment available in the surplus property program is very limited, the tools that are available being low in quality. How can we seriously speak of our commitment to, in the President's words, "work, not welfare," at the same time we are terminating a program which facilitates the training of those wishing to become proficient in this important field.

To maintain the loan program, the Federal Government expends about \$2 million a year. Yet because the schools involved pay the cost of transporting, installing, and maintaining the machinery they borrow, it could be that the Government will incur greater costs in terminating the program than in continuing it. But beyond this question, the shame of this situation is that the machinery is now just gathering dust at a time when it could be put to a highly constructive use.

Now the question is, who will undertake the task, who will assume the responsibility of ensuring that the machine tool loan program is not discontinued. The Administration has so far not taken any action to save the loan program. Attached is a copy of a letter from an Administration official in which he blames Congress for the impasse, and he refers specifically to your opposition to placing the program in the Defense budget.

It is very understandable that you, in your role as chairman of the House Defense Appropriations Subcommittee, would not want to burden the Defense budget with an item that for years has been funded by another agency. However, in your role as chairman of the House Appropriations Committee you can of course act to see that the machine tool loan program is funded *somewhere* in the budget. Representatives John Anderson, Albert Quie, and John Brademas have already initiated legislation to continue funding of the program through GSA. Whether this approach or another is taken, we cannot accept the notion that Congress is helpless on the question and cannot act on its own to save so worthwhile a program. In this effort, we request your assistance.

Sincerely,

Bill Alexander, M.C., Bob Bergland, M.C., Richard Bolling, M.C., Donald Brozman, M.C., Robert Drinan, M.C., Gerald Ford, M.C., Edwin Forsythe, M.C., Earl Landgrebe, M.C., William Maillard, M.C., Robert Mollohan, M.C., Bill Nichols, M.C., James V. Stanton, M.C., and John Zwach, M.C.

A PUBLIC EMPLOYEE MERIT SYSTEM

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, it is time that the Federal Government lay out guidelines for public employer-employee relationship, and it is for this reason that I am today introducing the "National Public Employee Merit System and Representation Act."

The major purposes of this proposal are to provide public employees the right to self-organization, or to refrain from such organization; to establish equitable standards of hiring, retention, and promotion; to provide a grievance procedure, and to allow for free collective bargaining; to give definition to "unfair labor practices" for both the public employer and the public employee; and, finally, to establish a five-man National Public Employee Relations Commission to be responsible for enforcement of the act.

A full text of the bill follows:

H.R. 4293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Public Employee Merit System and Representation Act of 1973."

DECLARATION OF POLICY

SEC. 2 (a) It is the policy of the United States that public employees be selected, promoted and retained on the basis of merit and fitness without regard to sex, race, religion or political or organizational affiliation, and that they be afforded the rights to which all employees working in a free, democratic society are entitled.

(b) The failure by some public employers to establish and maintain merit systems, the denial by some public employers of the right of public employees to form, join, and participate in employee organizations of their own choosing, and the refusal by some public employers to adopt laws and procedures for employee representation deprive public employees of the effective exercise of rights guaranteed under the Constitution, deprive the public and employees of a fair and efficient government service, and also leads to strikes and other forms of strife and unrest with the consequence effect or obstructing the flow of commerce thereby denying the right of citizens of the United States to exercise rights protected by the Constitution and interfering with the normal and necessary operations of government.

(c) Experience in public personnel administration has proven that the constitutional rights of employees, and particularly the disadvantaged, are better protected and their civil rights enhanced by providing opportunities for appointment, advancement, and protection of employment through merit systems.

(d) It also has been proven that protection by law of the rights of employees to form, join, and participate in employee or-

ganizations of their choice and to bargain collectively protects commerce and the public interest therein from injury, impairment or interruption, including commerce among the States; safeguards rights guaranteed by the Constitution; and promotes the flow of commerce by removing recognized sources of strife and unrest. Protection of these employee rights encourages practices fundamental to the peaceful adjustment of employment relations disputes and fosters democratic relationships between public employees and employees.

(e) It is further declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce among the States, to mitigate and eliminate these obstructions when they occur, and to protect the effective exercise of rights guaranteed by the United States Constitution by promoting the establishment and maintenance of merit systems of personnel administration at all levels of government, and providing for the positive participation of public employees in the formulation and implementation of personnel policies and procedures through collective bargaining and other forms of employee representation.

DEFINITIONS

SEC. 3. When used in this Act, the term—

(1) "public employer" means each State, and each political subdivision thereof, including but not limited to, any town, city, county, borough, district, public or quasi-public corporation, or other government authority or public agency established by State or local law;

(2) "public employee" means any individual employed by a public employer except (A) individuals employed by the legislative or judicial branch of a public employer, (B) officials elected to office, and (C) officials appointed by the chief executive officer of a public employer who determine policies to be pursued by such employer in such employer's relations with other public employers or with the government of the United States or in the administration of State and local laws;

(3) "employee organization" means an organization the membership of which is composed of public employees and which has as one of its primary purposes the representation of such employees in their dealings with public employers concerning grievances, labor disputes, wages, hours of employment, and other terms and conditions of employment;

(4) "Commission" means the National Public Employee Relations Commission;

(5) "collective bargaining" means the mutual obligation of a public employer and the representative of an employee organization (which is recognized for the purpose of collective bargaining) when in disagreement over employment conditions, employer-employee relations (including questions concerning wages and hours of work), or any other terms and conditions of employment to personally meet and through the free exchange of information, opinions, and proposals to endeavor to reach agreement on matters in dispute in good faith within a reasonable time and to execute upon the request of either party, a written contract incorporating any agreement reached, but such obligation shall not compel either party to agree to any proposal or to make any concession;

(6) "tenure" means the granting of permanent employment status by a public employer to a teacher; and

(7) "State" means each of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.

RIGHTS OF PUBLIC EMPLOYEES

SEC. 4. Each public employee has the right of self-organization and to engage in collective bargaining through representatives of his choice free from interference, restraint,

or coercion, and the right to refrain from any or all of such activities.

EMPLOYMENT STANDARDS

SEC. 5. (a) For the purpose of carrying out the provisions of this Act and as a condition of eligibility to receive any funds from the Federal Government which may be used to finance any program conducted in a State, each State shall establish a public personnel system which shall be in effect and applicable to each public employer within such State and which shall—

(1) provide, in the case of public employees, that permanent appointments, promotions, and retention in positions be made exclusively on the basis of merit, fitness, and efficiency, without regard to sex, race, religion or political or organizational affiliation;

(2) provide that the right of each public employee to freely join or not join and be represented by an employee organization be guaranteed;

(3) provide that the right of an employee organization to represent its membership in determining terms and conditions of employment be recognized;

(4) provide (A) that each public employer shall adopt procedures for collective bargaining which shall include provisions for the adjudication of grievances and guarantee to public employees the right of collective bargaining and (B) procedures for the presentation and consideration of petitions from public employees;

(5) provide that each public employer will provide reasonable assistance to employee organizations including withholding of employee organization membership dues;

(6) provide for the establishment or designation of one State agency which shall be responsible for public employee relations and which shall (A) have the power to hold hearings and issue subpoenas, and (B) establish appropriate procedures to resolve recognition and representation disputes, to assure adherence to the law by all parties to such disputes, and to furnish the means of settling controversies arising out of unfair labor practice charges or negotiation impasses; and

(7) provide for the establishment of (A) a grievance procedure under which a public employee who has in any manner been adversely affected in his employment by an action or failure of action by a public employer, a supervisor, or another public employee shall be entitled to a fair hearing, (B) a tenure system under which a teacher employed by a public employer may be granted permanent employment status, (C) a procedure for providing the opportunity for a fair hearing before any public employee may be demoted, suspended or dismissed, or denied or deprived of tenure or status, and (D) a means for protecting the rights guaranteed public employees under section 4 of this Act and for resolving charges concerning unfair labor practices.

(b) (1) In order to promote uniform and effective public personnel administration and to facilitate the administration of Federal grant-in-aid programs and projects undertaken by public employers and as a condition of receiving such aid and assistance, each public employer shall, by July 1, 1975, adopt a program complying with the standards set forth in subsection (a), or shall give satisfactory assurance to the Commission established under section 7 of this Act that the public employer will conform to such standards.

(2) The Commission; upon finding that any public employer is not complying with the requirements of subsection (a), may order any such public employer to establish a public personnel system in accordance with subsection (a).

(3) Upon a finding that any order issued under paragraph (2) has not been implemented, the Commission may direct the suspension of any payment otherwise payable under the provisions of any Federal

program to such employer and shall notify each department, agency, or instrumentality of the Federal Government from which such payment would be received of its action.

(4) Notwithstanding any other provision of law, each department, agency, or instrumentality of the Federal Government shall, upon receipt of any order issued under the provisions of this subsection, suspend the payment of any funds which are directed to be suspended by such order and otherwise comply with the terms of such order.

UNFAIR LABOR PRACTICES

SEC. 6. (a) It shall be an unfair labor practice for a public employer—

(1) to interfere with, restrain or coerce public employees in the exercise of the rights guaranteed under section 4 of this Act;

(2) to dominate, interfere or assist in the formation or administration of any employee organization;

(3) to encourage or discourage membership in any employee organization through use of discriminatory practices with respect to hiring, granting tenure, or deciding any other condition or term of employment;

(4) to discharge or otherwise discriminate against a public employee because he has filed a complaint, affidavit, petition or given any information or testimony regarding his employment;

(5) to refuse to bargain collectively in good faith; or

(6) to fail to comply with the policies and standards of this Act.

(B) It shall be an unfair labor practice for an employee organization or its agents—

(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed by section 4 of this Act, but this paragraph shall not affect the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) a public employer in the selection of his representative for the purpose of collective bargaining or the adjustment of grievances;

(2) to cause or attempt to cause a public employer to discriminate against a public employee in violation of subsection (a) (3) or to discriminate against a public employee with respect to whom membership in such organization has been denied or terminated on a basis other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership; or

(3) to refuse to bargain collectively in good faith with a public employer.

ESTABLISHMENT OF COMMISSION

SEC. 7. (a) (1) There is hereby established the National Public Employee Relations Commission which shall be responsible for the enforcement of the provisions of this Act. The Commission shall be composed of five members appointed by the President by and with the advice and consent of the Senate. Each member of the Commission shall receive compensation at the rate prescribed by section 5314, title 5, United States Code, for executive officers of level III. The members of the Commission shall not engage in any other business, vocation, or employment during the term of their appointment.

(2) Each of the original five members of the Commission shall be appointed for terms of one, two, three, four, and five years respectively, as determined by the President, but the term of office of each member appointed thereafter shall be five years, except that any individual appointed to fill a vacancy on the Commission shall be appointed only for the unexpired term of the vacating member.

(3) Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(4) Any vacancy in the membership of the Commission shall not affect its powers

and shall be filled in the same manner as the original appointment was made.

(5) The Chairman of the Commission shall be designated by the President.

(6) Three members of the Commission shall constitute a quorum.

(b) (1) For the purpose of conducting hearings and investigations, the Commission, or its duly authorized agent, shall at all reasonable times have access to, for the purpose of examination, and the right to copy, any evidence in the possession or control of any person being investigated or proceeded against if such evidence relates to any matter under investigation or in question. The Commission, or any member thereof, shall upon application of any party to such proceedings, issue to such party subpoenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within five days after the service of a subpoena on any person requiring the production of any evidence in his possession or under his control, such person may petition the Commission to revoke, and the Commission shall revoke, such subpoena if, in its opinion, the evidence required to be produced does not relate to any matter under investigation, or to any matter in question in such proceedings, or if, in its opinion, such subpoena does not describe with sufficient particularity the evidence required to be produced. Any person may appeal the Commission's revocation of a subpoena to any district court of the United States or the United States courts of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on. Any member of the Commission, or any agent designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any territory or possession thereof, at any designated place of hearing.

(2) In the case of contumacy or refusal to obey a subpoena issued to any person, any district court of the United States or courts of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which such person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission or any party to a proceeding under this section shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, or agent, to produce evidence if so ordered, or to give testimony relevant to the matter under investigation or in issue; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that any such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(4) Complaints, orders, and other process and papers of the Commission, its member, or agent, may be served either personally or by registered or certified mail or by telegraph or by leaving a copy thereof at the principal

office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed shall be proof of service of the same. Witnesses summoned before the Commission, its member, or agent, shall be paid the same fees and mileage as are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(5) All process of any court to which application may be made under this Act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

(6) The several departments and agencies of public employers and employee organizations shall furnish the Commission, upon its request, all records, papers, and information in their possession relating to any matter before the Commission.

(7) Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its agents or agencies in the performance of duties pursuant to this Act shall, upon conviction, be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or both.

(c) The Commission shall adopt, promulgate, amend, or rescind such rules and regulations as it deems necessary and administratively feasible to carry out the provisions of this Act. Public hearings shall be held by the Commission on any proposed rule or regulation of general applicability designed to implement, interpret or prescribe policy, procedure, or practice requirements under the provisions of this Act and on any proposed change to any such rule or regulation. Reasonable notice shall be given prior to such hearings, which shall include the time, place, and nature of such hearing and also the terms or substance of the proposed rule or regulation or the proposed changes to such rule or regulation.

(d) (1) There shall be a General Counsel of the Commission who shall be appointed by the Commission and who shall receive compensation at the rate prescribed by section 5315, title 5, United States Code, for executive officers of level V. The General Counsel shall be authorized to investigate alleged violations of this Act, to file and prosecute complaints and represent the Commission in all legal proceedings. The General Counsel shall exercise such other powers as the Commission may prescribe.

(2) All expenses of the Commission, including all necessary travel and subsistence expenses incurred by its members or employees, shall be paid after approval by the Commission or any individual designated for that purpose by the Commission.

(3) The Commission may hire such employees as it deems necessary for the proper performance of its duties.

(e) The Commission shall at the close of each fiscal year submit a report in writing to the Congress and to the President stating the cases it has heard, the decisions, it has rendered, the names, salaries, and duties of all employees and other individuals under the supervision of the Commission, and an account of all moneys disbursed.

(f) The principal office of the Commission shall be in the District of Columbia, but the Commission may meet and exercise any or all of its powers at any other place.

MERIT SYSTEM

SEC. 8. Nothing in this Act or in any proceeding adopted hereunder shall be construed to require public employers to enter into agreements under which appointments and promotions in the public service shall be

made on any basis other than merit, fitness and efficiency and without regard to sex, race, religion or political or organizational affiliation.

SEVERABILITY

SEC. 9. If any provision of this Act, or the application of such provision to any person or circumstance is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

COMPENSATION OF COMMISSION MEMBERS

SEC. 10. (a) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(59) Members, National Public Employee Relations Commission (5)."

(b) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(97) General Counsel of the National Public Employee Relations Commission."

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 12. The provisions of this Act shall become effective 90 days after the date of enactment.

EXIMBANK AND SUBSIDY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HANNA. Mr. Speaker, on January 23, 1972, the senior Senator from Wis-

consin included in the RECORD his correspondence with several economists from various universities. The subject of the correspondence was the thus far fruitless debate as to whether or not the activities of the Eximbank constitute a subsidy to businesses in the United States. The Senator's criticisms of the Bank rely heavily on a paper written for the Joint Economic Committee by Dr. Douglas Bahi. At the Senator's request, the university economists reacted to the Bahi paper and a "reply" paper by Dr. Howard Piquet. It is clear from reading the comments of the economists and of the Senator that the issues raised are unresolved. The economists found, in both papers, the methodology and approach weak and the conclusions suspect. The Senator, apparently ignoring these comments, restates his conviction that Eximbank constitutes a subsidy to exporters.

Mr. Speaker, the senior Senator from Wisconsin has very seriously misdirected his attention. Whether or not Eximbank is subsidizing exporters is academic. The issue to which we should apply our attention is the fact of our loss of competitiveness in the world economy, the decline in our trade balance from a deficit of \$2.01 billion in 1971 to a deficit of \$6.44 billion in 1972, the very serious impact this has on our people, and what we can do about it. Eximbank is only one of the available tools for resolving our problem. It is pointless to argue about contradictions to free enterprise principles. In our present trade situation, we

can ill afford to indulge in the luxuries of academic arguments raised by the Senator.

One of the principal reasons for our decline as a trading power in recent years has been that other countries have become vigorous trade promoters, selling the products of their economy to the world's consumers, while the United States sits back and assumes that trade will take place as a natural course of events. World trade may be a natural phenomenon but that does not guarantee us a profitable position. We must realize that the world economy is now a very competitive ball game in which the best promoter wins.

If we are to recapture our favorable trade balance, we must stop assuming the marketability of U.S. products. We must assess world consumer demand, produce for that demand, and promote our goods in competition with those of other countries. Disjointed incrementalism is not sufficient. We need an arsenal of public policy weapons designed to promote exports.

In this regard, we should see Eximbank as one of the needed weapons. This is not to say that Exim as presently operating can do the job outlined above. To do so, the Bank needs to be expanded somewhat in scope and authority. In order for the Bank to help U.S. enterprises respond to a realistically assessed world marketplace, it must have the flexibility for long-term financial planning. I very much appreciate the natural congressional watchdog instinct that wants to keep everything tied to annual appropriations. I must say, however, that Exim is not like an agency operating entirely within the confines of the U.S. Treasury. It should not be if it were. The Bank needs to have the ability to make long-term economic decisions in response to the trends of the world marketplace. This means financial planning with an international perspective. Only with this flexibility can the Bank help U.S. exporters respond to world economic trends.

A second questionable approach to our trade problems was announced by the President's Council of Economic Advisers' Chairman, Dr. Herbert Stein. In testimony before the Joint Economic Committee on February 6, 1973, Dr. Stein suggested that the United States might have to impose a surcharge on imports. It seems clear that the purpose of this threat is to force a more conciliatory posture on some of our trade partners in the next round of talks on the international monetary system.

In light of the fact that our overall trade balance went from a surplus of \$0.7 billion to a deficit of \$4.1 billion in 1972, the use of a surcharge will no doubt strike responsive chords in many quarters. I, for one, feel rather dubious about the credibility of such a threat and, if the surcharge is imposed, the overall impact on our national interests.

I am particularly concerned that an indiscriminate application of a surcharge will have its greatest harmful effect on parties with which we presently enjoy a favorable trade balance. The use of punitive import policies in the past, such

as the blanket 10-percent surcharge used in 1971, had disastrous effects on countries such as Canada, Mexico, Taiwan, Korea and others with which our trade relations have been very beneficial.

Not only do we risk cutting off our own nose to spite our face in terms of trade, but we also risk a serious political backlash from countries all over the world, whose imports, although contributing slightly to our trade deficit, are essential to their domestic economies. To apply a surcharge on their products is to use a sledge hammer to swat a fly.

Of course, some people will argue that policies must be applied in an evenhanded way. It is very appealing to argue that we must treat everyone alike in our trade policies. This, I must insist, would be unrealistic and directly contrary to our own best interests. Why should we be evenhanded in an uneven world? We should not treat all countries the same, simply because they are not the same. We should not make our friends the victims of our quarrels with a few countries, nor should we hide our intentions and our goals. We should make crystal clear to everyone where the problems are and who the targets are for punitive action if we find that we have no other choice but to use punitive trade policies, such as a surcharge on imports.

Mr. Speaker, I hope that we will not find it necessary to use the import surcharge, for it will surely mean higher prices for American consumers. It is a dangerous, double-edged sword. If forced to use it, however, we must make its application realistically relative so as to minimize its negative effects and maximize its intent.

NO-FAULT INSURANCE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. PEYSER. Mr. Speaker, today I introduced a concurrent resolution which would make it the sense of the Congress that the 93d Congress enact immediately a system of no-fault insurance to govern interstate motor vehicle accidents.

Currently, we are faced with a crisis in regard to automobile liability insurance. The ever increasing cost of insurance reflects the increased cost of litigating civil damage suits. Our courts are overburdened by these cases, and the subsequent backlog in our justice system means injustice for all those concerned.

Many States, attempting to effect a solution to this mounting problem, have adopted no-fault automobile insurance laws, which have been successful. One problem has developed, however, and it is this problem to which the Congress must address itself. Specifically, this is the "patchwork" system of insurance laws that are proliferating and creating an inequitable system of justice. Since we are a mobile Nation, engaged in much interstate travel, it is not equitable that one State have a system of no-fault and

a neighboring State not, so that an injured party might find no avenue of relief after an accident. We need a uniform system of liability insurance, and I suggest that no-fault be that system.

GOVERNMENT SERVICE—A TEXAS TRADITION

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. STEELMAN. Mr. Speaker, over the years the State of Texas has contributed many great leaders of both parties to the affairs of state. The list is long and includes such notables as former Presidents Dwight David Eisenhower and Lyndon Baines Johnson; Sam Houston, U.S. Senator and later, Governor of Texas; Jesse H. Jones, Secretary of Commerce under Franklin Roosevelt; John Nance Garner, Vice President in the first two Roosevelt administrations and a Speaker of the House; Tom C. Clark, former U.S. Attorney General and a retired Associate Supreme Court Justice; Mrs. Oveta Culp Hobby, the first Secretary of Health, Education, and Welfare; Senator Tom Connally, chairman of the Senate Foreign Relations Committee during the Roosevelt and Truman administration; Sam Rayburn, Speaker of the House; Robert Anderson, Secretary of the Treasury in the Eisenhower administration, and John Connally, Secretary of the Treasury under President Nixon.

Texans have been in every facet of Government service and have always worked for the benefit of the people of this country. Service is a Texas tradition and in this tradition I am proud, as a Texan, to honor three people now in top level positions: Mrs. Anne Armstrong, Counselor to President Nixon; George Bush, chairman of the Republican National Committee; and William P. Clements, Jr., Deputy Secretary of Defense.

Anne Armstrong is the first woman to achieve the rank of Counselor to the President. In this position she has full Cabinet privileges and will be concerned with domestic issues, especially those of interest to women. She is also a member of the Cost of Living Council.

Mrs. Armstrong came to this position from that of cochairman of the Republican National Committee, in which capacity she served from January 1971 to January of this year. Once again she achieved a first by being the first woman to ever cochair a national party.

A graduate of Vassar College, where she was a member of Phi Beta Kappa, Anne Armstrong has always been involved in ways to improve the American standard of living. Whether it is in the opening of a one-room school near the Armstrong Ranch in Texas or in her work on the board of directors of Stratford Hall, Robert E. Lee Home, Anne Armstrong is concerned—concerned with helping other people.

She is a past vice chairman of the Texas Republican Party and was a na-

tional committeewoman from Texas. In 1964 and 1968 she was a delegate to the Republican National Convention and served on the platform committee. In 1968 she was on the steering committee of Texas Women for Nixon. Anne Armstrong is a founder of Tops 'N Texas, an annual statewide awards program which recognizes three women for outstanding community achievement.

She is a member of the Defense Advisory Committee on Women in the Services, under the jurisdiction of the Department of Defense. She was elected a member of the county board of education in Kenedy County, Tex., in 1968 and re-elected in 1971. She is a member of the advisory committee of the Eagleton Center for American Women and Politics at Rutgers University.

Mrs. Armstrong is determined that the Republican Party become a party for all people and is working to achieve this goal. Her other priority concerns the elevation of more women to key Government posts and in both areas she will be able to use her new position as Presidential Counselor.

George Bush came by his political interest naturally. His father, the late Prescott Bush, served for 10 years as a U.S. Senator from Connecticut.

A Phi Beta Kappa graduate of Yale University, George Bush became active in the Republican Party upon his move to Houston, Tex., in 1959. He served as chairman of the Harris County Republican Party, the largest county organization in Texas, in 1963-64 and was a delegate to the 1964 Republican National Convention. He also, in that year, made an unsuccessful bid for the U.S. Senate but achieved a record Republican vote in Texas at that time. The next 2 years he served as vice chairman of the task force for job opportunity under the National Republican Chairman Ray Bliss.

In 1966 George Bush was elected to Congress from the Seventh District of Texas and, in so doing, became the first Republican Congressman in history to represent Harris County and the city of Houston. He was one of the very few freshmen Congressmen since 1900 to be chosen to serve on the powerful Ways and Means Committee.

In 1968 George Bush was reelected to Congress with no opposition. He was a delegate to the 1968 Republican National Convention and was chosen as one of ten surrogate candidates, authorized to speak in Richard Nixon's behalf during the campaign.

His congressional actions were concerned with urban affairs, revenue sharing, pollution, bilingual education and setting priorities in Federal spending. He urged the creation of an Ethics Committee in Congress and annually made total disclosures of his own assets to the Clerk of the House. He drafted legislation proposing the establishment of a Joint Select Committee on Population and Family Planning and served as chairman of the Republican task force on earth resources and population.

George Bush was appointed Permanent Representative of the United States to the United Nations by President Nixon on December 11, 1970, and was unanimously confirmed by the Senate on

February 10, 1971. He served as Ambassador until resigning in January 1973 to become Chairman of the Republican National Committee. While Ambassador, he was a member of the President's Cabinet and a regular participant in all Cabinet meetings.

William P. Clements, Jr. is a native Dallasite and a graduate of Southern Methodist University. He began his business career with the Oil Well Supply Co. of Houston and remained 9 years with the firm as district manager until 1947, when he founded the Southeastern Drilling Co., now known as Sedco, Inc. Until his recent appointment as Deputy Secretary of Defense, he was chairman of the board of Sedco. Mr. Clements assumed the office of Deputy Secretary of Defense on January 30, 1973.

Mr. Clements has long taken an interest in civic life. He has been president of the five-State south central region of the Boy Scouts of America, a member of the national executive board of the Boy Scouts of America since 1969, executive vice president and director of the Dallas Council on World Affairs, and a member of the Advisory Council of the Southwest Center for Advanced Studies. He is also a trustee of the Southwestern Medical School of the University of Texas and a trustee of the Texas Research Foundation. He was a member of the Department of Defense Blue Ribbon Panel in 1969-70.

The Deputy Secretary previously had been a member of the National Petroleum Council, a director of the Mid-Continent Oil & Gas Association and the Independent Petroleum Association of America, and president of the International Association of Drilling Contractors. He also was a director of the First National Bank in Dallas and the Fidelity Union Life Insurance Co.

Until last week, Mr. Clements was chairman of the Southern Methodist University Board of Governors and on the university board of trustees as well as several university committees. He was chairman of the Board of Governors since 1965. He resigned the position last week to prevent any conflict of interest that might arise from serving both the Defense Department and the university.

The characters and qualifications of these three Texans should emphasize the fact that those persons in positions of leadership today are capable and strong. I am proud that these three, in particular, are from Texas and I know that they will serve their country and its citizens in the best of Texas traditions.

WINT SMITH, FORMER CONGRESSMAN, PAYS TRIBUTE TO THE LATE LYNDON B. JOHNSON

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Mr. FISHER. Mr. Speaker, our former colleague Wint Smith, of Kansas, served here with much distinction. He served with Lyndon Johnson and knew him well. He recently sent me a copy of a

eulogy of the former President which I desire to include in my remarks.

It will be recalled that President Johnson did not choose to seek a second full term in the White House. At that stepping aside, hopefully, the war in Vietnam might be brought to an earlier end.

The eulogy by Mr. Smith follows:

THE LATE LYNDON B. JOHNSON
(By Wint Smith)

Whenever a President or ex-President of the United States dies almost everyone stops and thinks about this loss to our country and tries to assess his worth for the common good and his future historical stature.

Lyndon B. Johnson's death—coming as it did in the midst of world-wide news of the so called peace settlement in Vietnam—did not receive the full assessment that his death would ordinarily have received. This is not to say his death was not fully appreciated by all the news media. His funeral from the Capitol of the United States was most impressive and deserved by any man who has been President of the United States.

Perhaps no President in our history tried as hard as he did to rectify some of the injustices that he felt had long been left undone. No one was ever elected with a greater majority than he up to the time of his election; no one ever tried any harder than he to achieve social justice.

But no President was ever so overwhelmingly elected by his Party and at the end of his four year term driven from his office by those that had elected him. Being forced from office was as tragic as Churchill's defeat at the end of World War II by the unappreciative British voters after Churchill had led the world through the dark days of Nazi German domination to a victory in June 1945. Yet he was forced out of office by an ungrateful people largely due to facts beyond Churchill's control, just as the Vietnam-Kennedy war he inherited.

Lyndon B. Johnson was buried along side an unknown little river—not mentioned in song or story—by the slow moving, sometimes almost dry Pedernales lined with live oak and mesquite trees. Many of our Presidents lie along side of America's famous rivers such as the Potomac and Hudson. Lyndon Johnson came back to the land of his birth. Buried among his ancestors who for two generations before him earned their living with their hands when things were created by hands and not by machines.

Lyndon B. Johnson rose to the highest pinnacle of fame and fortune. This rise was achieved by his own struggle and ability along with deep knowledge of human nature and with the ability to be in the right place at the right time—when the sun would break through to shine on the favorite area. No one in Texas would dispute the fact that Lyndon Johnson was the most astute politician ever developed in Texas and that of course includes Sam Rayburn of Texas, Speaker of the House, who served longer as Speaker than any other man in history. And of course he was ahead of Jack Garner, Vice President of the United States and also Speaker of the House of Representatives.

Lyndon Johnson was never very far from the heart and soul of his beloved hilly Pedernales River country. He knew the details of the early schools, the country ceremonies, the funerals and the marriages. He knew how his neighbors made their living, the sports, hobbies and past-times, and he full well knew that many of these customs and neighborhood values had disappeared.

We in this rural crossroad area should remember a few facts about Lyndon B. Johnson, because he will be the last elected President of the United States who grew up in such a rural country atmosphere. Lyndon Johnson knew what the smell of an after-

noon rain can do to a parched, drouth stricken countryside. He knew the daily duties of an early country farm life—milking cows, shutting farm doors, pulling weeds and cutting cockle burrs. He knew what the sound of a howling, thieving coyote meant when the chicken house door had not been closed at dusk.

He also knew that all Texas men of means wore White Stetson hats. He also knew what this hat meant. Any tall lean Texan wearing a White Stetson hat, clad in high heeled boots could walk into any Texas Bank and pay for the cattle he bought without a letter of credit. Lyndon Johnson also knew that the White Stetson hat was a symbol of courage and honesty made famous by the Texas Rangers who enforced the Law from the Rio Grande to the Oklahoma border. These white hatted Rangers were to Texas what the Red Coated, broad brimmed hatted Canadian Mounties were to the people of Canada.

Perhaps some of you saw the grave side ceremonies at the little country cemetery; you heard the guns; you heard the final rites; you heard Taps played by the Army Bugler. But stop here for a moment—to me, this was the most impressive part of all the ceremonies in connection with the Johnson funeral.

Lyndon Johnson's ancestors fought on the side of the South during the Civil War. Just after the Civil War started and the North had been defeated in their first battle of Bull Run, Julia Ward Howe, sister of Henry Ward Beecher, one of the leading Pulpit Preachers and Orators of his day and the most vehement exponent of destroying slavery, came to Washington from Boston to visit her brother. In the evening she walked from her hotel and saw the camp fires of the Union soldiers guarding Washington. She returned to her hotel and wrote the "Battle Hymn of the Republic", which song became the official song of the Union Army and has since been sung by millions of patriotic Americans, and strangely enough, is still very popular with all people. Yet it was written for a cause—abolish slavery and unite America.

The opening lines state:

Mine eyes have seen the glory of the coming of the Lord.
He is trampling out the Vintage where the grapes of wrath are stored . . .
and the Closing lines of the poem are
As he died to make men holy, let us die to make men free
While God is marching on.

Yet from a little country cemetery on the banks of the Pedernales in the scrubby hills in Texas this song was sung at the request of Lyndon Johnson as the closing rites of his funeral.

The writer can think of no more fitting tribute to the memory of one who sincerely tried to make men free. Lyndon Johnson knew what the song said and what it had meant in other troubled times of American history.

FARM BUREAU POSITION ON BARGAINING LEGISLATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ASHBROOK. Mr. Speaker, once in a while even friends disagree. On January 30, I inserted in the CONGRESSIONAL RECORD an article by my esteemed friend and fellow conservative, James J. Kilpatrick. It dealt with proposed legislation for bringing farmworkers under

NLRB coverage. In his usual incisive way, Jim got to the heart of the matter.

In my years on the Hill, I have learned to value the counsel and advice of my good friend, Matt Triggs, at the very top of the list of those people in Washington you can depend upon. Matt usually feels the same way as Jim Kilpatrick but in this particular case he took exception to some of the conservative columnist's views regarding Farm Bureau's position on collective bargaining.

So the record is completely clear and the position of both of my friends is understood, I am including at this point the testimony of Matt Triggs on the Farm Bureau position on collective bargaining. It does indicate that they do not favor the approach that has been advocated by labor and other groups who want farm labor considered under the same NLRB provisions as other employee-employer relationships. The article follows:

STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION, SUBCOMMITTEE ON AGRICULTURAL LABOR OF THE HOUSE COMMITTEE ON EDUCATION AND LABOR

(Presented by Matt Triggs, Assistant Legislative Director)

Re: Farm labor relations legislation.

We welcome the opportunity to present Farm Bureau's views concerning the enactment of farm labor relations legislation.

At the most recent annual meeting of the American Farm Bureau Federation in December, 1972, the official voting delegates of the member State Farm Bureaus recommended the enactment of legislation to provide a framework of law governing the relationships of farmers and farm workers, pursuant to the following guidelines:

- (1) Secret balloting by workers.
- (2) Prohibition of secondary boycotts.
- (3) Administration by an independent farm labor relations board.
- (4) A requirement that a union file notice of intention to strike and an option to farmers in such cases to defer this strike by calling for arbitration of the dispute.
- (5) Exemption of small farms.
- (6) Preservation of state laws relating to compulsory unionism and the right of states to enact legislation in this area.
- (7) Authorization for farmers to obtain damages for unlawful strikes or boycotts.
- (8) Provision that the election and bargaining unit shall be the employees of a farmer or particular categories of employees.
- (9) Specific prohibition of featherbedding or any practice requiring the continued employment of unneeded workers.

Bills referred to the Subcommittee which would most nearly accomplish these objectives are H.R. 1689 by Representative Talcott; H.R. 10459 by Representative Veysey; and H.R. 13981 by Representatives Leggett, Quile, Ullman, and Teague.

We want to express our appreciation to all of these members of Congress for their interest in the subject at issue.

We support the enactment of any of these bills. H.R. 13981, having bipartisan backing, would appear to have the best prospects for enactment. We shall therefore discuss hereafter major provisions of H.R. 13981—although many of our comments are equally applicable to other bills.

We do not intend the above endorsement to indicate support for each and every section and paragraph of H.R. 13981. We recognize that legislation is usually a compromise between varying points of view. H.R. 13981 is the result of many compromises. We shall indicate in subsequent sections of this statement a few of the points at which we believe consideration may appropriately be given to modification of the language, without im-

pairing the balance sought between the interests of farmers and workers.

2. SECRET BALLOT ELECTIONS

We support the right of farmworkers to join a union and to determine by majority vote, by secret ballot whether or not they wish to designate a bargaining representative and, if so, the representative to be designated. No better means of determining majority choice has been devised.

No such right is now provided except in a few states (Wisconsin, Kansas, Idaho, and Arizona) which have enacted farm labor relations statutes.

In recent years farmers too often have been compelled by the economic pressures of market boycotts to decide that their employees must join a union and which union. This is a responsibility which farmers should not exercise and do not want to exercise. Decisions in such matters should be made by workers themselves through secret ballot elections.

The right of free choice by workers would be provided by the enactment of H.R. 13981.

3. SECONDARY BOYCOTTS

H.R. 13981 would provide the same definitions and the same restraints with respect to secondary boycotts for agriculture as are now provided for industry. The language of these provisions is the result of long and careful study by the Congress over many years.

4. ADMINISTRATION

A major difference in the bills introduced on this subject is that some provide for administration of farmer-farm worker relationships by the National Labor Relations Board while others would establish an independent Agricultural Labor Relations Board.

Administration of such relationships can be effectively accomplished only by an independent Agricultural Labor Relations Board.

NLRB is already overwhelmed by a rapidly growing number of cases. Case intake has increased as follows:

Number of cases received	
Fiscal year:	
1950	15,088
1960	21,527
1970	33,581
1971	37,212
1972	41,039

This heavy workload has resulted in substantial time lags in the handling of cases. The following information has been provided by the National Labor Relations Board.

In fiscal 1972, the median number of days of elapsed time between the receipt of an unfair practice allegation and the issuance of a complaint by NLRB was 51 days; the median number of days between the issuance of a complaint to the close of the hearing by a trial examiner or judge was 65 days; the median number of days from the close of the hearing to the issuance of a proposed decision by the trial examiner was an additional 83 days.

Thus the total elapsed time (median number of days) between the filing of a charge that an unfair labor practice had been committed and the issuance of a proposed decision by the trial examiner was 199 days.

If either party chooses to exercise his full appellate rights, a year, two years, or even longer may elapse before final disposition.

This time schedule would be disastrous to the interests of both farmers and workers. Settlement of unfair labor practice cases in agriculture must occur within a period of days or weeks, not months or years, if the procedure is to serve the needs of the parties.

Any statutory enactment for agriculture must provide expeditious handling of unfair labor practice cases and elections.

The most important means of providing expeditious handling is a separate independent Agricultural Labor Relations Board

with its own personnel and field offices. Its personnel should have an agricultural background and a familiarity with the special character of the problems involving farmers and farm worker relationships. The motto to be posted in every employee's office should be "Let's get going—let's do it today".

The second requisite for expeditious handling is statutory provisions such as those set forth in Sec. 6(a) and 14(c) (3) of H.R. 13981, permitting short cuts, innovative procedures, and special handling of critical situations.

Separate administration of farm labor relations cases would not be unprecedented. Railroad and airline labor relations are not administered by NLRB. Further, Federal Labor Relations Board governs labor relations between federal agencies and federal employees.

5. ARBITRATION PROCEDURE

Section 13 of H.R. 13981 provides that, when the parties are unable to reach agreement on terms and conditions of employment, either party may request arbitration and the party requesting arbitration will be bound by the arbitrator's decision if it is accepted by the other party.

This concept was first advanced by then-Secretary of Labor George Shultz. It represents a compromise between the views of (1) those who oppose any restriction on the right to strike at harvest time, and (2) those who realize that a harvest time strike can often bankrupt and in most cases financially cripple a farmer. We would prefer an outright prohibition of a harvest time strike—but it appears to us that Section 13 represents a fair compromise of conflicting interests.

There will be occasions when a farmer, with many thousands of dollars invested in a crop which is ready for harvest, may be faced with unreasonable and arbitrary demands. A farmer is uniquely vulnerable under such circumstances. No other type of employer can suffer as heavy losses from a strike as can farmers.

We think that farmers will use this procedure only rarely. The price, acceptance of the arbitration award, is high. But we believe it should be included as an optional procedure in a farm labor relations act.

6. UNION SHOP PROVISION

Section 14(b) of H.R. 13981 contains the same compromise with respect to union shop contracts as is contained in Section 14(b) of the National Labor Relations Act.

As members of the Committee know, Farm Bureau has long opposed compulsory unionism and has opposed repeal of Section 14(b) of the National Labor Relations Act. However, we realize that no bill which includes a national right-to-work provision applicable in agriculture can be enacted.

We realize, too, that if no legislation is enacted there will be a substantial amount of compulsory unionism. For example, in the grape and lettuce industries in California, workers have had no opportunity to decide representation questions for themselves. The workers in such industries may be satisfied with the unions which now represent them. But no one knows. Elections have not been held. If grape growers who now have contracts with the United Farm Workers Union should decide instead to sign contracts with the Teamsters Union—or if lettuce growers who now have contracts with the Teamsters Union should decide to sign contracts with UFWU—the workers would have no statutory right to participate in these decisions. In either case, if a majority of workers should prefer individual, rather than collective bargaining, no procedure is available whereby they might seek a change.

The enactment of H.R. 13981 would provide workers a right and an opportunity to decide for themselves as to questions of representations.

The enactment of H.R. 13981 would result in less compulsory unionism than if no legislation is enacted.

7. AMENDMENTS

We submit the following recommendations to the Committee with respect to amendment of the provisions of H.R. 13981.

These amendments would not disturb the balance between the conflicting interests of farmers and farm workers, which the authors of H.R. 13981 have sought to achieve.

(1) Section 14(c) (3) of H.R. 13981 provides as follows:

"The Board is authorized and directed to administer the provisions of this Act with due regard to the special characteristics of agriculture and employment in agriculture."

In order to assure that the statute adequately expresses the need for expeditious and innovative procedures so requisite in agriculture, we recommend the addition of the following language to the above quoted paragraph:

"and particularly the need for expeditious action in the handling of representation and unfair labor practice cases in agriculture."

(2) Section 2(3) of H.R. 13981 provides that the statute would be applicable to any farmer who employed more than five-hundred mandays of agricultural labor during any calendar quarter of the preceding calendar year. We suggest that a better test of coverage would be 1,200 or 1,500 mandays of agricultural labor in the prior calendar year.

(3) Section 8(a) (6) defines as an unfair labor practice any action "to cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed." This is the same as the language of the comparable provision of the NLRA. It is generally recognized that this has not effectively prevented "featherbedding" practices in industry. Agriculture is probably the most rapidly changing, technologically progressive, and innovative sector of the economy. Change and adaptation are often essential for economic survival. Any efficiencies of change result in benefits to the public. We therefore recommend the inclusion of more effective language in this Section.

(4) Section 8(a) (7) provides that it shall be an unlawful labor practice to knowingly employ an alien unlawfully in the United States.

In 1972, the House approved an amendment to the Immigration and Nationalization Act dealing with this issue. It appears to us that this is the appropriate way to approach this problem, rather than to include it in a labor management statute.

Further, it should be noted that most employers are unable to distinguish between a U.S. citizen of Mexican ancestry and a Mexican national unlawfully in the U.S. Most of the latter carry documentary evidence (either forged or relating to another person) indicating their right to be in this country.

If employers were to be required to carefully check the status of each prospective worker, this would be discriminatory with respect to U.S. citizens of Mexican ancestry. We therefore recommend that this provision be deleted.

(5) Section 8(d) of the NLRA provides (1) that neither party to a contract may terminate the contract except by 60-day written notice; (ii) that the termination notice must indicate willingness to meet to negotiate a new contract; and (iii) that a strike or lockout during the 60 day period is prohibited. Section 8(d) of H.R. 13981 while otherwise similar to Section 8(d) of the NLRA, omits the provision prohibiting a strike or lockout during the 60-day period. We urge that Section 8(d) of H.R. 13981 be corrected to be comparable to Section 8(d) of the NLRA in this respect.

8. CONCLUSION

We wish to express our appreciation for the attention given to this issue by the Subcommittee. We respectfully urge your favorite action on H.R. 13981 or similar legislation introduced in 1973.

EQUAL RIGHTS IN VIRGINIA?

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mrs. GRIFFITHS. Mr. Speaker, for a person who supports equal rights, it is not necessary to comment on the following two articles, which were carried in the Washington Post of February 7:

WOMEN'S RIGHTS BID DIES IN VIRGINIA ASSEMBLY

(By Helen Dewar)

RICHMOND, February 6.—An all-male Virginia Legislative Committee today swiftly and overwhelmingly killed any chances of the General Assembly ratifying the proposed Women's Equal Rights Amendment to the U.S. Constitution this year.

Although a hearing on the amendment last week drew nearly 1,000 women, there was no debate—only one brief speech—as the House Committee on Privileges and Elections killed the ratification resolution, 13 to 2.

The Virginia rebuff was expected. But the margin of the Committee's vote surprised some legislators and doomed chances for a revival effort, at least for this year.

While national leaders of the ratification drive were not counting on Virginia, a surprise victory in this state—a citadel of Southern chivalry—could have given impetus to their apparently faltering campaign.

So far 24 of the 38 states whose approval is needed for ratification have approved the amendment. A 25th state, Minnesota is expected to complete ratification formalities in the next day or two.

According to Common Cause, a national citizens' lobby that is working for passage of the amendment, Virginia is only the third state to kill the measure. But it has been tabled or at least temporarily sidetracked in three other states and is reportedly in trouble in a number of other states.

Pat Keefer, who heads ratification efforts for Common Cause, said she is still hopeful that ratification will be completed by summer. Prompt action is considered vital because no amendment that has failed to be ratified within two years after congressional passage has been enacted.

The measure—which provides that "equality of rights shall not be denied or abridged by the United States or by any state on account of sex"—sharply divided women's groups in Virginia. Many male legislators were left "just wishing the whole darn thing would go away," as one of them put it last week.

Proponents, who included three of the four women members of the 140-member Assembly, accused the opposition of distorting the issue but said that the opposition's well-financed petition and letter-writing campaign was too powerful to overcome.

Although Virginia took about 40 years to ratify the women's suffrage amendment to the U.S. Constitution, the General Assembly in 1969 approved a state constitutional amendment banning sex discrimination. But the state amendment adds language saying that "the mere separation of the sexes shall not be considered discrimination."

It was apprehension over possible loss of "separate facilities" for men and women, coupled with resistance to the idea of women being drafted, that defeated the amendment in Virginia, said House Majority Leader James M. Thomson (D-Alexandria). Thomson, chairman of the Privileges and Elections Committee, voted against the measure.

Thomson made a point of inviting other Committee members to speak on this issue, but none did so.

A separate ratifications resolution is still technically alive in the State Senate, but its chief sponsor, Sen. Clive L. DuVal (D-Fairfax), said he will make no attempt to have the measure called up for a vote.

He said he will wait until next year when the climate for ratification may be better. The entire 100-member House is up for reelection this fall. The 40-member Senate, where chances of approval of the amendment are stronger, does not come up for reelection until 1975.

Meanwhile, in both the House and Senate, members expressed relief that the House committee had taken them off the hook by killing the measure before it came to a recorded vote on the floor of either house. "Well, one less bullet to bite," said Del. Dudley J. Emick (D-Botetourt) after hearing of the House Committee action.

A TEACHER BEATS THE LAW—VIRGINIAN'S LOST RESIDENCE STATUS RESTORED

(By Joseph D. Whitaker)

Judith Ryan Ramig, a teacher at Fairfax County's Mosby Elementary School, has lived all of her 27 years in Virginia and worked and paid taxes there.

But when she went to George Mason University on Jan. 9 to register for doctoral courses, officials told her she would have to pay higher, nonresident tuition fees. It seemed that without having left the state she had lost her legal residence in Virginia—by marrying a man from the District of Columbia.

No matter that just last year she had attended George Mason at the lower, state-resident tuition. The law was clear: If her husband had not lived in the state for a year, neither was legally a state resident.

After a barrage of protesting letters mailed to various state officials, Mrs. Ramig now has triumphed over that law.

"I was furious," said Mrs. Ramig, who received a master's degree from George Mason last June 5 and married Ramig on June 24, the same day Ramig moved to Virginia. "They read me this archaic state law which says that a wife must take the domicile of her husband and that he becomes her legal guardian."

As an out-of-state student, Mrs. Ramig said she would have had to pay \$180 for courses that cost in-state students only \$70.

In the heat of her fury, Mrs. Ramig wrote to three state delegates, her congressman and a state senator complaining about the old Virginia law, which dates back to the 1800s, and demanding that something be done.

"I frankly expected to get the runaround," said Mrs. Ramig. "I didn't expect to get an immediate response to my letters. I was already thinking about giving my case to the Civil Liberties Union."

To her surprise, the response was quick. In less than a week after her batch of letters was sent out, she started receiving phone calls and written replies from Dels. Warren E. Barry, James H. Dillard, William H. Moss and U.S. Rep. Stanford E. Parris (R-Va.), all assuring her they were investigating her complaint.

Mrs. Ramig said the delegates wrote that they were asking the Virginia attorney general to look into her case. While she was still reading letters from the delegates, George Mason, Director of Admissions Lewis

J. Aebischer called Mrs. Ramig to say the school would admit her at in-state tuition rates.

Aebischer said a representative of the attorney general called him and announced that an opinion had already been issued to give a wife an opportunity to show she is a legal resident.

Assistant Attorney General William Broadus said Del. Dorothy S. McDiarmid of Fairfax had asked last October for an opinion on the antiquated law. The attorney general said at that time that a married woman must be given the opportunity to rebut the presumption that a wife takes the residence of her husband, Broadus said.

A bill has since been introduced in the Virginia General Assembly that would change the law so that a woman's residence would not be affected if she married a man from another state.

State Sen. Adelard L. Brault said the bill, already cleared by the Senate, was proposed after numerous wives across the state complained about the residency law.

During the two weeks she corresponded with her congressmen, Mrs. Ramig, as a precaution, applied to and was admitted for graduate courses at the Northern Virginia Center of the University of Virginia in Falls Church. That school did not challenge her residency.

Yesterday, Mrs. Ramig and her husband sat in the living room of their \$54,000 split-level home in the Burke Station Square subdivision pondering the fruits of her victory.

"My whole purpose in this was not to get into George Mason University, but I wanted to get that crazy law changed. I have heard women complain about it for years," Mrs. Ramig said.

THE RIGHT TO KNOW

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. WALDIE. Mr. Speaker, whenever the question of newsmen's privilege comes up, the question of the public's "right to know" must also be raised.

The Los Angeles Times of January 14 discusses this question in depth and I would like to call the article to the attention of my colleagues. I have also included an excerpt from the court ruling against newsmen for the benefit of my colleagues.

The articles follow:

WHY A "RIGHT TO KNOW"? OLD BATTLE FOR A FRAGILE GUARANTEE

(By Michael C. Emery)

American newsmen were being thrown into jail before the Bill of Rights was 10 years old, despite the First Amendment's underscoring of the concept of press freedom and the "people's right to know."

Since those early days of the republic, events have demonstrated that the First Amendment guarantee of freedom of the press is a fragile thing, its potency largely dependent upon the administration in power, the makeup of the courts, and the support of the people.

Even the birth of the Bill of Rights was marked by uncertainty and controversy.

The 55 Founding Fathers who drew up the Constitution in 1787 seemed more concerned with the mechanics of setting up a new government than in protecting the people against repression by that government.

James Madison's journal of the secret proceedings, published 53 years later, showed only one reference to press freedom—a mo-

tion by the delegates from Massachusetts and South Carolina "that the liberty of the press should be inviolably observed."

But most delegates agreed with the argument that "it is unnecessary. The power of Congress does not extend to the press." The motion died, 7 states to 4.

So it went with proposals to insure other freedoms. Delegates argued that there was no need to mention rights which either were assumed to exist automatically (religion, assembly, trial by jury, speech, press), or were under the jurisdiction of state constitutions.

Thus the framers of the Constitution finished their remarkable document that summer in Philadelphia with no Bill of Rights.

State conventions, however, as they met to ratify the Constitution, called for restrictive amendments to prevent misconstrual or abuse of power.

Sharpening the debate was the growing struggle between Federalists like Alexander Hamilton who favored strong centralized government, and anti-Federalists like Thomas Jefferson who believed the new nation should be a union of states, each keeping strong local control.

Proposals to amend the Constitution were part of a scheme by states-rights advocates to weaken and discredit it, the Federalists asserted.

Nevertheless drawing upon Virginia's Declaration of Rights, among other sources, 12 amendments were proposed, and 10 eventually were submitted to the states for ratification as the Bill of Rights.

The press freedom clause went through various forms, some of which would have applied to the states, or to all branches of government, not just Congress. As eventually worked out by Madison and others in a House-Senate conference committee and submitted to the states in 1789, the First Amendment provided:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The strength of the press guarantee was soon to be tested, when Congress, controlled by the Federalists, suddenly drew the issue of national power vs. individual rights by passing the Alien and Sedition Acts during the estrangement with France in 1798.

The sedition law made it a federal offense to "write, utter or publish . . . any false, scandalous or malicious writing . . . against the government of the United States, or either house of Congress . . . or the President" or to stir up opposition to any lawful act of Congress or of the President.

Charles Holt, editor of the Bee, in New London, Conn., was fined \$200 and jailed for three months for casting aspersions on the army and criticizing the military policies of Congress.

David Frothingham of the Argus, the leading opposition paper in New York, was fined \$100 and sent to jail for four months for reprinting an article from Aurora, edited by Benjamin Franklin's grandson, which was uncomplimentary to President John Adams.

Anti-Federalists objected that the First Amendment prohibited such moves against the press. But they suspected the fairness of the Federalist federal judges empowered to try the cases.

So opponents of the restrictive laws, led by Madison and Jefferson, relied on the inherent power of the states to defend the rights of the individual, while also dramatizing the government's political persecution to gain public support.

The turning point came with the narrow election of Jefferson as President in 1800, the deciding vote in a congressional runoff cast by Matthew Lyon of Vermont, himself

once jailed for writing a letter to a newspaper accusing Adams of "ridiculous pomp, foolish adulation and selfish avarice."

The sedition law died in 1801, not to be revived until World War I. But its repressions—11 federal sedition trials including eight involving newspapers, plus prosecutions at the state level—awakened many persons to the freedom issues involved.

Theorists already had before them the 1793 book on liberty and press freedoms by Robert Hall, an Englishman, which had drawn the distinction between sentiment and opinion on one hand, and conduct or behavior on the other. Only overt acts should be considered sedition, he wrote.

In Virginia, legislator George Hay wrote that only private reputations could be libeled. Damaging statements against government must be allowed, he said, if one believed that press freedom, "like chastity," is absolute.

And visiting Frenchman Alexis de Tocqueville wrote in the 1830s that "the more I consider the independence of the press in its principal consequences, the more I am convinced that in the modern world it is the chief, and, so to speak, the constitutive element of liberty."

The Alien and Sedition Acts were only one of the many crises for the American press. Mob action, wartime censorship, court orders and government secrecy continued to hamper newsmen.

In 1812, a mob sacked the office of the Federal Republican in Baltimore for opposing the war with Britain. Editor Alexander Hanson was severely beaten. Revolutionary War hero Gen. Henry Lee, defending the paper, was crippled, and Gen. James Lingan was killed.

Mob action also swirled around abolitionist editors in the 1830s as dissension grew over slavery. In 1837, Elijah Lovejoy, editor of the St. Louis Observer, was killed when he refused to renounce his right to condemn slavery.

In 1835, a Southern-dominated Congress passed a gag law which prohibited abolitionist literature from entering Southern states. By 1859, it was a crime in some states to subscribe to a newspaper opposed to slavery.

During the Civil War, Secretary of War Edwin Stanton caused telegraphed news reports to be checked first by his office, then sometimes delayed or stopped.

Government and press clashed in 1908 when President Theodore Roosevelt, angered by allegations that an American syndicate had corruptly gained millions of dollars during building of the Panama Canal, sued Joseph Pulitzer's New York World and the Indianapolis News for criminal libel. The government lost the case.

But far worse was to come with the Espionage and Sedition Acts in the closing years of World War I. There were 900 convictions in 1917-18, amid widespread abuses of personal freedoms by government and the courts. Congress also allowed the government to ban from the mails about 100 newspapers, mainly unpopular radical and pro-German papers, reviving memories of the abuses under the Alien and Sedition Acts of 1798-1800.

Fear of communism also has brought heavy pressures on the press.

In the so-called "Red Scare" of 1919-20, brought on by the Bolshevik takeover in Russia and the International Workers of the World (IWW) movement in America, Atty. Gen. A. Mitchell Palmer instigated the arrests of socialists, labor union advocates and alleged radicals.

Sen. Joseph R. McCarthy of Wisconsin touched off another "Red Scare" in the early 1950s, capitalizing on fears stemming from the success of Communists in China, and America's confrontation with Communist forces in Korea. Newsmen who punctured McCarthy's allegations of Communists in the State Department were accused of being "soft" on communism, or "pink."

The courts are the arena for testing and defining the cornerstone of press freedom—the First Amendment.

But the words "Congress shall make no law . . . abridging the freedom . . . of the press" do not cover all threats to press freedom, even if the courts gave them their strongest interpretation.

And the Supreme Court, despite some encouraging interpretations of press law, has never approached an absolutist position.

In fact, the issue of censorship by "prior restraint" was not settled in the Pentagon Papers decision despite the court's eventual ruling that the New York Times and the Washington Post could go ahead and publish their articles despite the government contention that they endangered national security.

Historically, the press' record has been mixed.

On the one hand, it has lived up to its highest ideals with the powerful antislavery editorials of Horace Greeley in the last century and support of integration in this century, with exposure of corruption in business and government, with denunciations of abuses of immigrants, poor housing, exploitation of children and women, and discrimination at all levels; and with facts and opinions on foreign ventures ranging from the War of 1812 to the latest bombing of Hanoi.

On the other hand, the press had many failings over the years. Much of the press was slow to push for progress in race relations, education, and health and ecology matters. Handling of technical subjects has not always been adequate.

Bias and sensationalism have been problems, beginning with the partisan, vindictive journalism of the first day of the republic, then the many irresponsible acts during the Civil War, the yellow journalism of William Randolph Hearst and Joseph Pulitzer in the Spanish-American war and one-sided journalism in more recent publications.

Journalists long since began to clean house by improving the standards of training, and striving for greater professionalism and competence in news work.

The appearance of journalism reviews in many cities, Los Angeles among them, is evidence of concern among working newsmen about standards, including persistence in digging out the important stories behind government handouts.

In the end, press freedom in all forms depends on public opinion, for it is public opinion which ultimately determines the laws which insure that the press can fulfill its duty of informing the public without crippling restrictions.

THE COURT RULING AGAINST NEWSMEN—AN EXCERPT

On June 29, 1972, the U.S. Supreme Court ruled 5 to 4 that newsmen had no First Amendment right to withhold confidential sources from grand juries. Below is an excerpt from Justice Byron R. White's majority opinion:

Of course, the press has the right to abide by its agreement not to publish all the information it has, but the right to withhold news is not equivalent to a First Amendment exemption from the ordinary duty of all other citizens to furnish relevant information to a grand jury performing an important public function. Private restraints on the flow of information are not so favored by the First Amendment that they override all other public interests. . . .

Neither are we now convinced that a virtually impenetrable constitutional shield, beyond legislative or judicial control, should be forged to protect a private system of informers operated by the press to report on criminal conduct, a system that would be unaccountable to the public, would pose a threat to the citizen's justifiable expectations

of privacy, and would equally protect well-intentioned informants and those who for pay or otherwise betray their trust to their employer or associates. The public through its elected and appointed law enforcement officers regularly utilizes informers, and in proper circumstances may assert a privilege against disclosing the identity of these informers. But:

"The purpose of the privilege is the furtherance and protection of the public interest in effective law enforcement. The privilege recognizes the obligation of citizens to communicate their knowledge of the commission of crimes to law-enforcement officials and, by preserving their anonymity, encourages them to perform that obligation" (Roviaro v. United States, 1957.)

Such informers enjoy no constitutional protection. Their testimony is available to the public when desired by grand juries or at criminal trials; their identity cannot be concealed from the defendant when it is critical to his case. Clearly, this system is not impervious to control by the judiciary and the decision whether to unmask an informer or to continue to profit by his anonymity is in public, not private, hands. We think that it should remain there and that public authorities should retain the options of either insisting on the informer's testimony relevant to the prosecution of crime or of seeking the benefit of further information that his exposure might prevent.

We are admonished that refusal to provide a First Amendment reporter's privilege will undermine the freedom of the press to collect and disseminate news. But this is not the lesson history teaches us. . . . The common law recognized no such privilege, and the constitutional argument was not even asserted until 1958. From the beginning of our country the press has operated without constitutional protection for press informants, and the press has flourished. The existing constitutional rules have not been a serious obstacle to either the development or retention of confidential news sources by the press.

PERSECUTION OF IRAQI JEWS MUST CEASE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KOCH. Mr. Speaker, with great distress I read in the news this morning that nine or 10 prominent members of the Jewish community in Iraq have been executed in prison during the last few weeks.

The Iraqi Government's continued persecution of the Jews has been a matter of grave concern to me. In the past few weeks I have written Secretary-General of the United Nations Kurt Waldheim, Assistant Secretary of State David Abshire, and President of the World Bank Robert McNamara, urging that public opinion be mobilized and whatever possible action be taken to prevent just the sort of atrocities that have now occurred in Iraq.

According to the reports, the victims—a well-known physicist, a lawyer, and several businessmen in Baghdad—were taken from their homes, their property confiscated, their homes boarded up, and their families driven away. One of the victims, Yaacov Abdul Aziz, was allegedly tortured to death in his prison cell in Baghdad. Another of those apparently

executed was Ezra Khazam, a prominent Baghdad physician. Despite numerous protests from foreign governments and humanitarian organizations, Iraq has published no charges, has announced no trials, and has, in fact, refused even to confirm the reported arrests or deaths.

The news reports note that these events have aroused fears in Iraq that a wave of arrests and persecutions similar to those in 1969 may be underway. In 1969, 14 persons, including nine Jews, were accused of espionage, were tried by a military court, and were hanged in the Baghdad public square. It is estimated that only 400 Jews are still left in Iraq out of a community that once numbered 4,000, most of whom fled since 1967.

I think it is particularly important at this time to point out that the international protest sparked by the 1969 public hangings resulted in the Iraqi Government liberalizing its emigration policy with respect to Jews and setting free many of the Jews who had been jailed without trial. In the past few months, however, the departure of Jews from Iraq has all but stopped. I urge my colleagues here in Congress to contact President Nixon and our representatives in the U.N. and other international organizations emphasizing the importance of a public U.S. policy statement condemning the Iraqi Government's actions and indicating a willingness on the part of the United States to permit the entry of Iraqi Jews into this country without regard to immigration quota restrictions.

Concerned U.S. citizens can no longer allow our Government to overlook the desperate plight of the Iraqi Jews. It is time for our great Nation to demonstrate once again its compassion, as it did in September 1971, when it lifted immigration quota restrictions permitting the entry of Soviet Jews into this country. We must act now, before further atrocities are committed.

I have written to the President urging his intercession with the Iraqi Government on behalf of this beleaguered community, and I urge our colleagues to do the same.

An article from the New York Times of February 8, 1973, follows:

ISRAELIS HEAR IRAQIS EXECUTED NINE JEWS
(By Terence Smith)

JERUSALEM, February 7.—Nine or ten prominent members of the dwindling Jewish community in Iraq have been executed in prison during the last few weeks, according to reports reaching the Israeli Government.

The victims are said to include a well-known physician, a lawyer and several prosperous businessmen in Baghdad.

According to the reports, which a senior Israeli official described as "99 percent certain," the victims were taken from their homes in a wave of arrests that began last September.

Their property had been confiscated, according to the reports, their homes boarded up and the word "gone" smeared in red paint on their front doors.

TORTURE IS REPORTED

One man, a lawyer, Yaacov Abdul Azlz, reportedly was tortured to death in his cell in Qasr el-Nihaya Prison in Baghdad. Another reported victim was Ezra Khazam, a prominent Baghdad physician who had treated a number of former Iraqi Government leaders.

"We have almost no doubt that the reports that nine or ten of them have been executed are correct," an Israeli official said. "But we cannot confirm it officially until the Iraqi Government provides official information."

Despite numerous requests from foreign governments and humanitarian organizations, Baghdad has so far refused even to confirm even the reported arrests. No charges have been published and no trials announced.

STATEMENT BY IRAQ

The only official Iraqi comment has been a carefully-worded statement issued by the Iraqi Embassy in Paris last week that "no single Jew is in an Iraqi prison for political or religious reasons."

The reports, which have been received from foreign governments, travelers from Iraq and intelligence sources, have raised fears here that a wave of arrests and persecution similar to that of 1969 may be under way in Iraq.

Fourteen persons, including nine Jews, were accused of espionage in January, 1969, tried by a military court and hanged in public squares in Baghdad and Basra.

Then, as reported now, the victims were taken from their homes and held incommunicado. Then, as reported now, their property was confiscated and their families driven away.

SIMILARITIES ARE NOTED

"The pattern is exactly the same," a Government official here said. "That is why we are doing everything we can to arouse international concern about it."

Israeli authorities estimate that there are 400 left in the once flourishing Jewish community in Iraq that numbered some 4,000 before the 1967 Arab-Israeli war.

In response to the international protest sparked by the 1969 public hangings, the Iraqi Government changed its policy. Many Jews who had been jailed without trial were set free and thousands emigrated, first in devious ways and later with visas.

This liberalized policy was made official on Nov. 15, when the Iraqi representative on the United Nations Special Political Committee declared that Iraq's Jews were free to emigrate.

POLICY SHIFT INDICATED

Despite this, according to Israeli sources, the departure of Jews from Iraq has all but stopped in recent months. Groups of Jews have been arrested, although reports have been received recently that most, and perhaps all, of these have been released. Several dozen also reportedly have received permission to emigrate in recent days.

In the opinion of Israeli specialists, this quixotic policy represents a power struggle between competing elements in the Iraqi security services and leadership.

In addition to the doctor and lawyer, those reported executed last month were said to include Azuri Shamash, Shaul Rejwan, Yaacov Rejwan, Ezra Abu Daud, Selim Sadka, Maji Sital and Ezra Shemtov.

POSTAL SERVICE WINS AWARDS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. GUDE. Mr. Speaker, it has come to my attention that the U.S. Postal Service has recently won two of the five awards given annually by the American Society for Training and Development.

We are aware of the rapidly changing conditions continually in effect around us, and of the fact that individuals must also continually change if they are to survive. There is little more tragic than

the plight of the loyal and capable employee whose skills have become superfluous as a result of industrial change. The Postal Service, an organization undergoing rather abrupt and extensive change, has been cited for developing an employee training program to meet the changing needs of a restructured organization moving to a higher level of mechanization.

The Postal Service utilizes an employee training system of advanced design in educational technology and learning theory. There is the Oklahoma Postal Training Operation which, through resident and correspondence programs, offers creative and progressive training to Postal Service personnel in postal management, supervision, and applied technical skills. Over 12,000 students participated in the resident program alone—during 1970 and 1971.

Additionally, some 212 Postal Employee Development Centers, located throughout the Nation and under the supervision of the National Center located in my district in Bethesda, offer the opportunity for human resource improvement and provide developmental guidance and educational mobility to postal employees.

Postmaster General Klassen spoke in his annual report of his organization's commitment to service. I think General Klassen and the Postal Service should be commended for their commitment to their employees.

ON THE 55TH ANNIVERSARY OF LITHUANIA'S DECLARATION OF INDEPENDENCE

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HUBER. Mr. Speaker, on February 16, Americans of Lithuanian descent will celebrate the 55th anniversary of their declaration of independence. After a long period of Russian domination from 1795-1915, independence was finally proclaimed in 1918.

Unfortunately, this period of independence did not last too long. The Red Russian Army invaded Lithuania in 1919, and was finally driven out in 1920 by Lithuanian fighting units, which had to dispute some of its territory at the same time with Polish units under Marshall Pilsudski. In July 1920, the Bolshevik Government finally signed a peace treaty with Lithuania recognizing her independence. Thus, a period of relative peace prevailed until 1939.

In World War II, Lithuania was caught between the opposing armies. In 1939, she was forced to yield Klaipeda—Memel—to Nazi Germany and in the next year, Red Army bayonets forced her to accede to Soviet Russian occupation of the remainder of the country. On August 3, 1940, Lithuania was declared to be a constituent republic of the U.S.S.R. by the Supreme Soviet of the U.S.S.R. During this first Soviet occupation, some 30,000 Lithuanians were arrested or prisoners were executed. In June of 1941,

ported to Siberia and some 3,000 political the German invasion threw out the Red Army, but instead of granting Lithuania independence, Hitler began settling Germans in Lithuania. By 1944, the tides of war rolled over Lithuania again and the Red Army returned with the legions of NKVD secret police troops in company, whose sole purpose was to root out so-called "Fascists" and "enemies of the people." However, this time the Lithuanians chose to fight and naively hoped for aid from the West, which was not forthcoming.

From 1944 till about 1953, a Lithuanian underground army fought the Red army and secret police formations to a standstill, causing at least 20,000 casualties on each side. Finally, seeing that further resistance was hopeless, in light of the fact that no help from the West was forthcoming, the armed units dispersed and resistance became more subtle, but the fighting spirit never died. The tragedy of Simas Kudirka, who tried to defect from a Soviet fishing vessel off our own coast in 1970 gave dramatic proof of this as did the riots in May in the city of Kaunas incident to the self-immolation of Roman Kalanta in protest over Soviet repression of fundamental liberties.

Today, I have cosponsored legislation with Congressman WILLIAM BROOMFIELD of Michigan calling upon Radio Free Europe to initiate more direct Lithuanian language broadcasts into that nation as a further cultural link with these people. We must not let them be forgotten. It is further my thinking that the United States should insist on freer contact with the Baltic States as a part of our negotiating package at the European Conference on European Security and I will ask the Secretary of State to take up this matter. In amidst the headlines of all the large power negotiations, it ill behooves us to forget the little nations like Lithuania and one can only hope that the possibility of a free Lithuania is not too distant.

TRIBUTE TO ELMO HAYS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ANDERSON of California. Mr. Speaker, a man I regard very highly is retiring on February 16, after a successful 29-year career of helping the Nation's workingman. Elmo Hays' achievements as a leader of the International Association of Machinists & Aerospace Workers have aided not only the workingman of his own Los Angeles, but have helped pave the way for industrial reforms across the country.

Mr. Hays has been a major force in gathering support for much local, State, and Federal legislation that has benefited America's workers.

His zeal and drive have changed workers' lives from a bleak existence to a more pleasant day.

His work has resulted in a better pay scale.

His efforts have resulted in a safer place of work.

His efforts have also resulted in stricter health regulations for a safer life.

A native of Iowa, Elmo moved to California in 1936 and soon became dedicated to the State's industry and community efforts. After joining the International Association of Machinists and Aerospace Workers in 1944, Mr. Hays became active in the group's leadership. He served as president of district lodge 720, president of local lodge 720-A, secretary-treasurer of district lodge 720, chairman of the State Machinists Non-Partisan Political League, and as a member of the National Planning Committee.

He is currently vice president of the International Guiding Eyes, Inc. International Guiding Eyes is a school which trains and supplies seeing-eye dogs, without charge to blind persons. The school serves both the United States and Canada. I applaud his unselfish efforts with this very worthwhile organization.

In addition to my respect for Elmo as a leader of the labor movement, he commands my respect as a man. A personal friend of mine for almost 25 years, Elmo has never failed to be a man I could rely on at all times.

In all the years I have known Elmo, I have found that he fought hard for those things he believed in—and equally hard against those things he felt were not in the best interests of the country. I found him to be a loyal and dedicated friend. I was fortunate, too, in staying on the side he felt was right—for I could always count on his being in my corner when I most needed him.

I never knew a time during those many years that his wife, Donna, was not standing proudly at his side. Now that their son, Charles B. (Ben) Hays, and Ben's wife, Annette, have a family of two children, Kim and John, there is an entire group of proud family watching Elmo's achievements.

Mr. Speaker, all of us—the American working man, citizens of Los Angeles, and the Nation—owe much to Mr. Hays. I am thankful for his constant service to the community and for his continuing friendship.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. SCHERLE. Mr. Speaker, for more than 3 years, I have reminded my colleagues daily of the plight of our prisoners of war. Now, for most of us, the war is over. Yet despite the cease-fire agreement's provisions for the release of all prisoners, fewer than 600 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. The remaining 1,220 men are still missing in action.

A child asks: "Where is daddy?" A mother asks: "How is my son?" A wife

wonders: "Is my husband alive or dead?" How long?

Until those men are accounted for, their families will continue to undergo the special suffering reserved for the relatives of those who simply disappear without a trace, the living lost, the dead with graves unmarked. For their families, peace brings no respite from frustration, anxiety, and uncertainty. Some can look forward to a whole lifetime shadowed by grief.

We must make every effort to alleviate their anguish by redoubling our search for the missing servicemen. Of the incalculable debt owed to them and their families, we can at least pay that minimum. Until I am satisfied, therefore, that we are meeting our obligation, I will continue to ask, "How long?"

IN COLD BLOOD

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. GAYDOS. Mr. Speaker, murders in cold blood, as contrasted to those of passion, are gaining rapidly in America. Dr. Michael M. Baden, New York City's chief deputy medical examiner, told newsman Don Kirkman the other day.

He stated:

Ten years ago about 80 percent of the murders in this country were committed by people who knew their victims intimately—wives shooting husbands or vice versa, friends shooting each other, business partners getting into a quarrel.

But not now, according to Dr. Baden. He said the past decade has seen a sharp rise in cold blooded slayings—murders of the "execution type" and those in which the victims are struck down despite offering no resistance.

Dr. Baden added:

Many of the murders we're seeing now are senseless—old people being shot or stabbed during robberies, policemen being ambushed and deliberate executions.

In my judgment, Dr. Baden's findings, and those of like nature by other medical examiners and coroners, refute entirely that argument advanced by the death penalty opponents and the forces of permissiveness over the last many years. It is that the fear of capital punishment is not a murder deterrent because most killings occur in fits of passion in which the slayers give no thought to future penalties.

Now, with the death penalty shelved, we are witnessing the results. Murders are on the increase and particularly those of the cold blooded kind—vicious gun-downs. Certainly, there is a direct relationship.

Dr. Joseph H. Davis, medical examiner of Dade County, Fla., sees it clearly. He told newsman Kirkman:

There's just no curtailing the armed robber anymore. He goes into a filling station, holds up the operator and the attendant and just executes them because he doesn't have to worry about the death penalty.

So the killers do not have to worry about the electric chair or the gas chamber. And because they do not, the cold blooded murder rate is rising. It is as bloody and simple as that. And yet we still have people of influence, and court justices also, continuing to maintain against all the evidence of increasing crime that the criminal must be coddled lest society alienates him further.

Permissiveness has gone too far and it is high time that we get back to thinking of criminal penalties as punishments and not only as preludes to rehabilitation programs. The hardened killer must be dealt with as harshly and with as little mercy as he now is showing his victims. The brutal shooting of Senator JOHN C. STENNIS should be enough to convince the Congress that drastic measures are needed to back up our law enforcement officers, override the super-tolerance of this age and get crime back under strict control again.

ON BEHALF OF A RESPONSIBLE
BUDGET

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ZION. Mr. Speaker, hundreds of people are now swarming around Capitol Hill wearing buttons which read "Save Community Action." They represent but one of many special interest groups of politically active partisans protesting the President's budget message. Many Members of Congress have joined this protest and are demanding that this body takes the initiative to force spending for various programs above the budgeted figure. This is an easy course to take. It is a simple matter to vote for every special interest program. To do so gains great armies of enthusiastic supporters who may contribute and work for your reelection. Their publications list you as "friend" if you support them, and "enemy" if you do not.

The sum total of these excesses, however, can only result in further tax increases, and further inflation, the cruellest tax of all.

In a message to Congress on February 2, the President said:

Because our resources are not infinite, we also face a critical choice in 1973 between holding the lines in Government spending and adopting expensive programs which will surely force up taxes and refuel inflation.

Every day I receive letters from, or am visited by, good friends who beg me to help them obtain more Federal funds for very important projects. When I recognize the importance of these programs, the temptation to vote for more spending is hard to resist.

My own committee, for example, works in the very important areas of water quality, highway construction, and energy production. There is no doubt that we could possibly save many lives by rushing the Interstate Highway System to completion, spending millions of extra dollars for this purpose. By great in-

creased spending for water pollution control we can hasten the day when our streams might be clean enough to swim in. We need increased funding for dams which will reduce flooding and provide water for recreation and municipal use.

Our cities are in great need of billions of dollars for rapid mass transit systems to help reduce pollution and to stop congestion, to help poor people seek and hold jobs.

My mail is full of complaints from people who find that medicare and medicaid are not adequate to meet the greatly increased cost of health care.

I personally feel that the only solution to all of these fiscal problems is to greatly increase the productive use of our manpower. To upgrade the employability of all of our people is to increase payrolls and taxability.

Thus, education and manpower development are of paramount importance. The form that such training and manpower programs take is also of vital importance. It is fair to state that programs have mushroomed under the New Deal, the Fair Deal, the New Frontier and the Great Society, all adding to the cost and the degree of bureaucratic interference of these programs. These have not, however, contributed significantly to increasing employability of our people.

More Federal spending, then is not the answer. We must send the money to the States and to local communities where control is more effective and considerably less expensive.

We can look for one of three things to happen this year. Either the Congress will recognize the need to keep spending in line with income; or it will demand that we spend up to the need for all of these good programs; or it will recognize the stalemate between Congress and the Executive Department and pass appropriations to continue funding at previous levels.

It appears that we will not accept the first alternative. That is too bad. High taxes and/or deficit spending hold back initiative and create serious problems for all of our institutions. We are now paying \$63 million a day in interest on the national debt. This great outlay of our tax dollars does not build a single safe road, it does not provide a single service for our elderly people, it does not stop pollution, build hospitals, or provide educational opportunity.

In order to have real purchasing power we must cut spending to fit income. Then, the dollars we receive will better enable us to solve our problems.

HEARING DATES SET FOR CON-
GRESSIONAL WITNESSES WISH-
ING TO TESTIFY ON NEWSMEN'S
PRIVILEGE LEGISLATION

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KASTENMEIER. Mr. Speaker, I wish to announce that Subcommittee

No. 3 of the Committee on the Judiciary has scheduled two hearing dates for congressional witnesses wishing to testify on bills to establish a privilege for newsmen to refuse to disclose information or the source of information received by them in the course of newsgathering. The hearing dates for congressional witnesses will be Feb. 22, and Feb. 26 with proceedings beginning at 10 a.m. in room 2141 of the Rayburn House Office Building.

It should be recalled that congressional witnesses on pending newsmen's privilege legislation were originally scheduled to be heard on Feb. 1. However, due to a conflict with a House Democratic Caucus meeting, it was necessary to cancel that hearing date.

Numerous public witnesses have already appeared at hearings held on Feb. 5, 7 and 8. Because of the great interest in newsmen's privilege legislation, it has been necessary to schedule three additional days of hearings for public witnesses on March 1, 5 and 7.

At this time, 37 newsmen's privilege measures involving more than 110 authors or cosponsors have been introduced in the House. Members of others desiring to testify at the hearings should contact Herbert Fuchs, Committee Counsel, on extension 53926.

"DON RUMSFELD DID IT"

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, in a recent speech before the Economic Club of Chicago, then-Director of the Cost of Living Council Donald Rumsfeld told of a note which greeted him at home, late one evening, during the bulge which occurred shortly after the wage-price freeze was lifted in the fall of 1971. The note, Don Rumsfeld reports, read:

He tackled the job that couldn't be done, with a smile he went right to it. He tackled the job that couldn't be done—and couldn't do it.

I am pleased to report that he did, however, "do it."

The mandate of the President's economic stabilization program was to reduce the rate of inflation in the country, without hindering real economic growth and without the creation of a huge and self-perpetuating bureaucracy.

The rate of inflation in phase I and phase II of the economic stabilization program slowed to 3.2 percent within the limit which the President had indicated would be acceptable when he announced the onset of the economic stabilization program.

At the same time, the economy has shown signs of a healthy recovery. Real spendable earnings of the average worker rose by 4.5 percent; the unemployment rate has declined to 5 percent. The GNP implicit price deflator, regarded by many economists as one of the more reliable indices of inflation, rose

during phase I and phase II by only 2.7 percent.

These remarkable achievements were attained under the leadership and direction of Don Rumsfeld, utilizing fewer than 4,000 employees throughout the entire United States. This becomes particularly remarkable when compared to earlier stabilization efforts. In World War II, there were approximately 50,000 employees involved in a similar effort, and the Korean stabilization program utilized 15,000.

The program has moved into phase III—a largely voluntary, self-administering system of controls. European nations, troubled by their own inflationary problems, have sent representatives to the Cost of Living Council to take a look at how this nation has dealt and is dealing with its economic issues.

Don Rumsfeld has just been confirmed by the Senate as the Permanent Representative of the United States to the North Atlantic Treaty Organization. In his message to the Congress discussing the outlines of phase III, the President of the United States expressed "the Nation's deepest gratitude for a job well done." I second that statement; I congratulate Don Rumsfeld on his willingness to take on this seemingly impossible job and succeed; and I look forward to future reports from Brussels with interest—and great confidence.

NATIONAL INVENTORS DAY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HUBER. Mr. Speaker, we hope Americans will note that President Nixon has proclaimed this Sunday, February 11, as "National Inventors Day."

It is fitting that we acknowledge the important role played by the men and women whose ideas and innovations have been instrumental in helping achieve America's high standard of living.

There are few better examples of the workings—and the success—of our free enterprise system than the incentives offered an inventor by the U.S. patent laws. Considering that the whole inventive process is such a great gamble against long odds, it is remarkable that inventors persist in their efforts to develop what is needed. More than 103,000 patent applications were received by our Patent Office during the past fiscal year yet no more than a comparative trickle will ever reap any substantial reward for the inventor. In addition, experts say it takes years and normally decades before a basic technology invention becomes an accepted commercial item. Yet the urge to create not only for self-satisfaction and recognition but also for the prospect of possible financial rewards is a powerful motivator.

A constituent who has given considerable thought to appropriate recognition of our American inventors, Robert Sciotti of Warren, Mich., particularly wanted to join me in this salute to these principal architects of our progress.

SOCIAL SECURITY ACT

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HEINZ. Mr. Speaker, on Tuesday, February 6, I introduced legislation to assure continuation of ancillary service programs to the elderly, blind and disabled. These programs, which are so important in the daily lives of both older and handicapped citizens, have been closed down or drastically cut because of an amendment to last year's Revenue Sharing Act. This amendment limited to \$2.5 billion, Federal funding for social service programs available under all of the public assistance programs in the Social Security Act. Within this \$2.5 billion ceiling, the amendment further directed that 90 percent of these funds be utilized for services for those now receiving public assistance.

This morning I received a letter from Margaret McWhorter of Pittsburgh that demonstrates that we in Congress acted hastily in adopting this amendment requiring that 90 percent of these funds for ancillary services be utilized for those on welfare. In the case of Miss McWhorter, who is a recipient of social security and not receiving welfare benefits, this social services limitation has barred her from further use of the senior citizen's lounge on Chestnut Street within 2 or 3 minutes walk of her home, a lounge that has become a happy and important part of her life. I insert at this point Miss McWhorter's letter:
Rep. H. JOHN HEINZ III,
Washington, D.C.

DEAR SIR: I'm writing you regarding the Senior Citizen's Lounge on Chestnut Street, 15212, Pittsburgh, Pa.

For almost a year I've been enjoying myself at this lounge. It was opened to all Senior Citizens.

Last week I received a letter telling me that I could no longer attend there because I'm on Social Security. It will be for Welfare people only.

I enjoyed myself there for crafts and Tuesday and Saturday games. It is so pleasant, clean, no profanity, no smoking. Just elderly people enjoying themselves.

The letter said that only people on welfare can come now.

People on Social Security pay taxes from which the funds for this program come.

So why only welfare people?

I'm asking you to work to have this place opened for all Senior Citizens.

As you know, every year there are more senior citizens and we can remember what happens to us when elections come. So please work to keep the Lounge open for all Senior Citizens, for which I thank you very much.

I remain,

MARGARET McWHORTER.

In checking with the officials in charge of the senior citizens' lounge, my office was told that because of recent congressional action limiting social service programs, the lounge was ordered to serve only welfare recipients.

I cannot believe that Members of Congress intended to close abruptly already established ancillary service programs to elderly citizens who are too proud to go on welfare even though they are eligible for old-age assistance. These people

deserve to live out their lives with independence and dignity, and without social services such as senior centers, transportation, nutrition, personal care and others, their daily lives often become intolerable struggles.

The effect of the existing law is to force these proud, self-sufficient people onto welfare to receive these necessary services. The result is to increase the welfare case load and the cost of welfare. I cannot believe this was the intent of the legislation. It should be changed accordingly.

In the next week I will be circulating a letter to all my House colleagues seeking cosponsorship and support for this legislation, H.R. 3819. While maintaining the \$2.5 billion ceiling, this bill will exempt from the previously enacted 90 percent-10 percent limitation the service programs available under the Social Security Act for elderly, blind or disabled citizens who are poor, but will not apply for welfare benefits.

I urge my House colleagues to join in cosponsoring this legislation to assure the continuation of these programs to our deserving citizens.

The text of the bill follows:

H.R. 3819

A bill to amend section 1130 of the Social Security Act to make inapplicable to the aged, blind, and disabled the existing provision limiting to 10 percent the portion of the total amounts paid to a State as grants for social services which may be paid with respect to individuals who are not actually recipients of or applicants for aid or assistance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1130 (a) (2) of the Social Security Act is amended—

(1) by striking out "of the amounts paid (under all of such sections)" and inserting in lieu thereof "of the amounts paid under such section 403(a)(3)"; and

(2) by striking out "under State plans approved under titles I, X, XIV, XVI, or part A of title IV" and inserting in lieu thereof "under the State plan approved under part A of title IV".

ADMINISTRATIVE JUDGE REVIEWS SECOND DISTRICT'S "LARGE OPERATION"

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. BRASCO. Mr. Speaker, at this time, I wish to have included in the CONGRESSIONAL RECORD an article which appeared in the State Bar Supplement to the New York Law Journal on January 24, 1973. This article by Justice John E. Cone, the administrative judge in Brooklyn and Staten Island, is an excellent detailing of the problems confronting the courts today:

ADMINISTRATION JUDGE REVIEWS SECOND DISTRICT'S "LARGE OPERATION"

(By John E. Cone)

Since my designation as Administrative Judge for the Supreme Court, Second Judicial District (Kings, Richmond), I have become increasingly aware of the magnitude of

the responsibility and of inability in some areas to accomplish meaningful change.

This is a large operation. The Second Judicial District consists of Kings and Richmond Counties. While Richmond is relatively small, Kings-County, with a population of some 2 3/4 million, would by itself rank as one of the largest cities in the country. In Kings, the courthouse has eleven floors, with forty-six Supreme Court Justices, five acting Justices, and a supporting staff of about 550.

JURISDICTION OUTLINED

Our jurisdiction includes civil cases where the amount in controversy exceeds \$10,000, and criminal cases of felony grade. Additionally, we have exclusive jurisdiction in such areas as equity, matrimonial, condemnation, and election matters.

The Supreme Court building in Kings, completed in 1957, was not designed for criminal cases. Until 1962, felony cases were handled exclusively by the former County Court, which was then merged into this court. When this criminal caseload was assumed there were virtually no detention facilities or security provision. The operation has changed sharply since then, and numerous alterations in our physical plant to cope with the escalating criminal caseload have been undertaken.

Many problems primarily stem from this rapidly mounting criminal caseload, causing a diminution of our capability to handle the civil caseload within fixed resources of space and personnel. The number of criminal parts has been expanded gradually from eight in 1962 to twenty-four at present, and by September, thirty parts are anticipated. To staff this, judicial and non-judicial personnel have been drained from the civil side.

ACTING JUSTICES

One measure that provided partial assistance was the designation by the Appellate Division of six Civil Court Judges as acting Supreme Court Justices. They use Civil Court premises and Supreme Court personnel which releases six courtrooms in our building and six more Supreme Court Justices for assignment to criminal matters. In addition to these six, there are four Criminal Court Judges handling criminal cases exclusively.

As the criminal function expanded sharply, the court was confronted by a job freeze imposed by the city Administration. Under this freeze, not only were no new positions provided, but vacancies could not be filled except to the extent of 10 per cent; that is, for the loss of ten employees only one could be appointed.

This freeze has resulted, to date, in overtime in excess of 17,000 man-hours. The inability to pay this back in time or money greatly magnifies the problem.

A lifting of this job freeze was recently announced with respect to positions in the Police Department. Surely it must be clear that the court's criminal jurisdiction does not exist in a vacuum, and that the entire criminal justice system of court, police, custodial, prosecutorial, and defense functions is interrelated. Thus, it is anticipated that appointment of additional police will result in more arrests and more work for the courts and other criminal justice functions, without corresponding increases in capability to service adequately the increased workload.

VACATIONS CURTAILED

Alleviation of some personnel problems has been attempted by curtailing vacations. The vacation period for court employees is the same as that for all city employees, pursuant to contracts between the City of New York and employee labor organizations, but we have been constrained to deny employees the use of all their earned vacation. As a result, for overtime and accumulated vacation time there is owed over 15,000 man-days. In terms of one employee, this is on the order of sixty years in accrued time due, without prospect of being able to repay it.

There are forty-nine vacancies on the court's staff, without authority to fill them.

Help on a temporary basis, when authorized, could not be fully obtained because of the temporary status.

Court reporters to staff all courtrooms have not been available, resulting in delayed proceedings.

Despite the shortage of personnel and related problems, some results achieved have been notable.

During the recent Christmas holiday season, twenty-four criminal parts functioned. Four hundred and twenty-eight cases were disposed of and over 400 defendants were sentenced. In this respect Kings County was unique.

SUMMER OPERATION

Last summer fourteen criminal parts were operated and over 1,000 dispositions obtained.

On the civil side of the court, delay in the disposition of cases has now been reduced to fourteen months from the time a Note of Issue is filed following Statement of Readiness until final disposition.

This reduction to fourteen months has been brought about through the diligent efforts of the judges and supporting personnel, but it cannot long continue if the criminal side of the court continues to be accorded higher priority.

Although the building is only fifteen years old, there has been a recurring space shortage brought on by the increasing criminal caseload. When the County Court became part of this court in 1962, a larger detention pen was built to provide for jailed defendants while their cases awaited court action. This became inadequate and on two occasions it has had to be enlarged. At present there is a lack of space for all defendants whose presence is needed for business.

RELATED PROBLEM

A related problem which is a source of grave concern is that defendants are not produced by the Correction Department early enough to dispose of business efficiently. If a defendant is produced at 11:30 in the morning, one can scarcely plan a trial beginning that morning. In the intervening period before 11:30 a judge may, and should, turn to other business in order to maintain a full operating schedule. Budget restrictions are also imposed on the Correction Department, but this is another example of how the fiscal authorities fail to appreciate the interrelationship of components of a criminal justice system.

An arrangement with the Correction Department is now being sought to establish a shuttle system where there will be an increased number of deliveries during the course of the day. By increasing the frequency of deliveries, defendants whose cases have been heard can be moved out and others brought in.

Efforts to obtain additional space, then occupied by the New York City Register's Office within the building, began over five years ago. About three years ago this space was allocated to the court but repeated efforts to obtain its alteration for court use were fruitless, until a temporary alteration was made in the Fall of 1971. The detention pen then constructed, although sorely needed, was never used, for the Correction Department was unable to staff the facility. Thus, the pen remained idle while prisoners were transported through staircases, corridors and elevators in a building never intended or designed for the movement of prisoners.

In June, 1972, a short time after the temporary facility became available, it was razed and work was begun on the construction of a permanent facility.

The permanent alteration of the third floor hopefully will be ready by May of this year, providing ten courtrooms, eight justices' chambers, jury rooms, and a detention pen.

Within the past year, work was completed

to divide three large courtrooms so that there are now six smaller courtrooms in the same physical space.

The Legal Aid Society, with an office in this building, increased its staff to cope with the large increase in criminal cases so that their office could no longer be accommodated. Other space for their use has been leased nearby.

RENTAL OF SPACE

Additionally, the Board of Estimate has authorized rental of space at 111 Livingston Street, in downtown Brooklyn. A number of the Special Terms, such as Matrimonial, Equity, Condemnation, and the unit handling funds of infants and incompetents, will be transferred to that building, together with the entire Appellate Term; however, that building cannot be used by the criminal part of the court because of security problems.

When this additional courthouse space becomes available, it will be used for the operation of the Criminal Term office. The Criminal Term has been so overcrowded that clerks have had to share desks, and work there has been handicapped by serious overcrowding.

The operation of criminal courtrooms obviously involves security considerations which are becoming increasingly important. Here again one feels a sense of frustration in inability to accomplish change.

A police detail assigned to the building to supplement our security has been withdrawn by the Police Department. The only policemen now in the building are here solely on police business, and have no security function.

SCANNING DEVICES

Scanning devices for entrances to the building and criminal courtrooms, though requested, have not been provided, although other parts of the Supreme Court within the City of New York have received them. Likewise, installation of an alarm system to prevent an escape has been frequently requested, but to no avail.

This building was never intended for criminal cases, for at the time it was built the County Court handled virtually all major criminal cases at 120 Schermerhorn Street, which now houses the Criminal Court of the City of New York. A new courthouse for all criminal cases is planned, but that is years away from present operating problems.

In the County Court, until 1962, five judges disposed of a fairly stable workload of about 4,000 cases a year, on a reasonably current basis. In 1972, intake was some 12,000 criminal cases, requiring a steady increase in the number of judges assigned, ending in December with twenty-four criminal parts.

This is one manifestation of the vastly increased complexity of criminal litigation following a series of landmark United States Supreme Court decisions now substantially codified in the new criminal procedure law.

OTHER FACTORS

In addition to the increased complexity involved in the disposition of a criminal case, or perhaps because of it, some other factors have appeared.

Defendants are becoming less and less interested in accepting reduced pleas of guilty to dispose of their cases without going to trial. To an increasing extent they are insisting upon trials. Twice as many cases are now being tried to verdict as compared to a year ago.

Many of the Justices are becoming less willing to accept reduced pleas of guilty, and this restraint is shared by some assistant district attorneys. Thus conference parts, intended to achieve rapid disposition of criminal cases through negotiated pleas, are becoming less productive.

Under most optimum conditions a trial judge would be remarkable if he could try three cases a week. On this optimistic basis,

in the light of about 4,000 cases now awaiting trial, it would take forty-three weeks for a criminal term composed of even thirty judges to try these cases. This is, of course, without regard to new cases entering the court at the same time, now amounting to about 1,000 a month.

ADDITIONAL CASES

This does not include an additional 450 cases in conference parts, or 152 cases awaiting arraignment on filed indictments. If these cases also require trials, it will further magnify the problem.

Another problem is the large number of fugitives. This has created some difficulties for us in case-flow management, for a case scheduled and prepared for trial would ordinarily be postponed due to the absence of a defendant.

Ball, posted as security to insure a defendant's presence in court when required, is lower generally than it ever has been, and apparently as a result, there are now 3,155 fugitives, in addition to the number of cases awaiting trial. The apprehension of these fugitives is basically a police problem, but few defendants are arrested unless apprehended on another charge.

LARGER CASELOADS

It is apparent that the thrust of the system has been to seek to accommodate larger caseloads within less than normal resources of personnel.

At the same time that all these factors referred to have come together, that is, the shortage of personnel, the shortage of space, the need for enhanced security, the vastly greater complexity of criminal cases, the freeze in the city's budget and the great increase in the volume of new cases, the city administration, and others, have seen fit to criticize the administration of the courts.

A good deal of my time is consumed in preparation of reports pointing out the very problems referred to in this article and asking corrective measures. We have sought to improve our operation in various areas but the result has not completely satisfied us. We make no claim to perfection, but one is impelled to raise an eyebrow, at least, when the subject of criticism is the end product of conditions obviously brought on to a large extent by some of those doing the criticizing.

Our budgetary needs are greatest in this period of dramatic growth in the workload and the convergence of many problems in a limited time period. One obvious solution is to afford the judicial system substantial control over its budget and I am hopeful that this will be done.

CHILD DEVELOPMENT PERSONNEL TRAINING ACT OF 1973

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HANSEN of Idaho. Mr. Speaker, with 20 of my colleagues I have introduced the Child Development Personnel Training Act of 1973. As I indicated earlier, I believe that enactment of the legislation will enable us to move a major step forward in meeting the professional and paraprofessional personnel to staff child care programs.

I include as a part of my remarks, Mr. Speaker, the full text of my bill:

H.R. 4228

A bill to improve the quality of child de-

CXIX—264—Part 4

velopment programs by attracting and training personnel for those programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child Development Personnel Training Act of 1973."

STATEMENT OF FINDINGS AND PURPOSE

SECTION 1. The Congress recognizes that one of the major barriers hindering the development of quality child development services at the present time is the lack of sufficiently trained and prepared professional and paraprofessional staff; further that the number of children being placed in child development and child care will increase significantly in the next decade because of the impact of Federal welfare and child development programs and the continued entry of mothers of young children into full-time employment outside the home, and that this increase will, in the future, place an intolerable strain on the already limited numbers of personnel qualified for work in early childhood programs; that the development of quality early childhood programs depends, therefore, on the availability of trained personnel in far greater numbers than present training programs can respond to; and finally, that parents can be helped effectively to use child development techniques with their own children that will lessen or prevent the need for compensatory education programs for older children.

SEC. 2. It is the purpose of this Act to respond to the demonstrated need for child development personnel in the 1970's; by stimulating the development of sufficient training and educational programs in every State and region of the United States to assure an adequate supply of personnel to meet the staffing requirements of early childhood programs.

EARLY CHILDHOOD PERSONNEL DEVELOPMENT PROGRAMS

SEC. 3. The Secretary of Health, Education, and Welfare is authorized to make grants to or enter into contracts with institutions of higher education, State and local child development agencies, State and local educational agencies, child development programs, private companies and organizations engaged in teacher training, teacher training institutions, national child development organizations, and producers of television programming, for the purpose of establishing, developing, or upgrading early childhood personnel training programs which shall include, but shall not be limited to, the development of programs to—

(A) provide postgraduate level training for teachers of professional and paraprofessional early childhood personnel and for teachers of teachers of such personnel;

(B) attract and recruit personnel, both male and female, including students and older Americans, to training for and subsequent employment in child development programs;

(C) retrain personnel prepared for and/or experienced in education at levels other than early childhood so as to enable them to function effectively in early childhood programs;

(D) provide preservice and inservice training of professional and paraprofessional personnel for teaching, management and supervisory, and administrative posts in early childhood programs, including the training and certification of Child Development Associates;

(E) help parents and high school students understand and practice sound child development techniques;

(F) develop educational television programs and other materials for training early childhood personnel, parents, and high school students in the principles of child development;

(G) develop and refine certification criteria and techniques for professional and paraprofessional early childhood personnel.

APPROPRIATIONS

SEC. 4. There are hereby authorized to be appropriated to carry out this Act \$40,000,000 for the fiscal year ending June 30, 1974, \$60,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for each of the succeeding fiscal years ending prior to July 1, 1980.

DISTRIBUTION

SEC. 5. At least 50 per centum of the funds appropriated pursuant to section 4 shall be used for the development of programs to attract, train, retrain, or certify paraprofessional personnel and shall be apportioned among the States. Half of such 50 per centum shall be allotted among the States so that the amount allotted for each State bears the same ratio to such half as the number of economically disadvantaged children, as determined by the Secretary, in the State bears to the number of such children in all the States; and the other half of such 50 per centum shall be allotted among the States so that the amount allotted for each State bears the same ratio to such half as the number of children younger than age six with mothers who work full time outside the home in that State bears to the number of such children in all the States.

SEC. 6. The remaining 50 per centum of the funds appropriated pursuant to section 4 shall be used for the other purposes enumerated in section 3 and for such related purposes as the Secretary may deem appropriate to carrying out the purposes of the Act.

SEC. 7. Priority shall be placed on the development of those personnel development programs which promise to become self-sustaining after Federal assistance has ceased.

COORDINATION

SEC. 8. The Secretary shall take whatever steps he deems appropriate to achieve the coordination of all federally sponsored early childhood personnel training programs already in operation with the programs to be established under this Act and to assure the coordination of training programs with employment opportunities for early childhood personnel.

DEFINITIONS

SEC. 8. As used in this Act, the term—

(a) "State" means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(b) "Early childhood programs" and "child development programs" means programs in children's homes or in day-care homes, schools, day-care centers, neighborhood centers which provide day care and/or educational services for children younger than age seven, or who have not reached the first grade.

(c) "Early childhood personnel" means any person working or volunteering in an early childhood program.

(d) "Professional early childhood personnel" means persons trained, either by attaining the A.A., B.A., M.A., or Ph. D. level through academic study, or on the basis of a credentialed combination of education and work experience that has been assessed as providing the person with specific competencies required to perform professional early childhood duties.

(e) "Paraprofessional early childhood personnel" means persons trained to less than A.A. degree level for service in early childhood programs.

(f) "State and local child development agencies" means any State or local government agencies responsible for the operation and/or supervision of early childhood programs.

CHURCHES AND POLITICS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. CRANE. Mr. Speaker, more and more Americans, of all ages, are finding themselves unaffiliated with a church or other religious institution. Increasingly, many have come to feel that our traditional religious bodies are no longer speaking to their needs and their concerns. Rather than having abandoned religion, a large number of men and women feel, for a variety of reasons, that churches have turned their attention away from questions of faith.

Upon his retirement from the position of Secretary General of the World Council of Churches, the Rev. W. A. Visser 't Hooft stated:

If it is said that the church should only be concerned with spiritual matters, the answer is surely that concern for the victims of injustice and conflict is a most spiritual matter.

He cited as examples of such a concern the World Council's stand on Rhodesian independence—against—and on the American commitment in Vietnam—against.

Dr. Visser 't Hooft did not mention any concern on the part of the World Council for the victims of Communist tyranny, and this is especially notable since so many of such victims have been imprisoned for no reason other than their Christian faith.

In an article, "Try Some Old-Time Religion," the Economist of London points out that—

The World Council of Churches in Geneva often seems to put a higher value on political and social commitment than on the more traditional religious activities. The Vatican has become deeply preoccupied with the political and social issues of the day. So have most sorts of archbishops and leading preachers from many non-episcopal churches.

At a time when certain church groups are openly advocating violent revolution in the nations of Africa, and are giving aid and comfort to Communist aggression in Asia, those who truly seek religion have found themselves with no place to turn.

The Economist declares that—

The particular functions of the Christian churches are to proclaim the truths that they believe men should be guided by in this world and to prepare their flock for another world. . . It is a fair criticism that many leaders of the churches today, by insufficiently reminding themselves of that, are failing to render the service they should to humankind.

The economist concludes:

By initiating a new spiritual debate about the ends of man, the churches could help to start pondering how they may be attained. Instead the messages from many leaders of great world churches this Christmastide have seemed to prefer to fill their hungry sheep with the most convenient sort of political pabulum.

I wish to share this thoughtful article, which appeared in the December 30, 1972, issue of the Economist, with my col-

leagues, and insert it into the RECORD at this time:

TRY SOME OLD-TIME RELIGION

There might have been a bit of a stir if the Pope and the Archbishop of Canterbury had swapped their Christmas messages: if His Holiness had condemned all men of violence (including those who claim to be fighting for a united Catholic Ireland) and if His Grace had ticked off President Nixon by sending his B-52 bombers over North Vietnam. But most people would probably have not noticed at all. They have ceased to take any notice of the torrents of churchy comments on current affairs that gush from the religious centres of the western world.

The authors of these pronouncements apparently feel obliged to go on making them, whether or not many people are listening. To be fair, the main reason is not their weakness for verbosity. The churches are responding to pressures from within their own ranks. Impatient activists are urging their religious leaders to engage in direct confrontations with dictatorial regimes, especially those which pursue policies of racial discrimination. One of those activists, Father Cosmas Desmond, resigned a few weeks ago from the priesthood and the Franciscan order because, he said, the Roman Catholic church in South Africa had accepted apartheid "in practice, if not in theory." He apparently feels that his bishops are too concerned with saving souls, instead of working for changing of the political and social conditions in South Africa. Quite a few Christian laymen and priests in various parts of Africa, Asia, and Latin America seem to agree with Father Desmond in wanting more liberation and less salvation.

The leaders are increasingly following them. The World Council of Churches in Geneva often seems to put a higher value on political and social commitment than on the more traditional religious activities. The Vatican has become deeply preoccupied with the political and social issues of the day. So have most sorts of archbishops and leading preachers from many non-episcopal churches.

This trend towards the "politicisation" of the western churches is welcome to radical revolutionaries. However reluctant they may be to admit it, they need "respectable" allies in the early stages of their struggle to change the social and political order in their countries. Communist governments, too, often find the churches useful unwitting allies. And many people in the third world look to the churches to act as advocates of their economic interests.

THE DIAGONAL LINE

Those who complain that the churches are now tending to earmark for some strange caesars many times that are God's, and seeking unsuccessfully to render to some poor men things that are Mammon's, need to make their grounds of criticism clear. Certainly, it has always been a proper function of Christianity to make people aware of the needs of the poor. Happily, it has always been its pride to attempt to bring principle into the daily practice of politics. Churchmen have done that, often with dire results for themselves, ever since the beginnings of Christianity. Through the centuries, religious principle has been invoked in support of both conservatism and radical change, although the relative loudness of the more radical voices is today's conspicuous phenomenon.

Nor should any critic be misled into arguing that there is a basic antagonism between man's "vertical" relationship with his God and his "horizontal" relationship with his fellow men. The essential link between fatherhood and brotherhood was pithily expressed in certain words of Jesus that are recorded in Matthew, chapter 22, verses 37-40 (and in Mark, 12, and Luke, 10: what they tell you three times is true). If geometrical terms are to be used, the

key one must surely be "diagonal." The Christian who devotes his energies to improving other men's material lot has to remain fully aware of the spiritual relationship with God that inspires this devotion.

"Horizontal" relationships between men are the concern of a wide range of organisations, most of them secular. The particular functions of the Christian churches are to proclaim the truths that they believe men should be guided by in this world and to prepare their flock for another world (however one likes to define it). It is a fair criticism that many leaders of the churches today, by insufficiently reminding themselves of that, are failing to render the service that they should to humankind. This is also a reason why they are failing to win more recruits. The interest in some of the eastern religions that is now fashionable among young people is not always superficial. The Christian churches' failure to capture more of this kind of interest may arise from the fact that they have been so visibly abandoning their mystical, other-worldly face—and preaching political and social commitment instead. It is obvious that people who really want total political and social commitment will go elsewhere rather than stay with the churches. And so they should, even if they happen wholly to agree with the churches' present political line; otherwise, as circumstances change but some priestly convictions change more slowly, there is a terrible danger of their becoming bigots.

THE SHEEP NEED A NEW FOOD

By renewing their concern with some of their traditional functions, the Christian churches could now fill a gaping void in the world. There is a clear need for the rethinking of the rules by which people should be living at a time of rapid social change and great upheavals. But very little thinking is done about that. The academic philosophers are certainly not doing it. Nor are the political parties, whose horizons are bound to be too narrow for such broad thinking. By initiating a new spiritual debate about the ends of man, the churches could help to start people pondering how they may be attained. Instead the messages from many leaders of great world churches this Christmastide have seemed to prefer to fill their hungry sheep with the most convenient sort of instant political pabulum.

THE WORK OF THE U.S. COAST GUARD

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Mr. STEELE. Mr. Speaker, the work of the U.S. Coast Guard, the smallest branch of the Nation's Armed Forces, often goes unnoticed, but the scope and importance of its responsibilities continues to grow and play a vital role in the Nation's future. As a member of the Board of Visitors of the Coast Guard Academy, which is located in my home district, I have had opportunities to see firsthand the services performed by this fine organization.

The Coast Guard is unique in that its operations in peacetime are as important as in war. The bulk of these tasks involve maritime law enforcement, which was the original mission of the Guard.

Congress established the Coast Guard in 1790 at the urging of Alexander Hamilton to prevent the smuggling of goods past customs officials. The role of the

Guard in law enforcement has grown rapidly over the years and today its activities can be placed in seven categories: Marine traffic control and safety, ship safety, port safety and security, environmental protection, conservation, criminal law, and cooperative law enforcement.

One of the most difficult and most important tasks of the Coast Guard is its role in the conservation of wildlife and other marine resources. This task is especially crucial because it involves treaties with foreign nations concerning offshore fishing and gives the Guard an important responsibility in resolving conflicts with foreign vessels.

Related to its conservation efforts is the role played by the Coast Guard in enforcing environmental legislation, with the ever increasing use of our waters for recreation and as a source of food, this role in environmental protection is of vital importance.

Another growing task of the Coast Guard is the enforcement of boating safety legislation. With about 8 million recreation boats on the water today, the Guard must deal with all aspects of water safety and the prevention of accidents.

For the benefit of my colleagues, I am placing "Policemen of the Sea" by Stephen Aug in the RECORD. This article provides an excellent summary of the work of the Coast Guard and its importance to our Nation:

POLICEMEN OF THE SEA

The United States Coast Guard, smallest of the nation's armed forces, is growing—slightly, but perceptibly—propelled by ever-growing responsibilities in law enforcement.

The Coast Guard's growth—about 4 percent a year during the past 15 years to a current level of about 38,000—is in marked contrast to the other military services, which have been shrinking dramatically since a Vietnam War peak of 3.5 million in 1968-69.

But then the Coast Guard has a far different mission. It is the only armed force whose primary responsibilities keep it just as busy in peace as in war. And it is one of these peacetime jobs—serving as the nation's principal maritime police force—that is keeping it incredibly busy today.

So busy is the Coast Guard, in fact, that it can barely keep up with its present duties and has been calling on its 11,000-member Reserve force for augmentation of the regular establishment. It is the only armed force to have Reservists assigned to regular peacetime augmentation duties.

Coast Guard Reservists these days are found spending weekends at lifeboat stations, radio facilities, and group offices, as well as aboard cutters, filling in spots normally held by regulars. And under new legislation the Coast Guard can call Reservists to active duty to help during peacetime domestic emergencies such as major pollution incidents, hurricanes, floods, or similar natural disasters.

But even with the Reservists' help it's tough going. As Vice Admiral Thomas R. Sargent, III, Vice Commandant, said in an interview, the Coast Guard's biggest law enforcement problem is "just people. . . . Federal maritime law enforcement is so all-encompassing for the Coast Guard that our petty officers and officers particularly must know a tremendous amount—not just about maritime law and international law, but their powers over other vessels," he said.

THE POLLUTION HEADACHE

Sargent pointed out that the Coast Guard has been given increasing responsibilities not only over fisheries law enforcement but also

in enforcement of motorboat safety laws and anti-pollution laws, a segment he considers the service's "biggest headache."

He noted that anti-pollution laws now call for Coast Guard enforcement of the so-called "contiguous zone"—the area between the three-mile territorial sea and a 12-mile limit from the coast. With a limited number of ships and aircraft—all are committed to multi-mission responsibilities—"You just don't ideally cover all areas. . . . A vessel on a SAR [search and rescue] case will do law enforcement if it can. . . . but there just isn't enough equipment to go around, and people. . . . to do the perfect job of enforcement. We are, however, a great deterrent to the violator."

Still, the Coast Guard's law enforcement responsibilities, a major portion of its overall mission—which also includes marine safety and military readiness—is the first mission the Coast Guard ever had.

Shortly after the Revolutionary War the new federal government found itself with a difficult problem. During the war to free the colonies from British domination it had been a common practice—and one popular with the colonists' cause—to smuggle goods, to circumvent unpopular import taxes. So popular had the practice become that it continued even after the Revolution, depriving the fledgling government of a vital source of revenue.

First Secretary of the Treasury Alexander Hamilton realized that, to prevent the national treasury from going broke, some way had to be found to collect customs revenues. Since there no longer was a Navy (it had been disbanded after the war), he seized on the idea of a fleet of small boats that would enforce customs laws. A few boats had been operating on the Schuylkill River collecting customs duties under the direction of Colonel Sharp Delaney, then customs collector in Philadelphia. Hamilton knew of the arrangement and convinced Congress in 1790 to authorize 10 boats for the federal government.

The cutter *Massachusetts*, first boat in what was then called the Revenue Marine or Revenue Cutter Service (it became the Coast Guard in 1915), was launched in 1791. The Coast Guard was under way.

Rapid expansion of Coast Guard law enforcement responsibility followed. In 1797 it was given enforcement of quarantine laws; in 1818 enforcement of neutrality laws; in 1819 employment of armed vessels to suppress slave trade; in 1837 aid to distressed vessels; in 1867 general police enforcement powers in Alaska; in 1885 enforcement of fisheries laws; in 1906 destruction of derelict ships; in 1908 patrol of regattas; in 1910 motorboat regulation; and in 1915 enforcement of anchorage regulations.

LITTLE GLORY, BUT LOTS OF RUM

During the nearly two centuries since its founding the Coast Guard's law enforcement mission has not always been popular. Consider its best known law enforcement mission, probably the least popular one: to stop the widespread smuggling of alcoholic beverages from 1919 until the repeal of Prohibition in 1933.

In their recent book, "This Is the Coast Guard," Hyman R. Kaplan and Lieutenant Commander James F. Hunt, USCG, call the rum war at sea one of "little glory and much frustration" for the Coast Guard.

Prohibition itself was obviously unpopular. Nearly everybody violated the law, and speak-easies (illicit bars) did a brisk business. So disliked was the Prohibition law that, even when smugglers were caught, judges frequently gave them token sentences.

Although the federal government authorized a huge Coast Guard expansion to stop liquor smuggling—20 Navy destroyers were reconditioned for Coast Guard use dozens of smaller vessels were built (some retired only

in recent years) and Coast Guard aviation expanded as well—Prohibition gave the service a thankless law enforcement task.

The Coast Guard's basic law enforcement duties stem from a section of the U.S. Code which states the service "may make inquiries, examinations, inspections, searches, and arrests upon the high seas and waters over which the United States has jurisdiction for the prevention, detection, and suppression of violations of the laws of the United States."

The Coast Guard's current law enforcement missions may be placed into seven basic categories:

- Marine traffic control and safety;
- Ship, boat, and offshore structure safety;
- Port safety and security;
- Environmental protection;
- Conservation;
- Criminal law; and
- Cooperative law enforcement.

One of the service's busiest offshore law enforcement tasks is enforcement of conservation laws which protect wildlife and natural resources. In some cases this means enforcing treaties or conventions to which the United States is a party. Sometimes it involves requests from other agencies (such as the National Marine Fisheries Service) responsible for enforcement of a specific law, although often it is the Coast Guard which has primary enforcement responsibilities.

The Coast Guard has conducted patrols to protect the Pribilof fur seal since early in the 20th century. Since then, other patrols have been assigned to protect halibut, salmon, whales, and other wildlife species.

Currently there are about 20 laws, treaties, and agreements which require Coast Guard air and surface surveillance in five major geographical enforcement areas: off the New England coast, mid-Atlantic coast, northwest coast, Alaska, and the west coast of South America (primarily, in this case, to protect yellow-fin tuna, an almost impossible task).

Patrol of fisheries has assumed growing importance in recent years as concern has risen over the protection of ocean resources, particularly those needed to feed the world's population.

To accomplish its job of offshore fisheries law enforcement, the Coast Guard must know the whereabouts of any foreign vessel within 200 miles of the U.S. coast, an incredible intelligence task—necessary, however, to enable the Coast Guard to deter potential violators of U.S. fisheries laws as far out as 12 miles from the coast line. To accomplish this mission, moreover, Coast Guard personnel must board vessels suspected of violating U.S. laws or international agreements and, if necessary, seize violators. Some international agreements can require Coast Guard policing action hundreds of miles from U.S. coast lines.

One continuing fisheries law enforcement problem is the ongoing battle between trawlers and lobster-pot fishermen. Since early 1971 some U.S. deepwater lobstermen have been complaining about alleged harassment from foreign trawlers. The Coast Guard's view is that, since harassment connotes a malicious intent, these confrontations are more appropriately termed "gear conflicts."

The Coast Guard expects that, no matter how careful both sides are, attempts to fish in the same areas with fixed and mobile gear are going to result in mixups and conflicts between trawlers and lobstermen. Most incidents occur 40 to 60 miles offshore, where the Coast Guard has limited power. It does, however, have authority, relatively new, to board certain foreign vessels in certain areas of the high seas to mediate gear conflicts, and the service does inform trawler fleets of the location of the fixed lobster gear.

THE CROWDED COASTLINE

Of growing importance in Coast Guard law enforcement is boating safety—regulating the activities of about eight million recreational boats.

Here, too, is an area in which considerable controversy can be expected to erupt as the Coast Guard begins to enforce new regulations under authority conferred by the Federal Boat Safety Act of 1971.

One section gives the Coast Guard authority it never has had—the power to stop a voyage if it believes the vessel to be unsafe, the practices used unsafe, or weather conditions unsafe for the vessel.

The provision, approved by Congress despite what some observers say was intensive lobbying by boating enthusiasts, gives the Coast Guard power for the first time to put teeth into its warnings short of arresting violators.

In what could be considered a test case of the new law, the Coast Guard recently prevented three couples from sailing three homemade, flat-bottomed boats from California to Australia. Coast Guard officials say those sailing included three children—one only nine months old. Further, none of the adults had had any sailing experience. The Coast Guard limited the vessels to sailing in protected waters.

The same section requires the Secretary of Transportation to promulgate regulations under which the Coast Guard may prevent vessels from sailing—or force them back to shore. Until the 1971 law went into effect, this thankless job had been accomplished with limited success, and strictly by persuasion.

The first regulations under the new law went into effect last summer. Under one set of rules, Coast Guard boarding officers who observe recreational boats being used under certain specified unsafe conditions are authorized to order immediate correction of such conditions—or a return to the nearest mooring if corrections cannot be made immediately.

The law itself spells out three unsafe conditions: lack of sufficient life-saving devices, lack of sufficient firefighting devices, and overloading.

The new rules prescribe five other reasons a Coast Guard boarding officer may order a boat back to port: navigation lights not properly displayed between sunset and sunrise; fuel leakage from either the fuel system or engine; an accumulation of fuel in bilges or a compartment other than the fuel tank; ventilation requirements not met; requirements for backfire flame control not met. These requirements have always been there, of course, but until now the Coast Guard could only issue a violation notice or arrest the violator. There was no authority to simply order the boat back to port to correct the problem.

The Coast Guard last summer also issued safety standards covering safe loading and powering of boats, emergency flotation and requirements for manufacturers to repair at their own expense any failures to comply with Coast Guard standards or any defects that create substantial risks of injury to the public.

CLOSING THE BARS

Other regulations are expected to be developed to deal with natural conditions—perhaps enforcing storm warnings by requiring boats of certain sizes to remain in port during certain weather conditions. Other rules may deal with the famous "bars" along the West Coast. Here, rapid shoaling of the ocean floor often creates conditions sufficiently hazardous to endanger sizable vessels as the wave size increases.

The new boating safety act also provides authority for the Secretary of Transportation to establish minimum safety standards for boats and associated equipment, authorizes financial assistance to the states for their safe boating programs and provides for the numbering of all undocumented vessels.

Developing safe boating standards under the new law is, of course, the responsibility of the Coast Guard. But the law also sets up

a National Boating Safety Advisory Council to advise on all standards and regulations imposed by the Coast Guard governing safe boating. The advisory council will draw its members equally from among state boating officials, boat and equipment makers and the general public.

Just how much influence this advisory committee will have is not certain. Critics of such committees—especially in instances where the groups are organized to advise regulatory agencies—contend they exert too much influence on the regulators. A Coast Guard background paper on the new boating safety laws says "the overriding concern is to make boating safer," but it also notes that the Coast Guard will encourage submission of views from boat makers "at every stage of the standards drafting process."

Enforcement of boating safety laws has always been a duty that has taxed the slender resources of the Coast Guard, especially in summer when boating activity reaches a peak. Since establishment in 1941, the Coast Guard Auxiliary—now about 38,000 strong—has helped the regular service promote water safety, make rescues, promote efficiency in operating motorboats and yachts, and foster wider knowledge of navigation rules. Its widespread program of courtesy motorboat examinations attempts to insure that boat owners are complying with Coast Guard safety standards.

In forthcoming boating seasons it is entirely possible that the regular Coast Guard will be augmented by reservists, especially on busy weekends, but also during their two-week annual active-duty periods in connection with boating safety.

HARMFUL FILMS

Another fast-growing law enforcement job involves water pollution. The Coast Guard has been in the antipollution business since 1899 when it began enforcing the Refuse Act which governs oil discharges in the Great Lakes and on inland navigable waters. Its oil pollution responsibilities were broadened by the Oil Pollution Acts of 1924 and 1961 which govern oil pollution on U.S. coastal waters. The Army Corps of Engineers, the Department of Interior and the Bureau of Customs also are involved in enforcement of these laws.

The Coast Guard's role in combating water pollution was considerably expanded with 1972 amendments to the Water Quality Improvement Act. Admiral Chester R. Bender, Coast Guard Commandant, says that through this law President Nixon and Congress "have made it clear that our waters must be protected by strict enforcement measures."

Initially, a series of tragic and widely-publicized oil spills resulted in passage of the original Water Quality Act of 1970. The Coast Guard was given a wide range of responsibilities under it.

The newest amendments require that all spills—not just major spills—of a harmful quantity of oil into U.S. waters be reported to the Coast Guard. This "harmful quantity" is defined as any amount that creates even a film on the water. It includes penalties for accidental spills—in the past only knowingly spilling such substances was penalized.

Under the law even a couple of gallons of oil spilled over the side of a dock during a mishap at a small boat marina is reportable to the Coast Guard. If someone else reports it—rather than those involved—the individual who caused the spill (and didn't report it) could be subject to criminal penalties of a \$10,000 fine and a year in jail.

Under federal anti-pollution legislation, the Coast Guard is assigned the task of writing standards for operation of certain terminals where oil and other hazardous substances are transferred, and also is responsible for policing the manner in which offshore dumping is carried out. The legislation could open a whole new field to bootleggers—

illicit dumping without permits in prohibited areas.

Coast Guard law enforcement duties also grew with the passage of the 1972 Ports and Waterways Safety Act, which gives the service authority to establish vessel traffic systems in congested ports and waterways. The first such system was set up in San Francisco to help control traffic in and out of the West Coast's busiest port.

And, as if all the above were not enough, the nation's smallest armed force also handles a variety of other law enforcement tasks involving such matters as:

Merchant marine safety, including inspection and certification of all vessels; licensing, certification and disciplining of merchant marine personnel; investigation of accidents and enforcement of duties of shipowners and officers following accidents, and promulgation enforcement of rules for lights, signals, speed, steering, sailing, passing, anchorage and the like.

Enforcement of a variety of state, local and national quarantine laws.

Regulation of maritime transportation of dangerous cargoes. Loading or unloading explosives is forbidden without the Coast Guard's express consent, and the service supplies details to supervise each loading or unloading. As part of a general port security program, it promulgates and enforces fire and other safety regulations at waterfront facilities.

There are also a host of lesser law enforcement duties, and, in addition, the Coast Guard actively cooperates with other federal agencies, if only to supply a platform for their law enforcement operations. These include aiding the Bureau of Narcotics and Dangerous Drugs in capturing "drug runners," helping the Immigration and Naturalization Service and the Bureau of Customs with their duties, and enforcing anchorage regulations set down by the Army Corps of Engineers.

Looking to the future, some Coast Guard officers are already concerned about the outcome of the 1973-74 International Law of the Sea Conference. This conference, beginning in November 1973, will consider, among other things, the possibility of changing internationally recognized limits of three miles for territorial seas and nine miles for the contiguous zone. There are moves by a number of countries—notably Ecuador, Peru, and Brazil, which currently claim 200-mile limits for fishing purposes—to gain international sanctions for a much wider zone than other nations now recognize.

The United States wants to retain the present three and 12-mile limits. If those limits are appreciably extended, the Coast Guard's already overtaxed resources might well be stretched to the breaking point.

THE PLIGHT OF THE POLTINNIKOV FAMILY

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. KOCH. Mr. Speaker, I know that my colleagues in the House continue their interest in the plight of Soviet Jews. The following letter which I have written to both Ambassador Anatoly Dobrynin and General Flanetsky, of the Department of Internal Affairs, in Russia, concerns a family that has applied for permission to emigrate to Israel. Because of their wish to leave the Soviet Union, they have lost their jobs and Dr. Poltinikov has even lost his pension. Further—

more, the two women are sick. This case calls for compassion. I hope that our colleagues will join me in expressing their support for this family.

My letter follows:

CONGRESS OF THE UNITED STATES,
Washington, D.C., January 25, 1973.

General FLANETSKY,
Department of Internal Affairs,
Novosibirsk, Russia.

ANATOLY F. DOBRYNIN,
Ambassador, Union of Soviet Socialist Republics,
Washington, D.C.:

A situation has come to my attention which cries out for a just and compassionate resolution. The facts, as reported to me, are as follows.

Isaac Poltinnikov, Irma Berenstein, his wife, and Victoria Poltinnikova, their daughter, applied for permission to emigrate from the USSR to Israel in January and June of 1972. Each of them has been refused permission several times. The family is from Novosibirsk, Novosibirsk 63, Street Tolstovo 234, Apartment 18.

Both Irma Berenstein, who is 50 years old, and her daughter Victoria, 29 years old, are seriously ill. Irma Berenstein has chronic heart disease. Victoria is now suffering from an attack of tuberculosis aggravated by the cold Siberian winter and anxiety over her family's situation.

All three of these people are physicians whose talents are currently unused since they were dismissed from their jobs because they applied to emigrate. Dr. Poltinnikov who had been receiving a pension for his many years of military service was recently deprived of that pension and thus this family has virtually no income or means of support.

Irma Berenstein's 84 year old father, Boris Berenstein, was given permission to emigrate and left the USSR in November of 1972. He was led to believe that his daughter and her family would soon be permitted to follow. Now he finds himself alone and depressed separated from his family. Irma Berenstein and Isaac Poltinnikov also have a younger daughter, Eleonora Poltinnikova, who is anxiously waiting in Israel to be reunited with her parents and sister.

I urge you to intercede on behalf of this desperate family. I trust that this matter will receive your sympathetic attention.

I would appreciate hearing from you on this matter as soon as possible.

Sincerely,

EDWARD I. KOCH.

FISHERMAN'S PROTECTIVE BILL

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. E DE LA GARZA. Mr. Speaker, no fewer than eight American fishing vessels have been seized by Peruvian military naval forces during the month of January.

This is not a new problem. And it is costly to the United States, since our Government has paid millions of dollars to bring about the release of scores of our shipping vessels. Since 1969 we have paid Ecuador and Peru alone \$4.5 million in ransom.

Ironically, the U.S. vessels are being seized by warships which we made available to those countries in the first place.

This situation has arisen from the fact that while the United States claims a 3-mile territorial sea and a 12-mile ex-

clusive fishing zone, Peru, Ecuador, and Chile claim a 200-mile exclusive fishing zone, which is not recognized by the United States or most other maritime powers. Our fishing vessels operating within this unrealistic zone are being seized by countries which are operating former U.S. vessels on a loan or lease basis.

Under existing law, the Secretary of the Navy has discretionary power to recall such vessels. However, the Department of Defense has not used that authority.

Mr. Speaker, I am today introducing a bill that would make mandatory—not discretionary—the return of all U.S. vessels now on loan to any nation which illegally seizes American fishing boats.

My bill would require the President to recall those U.S. vessels being operated under expired loans by any nation that illegally seizes an American fishing boat and would require the Secretary of the Navy to recall other U.S. naval vessels now being operated under valid loans by any offending nation.

This is a matter of immediate and great concern to my own district, the 15th Congressional District of Texas. Shrimp boats operating out of ports in my area have repeatedly suffered harassment and seizure.

Members of the Merchant Marine and Fisheries Committee, on which I serve, have tried again and again to bring the offending nations to the conference table in order to resolve this entire problem of fishing rights. But such efforts have been in vain.

Certainly we have a responsibility to live within the community of nations and abide within the realm of good neighbors, but when nations arbitrarily set unreasonable demands, not consistent with their national health, safety or welfare, then it is time, and past time, to assert our Nation's sovereign rights. My bill would move us in that direction.

IN MEMORIAM: L. B. J.

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Mr. BRAY. Mr. Speaker—

For God's sake, let us sit upon the ground, And tell sad stories of the death of kings.

The poignant lines from "Richard II" are appropriate. For the second time in thirty days the American Republic mourns the death of a former President.

The President is but one man. The Presidency is many men. The American Republic is over 200 million people. But, somehow, in a manner none can fathom, our 200 million coalesce into that one man, and the symbol he is. When our Presidents die, in office or out of it, no matter the circumstances, something is gone from our national life and national soul. And something is gone from each of us, too.

And now the final drum taps have sounded for Lyndon Johnson. One man—

watching him, you could hear the jingle of spurs, the clump of boot heels on the floor, the creak of saddle leather, and feel the frenzied excitement and hear the rolling drumfire of a mustang at full gallop, hooves striking sparks from the flint. For over 30 years he ranged across the American political scene with a two-fisted stride that was in the best tradition of the frontier from which he came, which he loved, and of which he was so proud.

It may be the supreme irony that the fates decreed one of our saddest and most tragic hours to be Lyndon Johnson's finest. He came to the Presidency at a time when the Nation was in the indescribable shock and trauma caused by an assassin's bullet. For us, the sudden passing of a Chief Executive is a twisting, wrenching thing. Continuity and stability are hallmarks of our National Government, and of our way of life. They were replaced by fear, confusion and uncertainty. Only one man—the new President—can offset this. And Lyndon Johnson did.

How many knew, as they watched President Kennedy's funeral procession go through the streets of Washington, and as they saw Lyndon Johnson marching with it, that the Secret Service had begged him not to expose himself? There had been one assassin already; were there more? He brushed them aside; he knew what was expected of him and what his duty was:

I would rather lose my life than be afraid to risk it.

A President had been murdered, but the country would go on. Waves crashed against the rock, but the rock stood firm. The foundations of the Republic were secure.

Now, an eagle lies under the stone. There is a vacant and lonely place against the sky. History will judge; we cannot. But, whatever is finally written about Lyndon Johnson in the annals of the American Republic must have on the pages bright, clear and large, the words "Courage—Devotion—Patriotism."

Lyndon Johnson never gave his country any less. No country could ever ask for more.

"And now these waiting dreams are satisfied; From twilight to the halls of dawn he went; His lance is broken; but he lies content With that high hour, in which he lived and died.

And falling thus, he wants no recompense, Who found his battle in the last resort; Nor needs he any hearse to bear him hence. Who goes to join the men of Agincourt."

WHOSE LIFE IS NEXT
ENDANGERED?

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. DELANEY. Mr. Speaker, many thoughtful citizens were shocked and dismayed by the decision of the U.S. Supreme Court on January 22 legalizing abortion on demand.

The fundamental charter that established this Nation, the Declaration of Independence, states, as a self-evident truth, that all men are created equal, and are endowed by their Creator with the unalienable right to life.

The Supreme Court, while admitting it does not positively know when life begins, has made the awesome decision to allow its destruction prior to birth.

If the innocent unborn are denied the right to life, what of the aged, and the seriously incapacitated?

On February 5, I introduced House Joint Resolution 290, calling for a constitutional amendment to protect the life of unborn infants, the aged, and the incapacitated. It is my hope that early hearings will be held on this proposal, so that all citizens can be reassured immediately of this Nation's continued dedication to the protection of human life.

In this connection, I would like to share with my colleagues a cogent statement on this subject recently made by His Eminence, John Cardinal Krol, president of the National Conference of Catholic Bishops.

Cardinal Krol's statement follows:

STATEMENT BY JOHN CARDINAL KROL

The Supreme Court's decision today is an unspeakable tragedy for this nation. It is hard to think of any decision in the 200 years of our history which has had more disastrous implications for our stability as a civilized society. The ruling drastically diminishes the constitutional guarantee of the right to life and in doing so sets in motion developments which are terrifying to contemplate.

The ruling represents bad logic and bad law. There is no rational justification for allowing unrestricted abortion up to the third month of pregnancy. The development of life before and after birth is a continuous process and in making the three-month point the cutoff for unrestricted abortion, the court seems more impressed by magic than by scientific evidence regarding fetal development. The child in the womb has the right to the life it already possesses, and this is a right no court has authority to deny.

Apparently the court was trying to straddle the fence and give something to everybody: abortion on demand before three months for those who want that, somewhat more restrictive abortion regulations after three months for those who want that. But in its straddling act, the court has done a monstrous injustice to the thousands of unborn children whose lives may be destroyed as a result of this decision.

No court and no legislature in the land can make something evil become something good. Abortion at any stage of pregnancy is evil. This is not a question of sectarian morality but instead concerns the law of God and the basis of civilized society. One trusts in the decency and good sense of the American people not to let an illogical court decision dictate to them on the subject of morality and human life.

THE OCCUPATIONAL SAFETY AND HEALTH ACT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ASHBROOK. Mr. Speaker, last year, in commenting on the Occupational

Safety and Health Act—OSHA—I noted that the intentions of the act are praiseworthy, seeking to insure a safe and healthful working environment for every employee in the country. However, it was my belief that a gap had developed between intention and execution.

Recently, Charles K. Hay, of the Hughes Tool Co., and president of the Society of Manufacturing Engineers made a similar observation regarding OSHA, noting that "philosophy is one thing and reality is another."

Although the original legislation was amended, there is much work to be done to improve OSHA, thereby benefiting both the employer and employee.

Insert at this point "OSHA and the Realities" by President Hay of the Society of Manufacturing Engineers, followed by my "Washington Report" of August 9, 1972, on the Occupational Safety and Health Act:

OSHA AND THE REALITIES

Whenever a job becomes safer, it usually becomes more efficient. Productivity increases, the balance sheet looks better, and everyone is generally happier and more content. Accordingly, management that is wise generally accepts the philosophical premises of OSHA, the Occupational Safety and Health Act of 1970.

But as many managers are finding out, philosophy is one thing and reality is another, which is to say that worker safety is in danger of becoming another exercise in bureaucratic *fol de rol*. Just what can be appreciated by examining some aspects of the Act itself, and by studying the methods and procedures of enforcement?

To provide an example, we were recently talking to an engineer employed by an oil company that ran afoul of an OSHA inspector by way of the color of the handrails in the stairwell. These rails are supposed to be painted yellow, which they were. But in the opinion of the inspector, they were painted the wrong shade of yellow. Since an appeal from the decision of an OSHA inspector is expensive and time consuming—and something less than politically expedient—the company gave in and repainted the rails to a shade of the inspector's liking.

In another case, construction of a plant was interrupted because of a hole left in the roof for subsequent installation of an air conditioning unit. Although the opening was protected by planks, an inspector decreed that it must be closed by a hatch type cover, "to prevent a worker from stepping into it." When the management suggested that there was really nothing to keep a worker from stepping off the edge of the roof either, the inspector replied that there's nothing in OSHA about roof edges—just roof openings.

A large stamping plant we know of is in conscious violation of OSHA because the dividers in the men's washroom are several inches shorter than standard. These dividers are not jerry-built—they're commercially manufactured, pre-OSHA standard panels, but the dimensions they were built to now constitute a violation. The company's attitude is: "Let's hope the inspectors don't notice."

The problems related to a trout press are especially difficult, since a trout press, by definition, involves worker entry to the point of operation. But OSHA stipulates that a trout press shall have the same protection as a production press, which means that trout is going to become increasingly expensive. Trout presses pose such a problem that one manufacturer called the MEM editorial staff (which produced a four-article series on OSHA) and asked for consultation regarding appropriate wiring of his press.

At a higher level, one of the basic weak-

nesses of the Act is that it places a disproportionate share of the responsibility for safety on the employer. As an example, the employer must supply safety glasses for virtually all work areas. But if a worker refuses to wear the glasses and subsequently sustains an eye injury, the employer is by no means relieved of responsibility.

The law is permeated with fines for the employer, but there is no system of fines for the employee whose carelessness and general disregard of the law endangers his safety and that of others.

Similarly, if the employer installs a piece of manufacturing equipment which subsequently proves defective and leads to employee injury, the employer is liable, although he acted in good faith. At this point in time it must be noted that the body of law concerning industrial safety is far from complete. There is still a great deal of work to be done in refining as well as enlarging the law by way of the development of additional safety standards. It is worth suggesting that industry involve itself in activity, for it is only through increased industry participation that this Act can be made viable.

OCCUPATIONAL SAFETY AND HEALTH ACT

Many of my constituents—both owners and employees of small firms and farms alike—have written me requesting relief from the unreasonable and burdensome regulations imposed on them under the Occupational Safety and Health Act. Most other Members of Congress have also received numerous complaints about overly zealous enforcement activities, amounting in many cases to downright harassment.

I harbored doubts about the bill when it was before us a year and a half ago, which constrained me to vote against it even though it was unpopular to do so.

The Act's intentions are praiseworthy. It aims to insure a safe and healthful working environment for every employee in the country. But, as frequently happens, a gap developed between intention and execution.

Much of the problem rests with the law itself. In an effort to insure strict and swift application of safety and health standards, it adopts a punitive approach to enforcement. Businessmen report being besieged with Department of Labor officials who are passing out fines even before owners and managers have received a copy of the more than 400 page document detailing the rules and regulations with which they must comply.

Many small businessmen and farmers have never been subject to such regulation before. Faced with a bewildering jumble of minutely prescribed safety and health standards, they are at a loss to know which ones apply to them.

Large corporations employ professional staffs solely in order to analyze and apply such standards. The small businessman cannot afford to hire a lawyer to interpret the law and an accountant to keep the records it requires. The first time he is even aware of a violation may well be when a Federal inspector slaps a fine on him for noncompliance.

The law makes it mandatory to impose a "first instance sanction," an automatic penalty for the first violation. This may entail a fine of several thousand dollars, an insignificant sum for a large corporation perhaps, but a serious loss for the small machine shop operator who is subject to exactly the same rules. The employer's ability to pay the fine or to make the necessary changes in his operations to comply with the rules is not taken into consideration by the law.

There appears to be a reluctance to provide guidance and information, and I have received reports of arbitrary fines, rudeness and sarcasm on the part of Department of

Labor inspectors, as the following excerpt from a letter to me illustrates:

Recently I heard one of the government inspectors for OSHA tell a friend of mine what changes he had to make in his garage (auto repair shop). A group of us had just come back from having coffee and as we walked into his shop, the government man cornered my friend and really chewed him out. Telling him that he had to do certain things and he belittled his orders all over the shop. Everyone heard him, even the employees. I do not think this is the way these things should be handled. No one should be treated like this in front of friends and employees.

I'm in the printing business, have been for 15 years. Occasionally the Industrial Commission of Ohio representative will come in and tell me of changes I must make. There's no problem of shouting and no problem in asking me to do things that are ridiculous to do. We have a good relationship with the state people. But this Federal man—I have never in my life witnessed a representative of the government talk to a business man like this. Needless to say I am not looking forward to the Federal man's visit because no doubt he will find things to be done and tell me to do things that are almost impossible to do—as he did my friend. I believe steps should be taken to repeal this act . . .

Steps are at least being taken in an effort to improve the administration of the Act and relieve the small businessman of excessive governmental interference. In the House we recently adopted an amendment to an appropriation bill which will exempt firms having 25 employees or less from complying with the Act. And a Senate Labor Subcommittee has been conducting hearings to review the operation of this law.

Responsible reform of the Occupational Safety and Health Act is needed. Unquestionably, improved health and safety in industry and on farms is a desirable goal. But we must restore the balance between concern for employees' safety and realistic consideration for employers' problems and responsibilities.

WORLD ANTI-COMMUNIST LEAGUE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. DERWINSKI. Mr. Speaker, I am pleased to insert into the RECORD a speech made by our distinguished colleague, DAN DANIEL, of Virginia, at a Freedom Day Rally at Taipei, Taiwan, on January 23. The rally was held under the auspices of the Asian Peoples Anti-Communist League, an organization providing leadership throughout Southeast Asia in the struggle against the oppressive forces of communism:

WORLD ANTI-COMMUNIST LEAGUE

(By Dan Daniel)

The invitation to speak to you today was accepted with some reservation on my part. I am honored, and am flattered, that you would feel I have something to impart to you. After all, the accomplishments of your nation in recent months have been of a quality that we Americans might well wish the situation were reversed, and a member of your legislature were addressing a similar body in the United States.

Then too, when I was advised I might speak for an hour on any subject, the thought occurred that I might tell you everything I know on every subject in that span, and have a little time left over. Luckily, I learned that it really was not intended I

should consume a full hour. Also, I am not restricted to hard facts. In a time when yesterday's eternal verity is viewed as today's myth, and today's fantasy may become tomorrow's reality, it is perhaps better that we consider something less concrete, but far more important. What I will talk about, then, is an ideal—the ideal of freedom—what it has meant to the people of the Republic of China, and what it means to the rest of the world, especially that part of the world which does not enjoy freedom's blessings and responsibilities.

To return to the area of facts, one which has astounded the free world in the past year is the amazing performance of the Republic of China in the economic and diplomatic arenas since October, 1971.

Not long ago, one of the large newspapers in my country carried a supplement, similar to a slender magazine, which carried the title "Free China Is Alive and Well." That such a magazine should appear, and that it could truthfully be so titled, is one of those small miracles the rest of the world has come to expect from the Republic of China over the past twenty years.

Never has there been more cause for genuine admiration of your country by the rest of the world than now exists.

While it has not always understood them, the world has long admired the Chinese people. Indeed, when my own ancestors were painting themselves blue and hunting on the moors of northern England, yours had already established a civilization and a culture rich in amenities for its time.

Despite the Russians' protestations and claims, it would appear that the Chinese have invented almost everything. And while one of your inventions as transferred to the United States tends to frustrate our legislatures at every turn, and another threatens to drown us in reports and documents, we are still grateful for your contributions to our own way of life. I refer, respectively, to bureaucracy and paper.

The history of China reveals a long record of triumph over adversity. Your nation has survived the onslaughts of a succession of enemies from beyond your borders, and disasters of nature which might have destroyed lesser men.

Perhaps it is this history which has prepared you for this particular point in time. While nature has not misused you of late, certain acts of man during the past two years have called for fortitude of a degree few other people have required or found within themselves.

Many writers in the European press as well as in the United States signalled the instant demise of the Republic of China following the admission of Communist China to the United Nations, and President Nixon's visit to the Mainland. These were matters not to be taken lightly. Yet the citizens of the Republic of China might well take pride in this nation's reaction to these shocks and its accomplishments since these two events.

On the economic front, this nation's performance has been little short of miraculous. It is reported real economic growth may match that of 1971, when a gain of more than eleven percent was recorded. Industrial production, I understand, has risen 27 percent, and with a population one-fiftieth that of Communist China's, exports and imports easily outstrip that larger nation, approaching five-and-a-half billion dollars this year.

Just before I left the United States to visit your country, one of our television networks carried a lengthy "travelogue-type" program on Red China. While I am not here to promote this program, there were two things which should properly be mentioned, especially since it came so close on my visit to your country.

One of the things which impressed me most strongly was the expression of fear on the faces of so many when they realized they

were being photographed. Only the very young and the very old appeared oblivious to it.

I was further caught by the attitude of Red Chinese leaders toward the past. It is my understanding they have made every effort to destroy the sense of family which runs deep in the Chinese nature, even as it does in our American south—and this may be one reason I noticed it.

Yet having set out to ridicule and vilify the past, they now attempt to preserve it in museum settings. It is intriguing to guess at the motive, but one suspects this strong national feeling for the past dies hard, and may not have responded to the blandishments of the Communists in the way they had hoped.

In other troubled times—during the Dark Ages in Europe, for one—the Monasteries served as repositories for what knowledge we have of the ages before. Had it not been for these monks, some of them devoting lifetimes to the protection and preservation of these priceless documents, we would know little of our Western Heritage.

In a very real sense, a Dark Age has descended on the Mainland of China, but once more a Divine Providence has provided that not only the documents but the ways of a people shall not disappear, but shall be nurtured and passed on to succeeding generations. You are indeed the Keepers of the Flame.

As I considered what I should say today, I was constantly struck by the uniqueness of the position of the Republic of China in the world. In a generation, the smallest, least populous of the Chinese provinces has become one of the most prosperous small nations in the world.

From a country dependent on other nations for protection and for financial assistance, you have reached the point where you not only stand square on your own economic feet, but have extended aid to some twenty developing nations. Would that some other of the recipients of foreign aid showed such vigor!

This is not a very comfortable world in which we live. Those of us who are not completely sold on the idea of detente with the Communist nations find much to make us uncomfortable.

It would be indeed a happy development if this "Era of Negotiation" were to produce a generation of peace, but when communists and negotiations come up in the same breath, it calls to mind the traditional communist posture: "What's mine is mine; what's yours is negotiable."

The other day I came across the statement: "What we learn from experience is that we don't learn from experience." In no area is this more true than in the area of negotiation with the Communists.

History reveals that a communist is never more dangerous than when he smiles and offers to shake hands.

The smile flashed by the Russians and the Chinese Communists when President Nixon visited both of those nations last year was followed by the provision to their cohorts in Hanoi of more military support with which to kill Americans and South Koreans and blistering attacks on our efforts to secure peace in South Vietnam. When the Russians recognized their blockade of Berlin would not break the West Berliners' spirits, they smiled and gave us war in Korea. When the Panmunjon agreement settled the aggressive phase of that war, they smiled and provoked war in Indochina. They smiled as they provoked trouble in the Middle East in 1956 and committed the dastardly rape of Hungary. The Russians once more smiled while removing a portion of their military arsenal from Cuba, while increasing their program of sabotage and subversion in Latin America.

I favor building bridges of friendship with all the peoples on earth. However, if I must

walk this bridge, and if I am to invite free world citizens to join me, I must first insist that its understructure be planted firmly on rock-bottom reality, not on the shifting sands of Communist pronouncements.

The communists have only one goal, but it is a goal they are willing to commit their whole effort to accomplish—that goal is world domination. "Peaceful coexistence," to them, is only a way-station on the path to that ultimate aim.

The government of the United States has been described as "government-by-crisis," not "government-by-plan." To a degree this is true, but in one area, that of our commitments to mutual defense with our allies, there is at least a semblance of a plan.

I have been privileged to observe the success of our defense treaty with your nation firsthand, for this is not my first visit to the Republic of China. Once I came as a representative of the American Legion, of which I was Commander. On that occasion I recognized the urgency of defense of this nation against the military forces then poised across the Straits of Formosa. I conveyed this to the leadership in my country in the strongest terms possible. Later, I was privileged to come here under the auspices of the People-to-People program. On that visit, I not only was impressed by the accomplishments of the Chinese people, but my belief in a strong defense for the Republic was reinforced.

For some 19 years our nation and yours have been bound by treaty to mutual defense and assistance. It is a treaty which has shored up and secured the best interests of both our nations for a generation, and has guaranteed to the people the right to live out their lives on their own terms, not on terms dictated by Moscow or Peking.

Today there are those who would again have the United States turn its back on the world. Let me say to you now that this view is not shared by the vast majority of Americans. We know well our debt to you as the firm link in the chain which protects the free world from the encroachments of totalitarianism in your area of the world.

A defense line has been drawn against further communist expansion. That line must be defended. There must be no appeasement. There can be no compromise with this objective.

It is no secret that much of the Republic of China's economic gain has been accomplished with a large assist from foreign capital. This capital will continue to be available so long as there is confidence that Free China will not be invaded by the Communist Chinese nor abandoned by the free world.

The communists have consistently maintained that time was on their side. They believed that, given time, all the world would fall victim to their preachings of a peoples' paradise. Lenin was convinced that they would take the world; we all know he even prophesied they would take the United States without firing a shot, that we would "fall like overripe fruit" into their hands. It has now been more than fifty years since communism first was recognized as a government, and still much of the world remains beyond its grasp.

If time allies itself with either side in this life-or-death struggle, it is with the free world. Already we see indications of cracks in the totalitarian wall built around eastern Europe. Given time, those who have traded their freedom for what they thought might be security, may well turn to those nations not held in thrall to communism as more acceptable models for the way of life they choose.

When we read world history, we point at certain events and say, "At this point, we stood at a crossroads." I believe the future will accord the same designation to our own period. I am convinced that events of the 1970's will prove the deciding factors for

hundreds of years to come. I am further convinced that the Republic of China will bear a significant role in these events. You stand for all the world to see the accomplishments of a nation dedicated to freedom. Smaller in size, with less natural resources and fewer people, you provide, daily, evidence that men do not just survive but prosper and grow and share the fruits of their labors in the community of nations, given the will and the determination.

Time after time, free men have confounded their critics by preserving for everyone the freedom of speech to point out our problems and the freedom of action to solve them. In this nation, we see this premise brought to fruition.

Despite public pronouncements by the diplomats and the politicians, the people of the non-Communist world are on your side. They believe deeply and firmly in what you have done, and it is my personal feeling they will not permit you to be abandoned.

I am here today not as a representative of my government, but as a representative of the people of the United States to the people of the Republic of China. The concept of a people-to-people program is that of mutuality of interests, and through seeking out and cementing those areas where our interests are mutual, we may well lay the base for governmental actions and programs in the best interests of all. Diplomacy will follow where the hearts and minds of free men have pointed the way.

I call on others around the world who cherish freedom to commit themselves to the same goals which have allowed this nation to stand tall and free in the world.

PEYSER POINTS OUT RELOCATION WASTE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. PEYSER. Mr. Speaker, this Congress is very much aware that we are in a period of fiscal "belt-tightening," where we are attempting to eliminate governmental waste and avoid any tax increase. Hence, it is a time to examine existing programs and correct any fiscal irresponsibilities that may be present.

I have done just this with regard to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and found two tremendously wasteful practices to exist.

The first concerns the Department of Housing and Urban Development. From January 1, 1972, to August 17, 1972, the Department had a fixed payment policy for relocations. Even though that policy was changed on August 17, automatic \$1,000-per-year payments are still being made to people who relocated prior to that date. These payments in many cases are far in excess of any actual relocation expenses. This is contrary to the intent of Congress.

The second concerns double payments that are being made under the act. Currently, relocation payments are not included in the recipients' income for public assistance purposes. Hence, some people receive more assistance than Congress intended they should receive. This type of practice is not fair to anyone; it is merely an extraordinary waste that must be corrected.

In order to remedy these fiscally irresponsible practices, I have written a letter of protest to Secretary-designate Lynn of HUD, demanding that the departmental policy of fixed payments be changed, and have introduced a bill to eliminate the present requirement that relocation payments be excluded from the recipients' income for public assistance purposes.

A copy of the letter and bill follows.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 29, 1973.
Secretary Designate JAMES LYNN,
Department of Housing and Urban Development,
Washington, D.C.

DEAR MR. LYNN: I was shocked to learn that your Department is making relocation payments to persons forced to move to new rental housing because of urban renewal which are far in excess of any actual relocation expenses.

Even though regulations issued by HUD on August 17, 1972, changed your Department's payment policy for any relocations prospective from that date, automatic \$1,000 per year payments are still being made to people who moved prior to August 17, 1972. In fact, in my own town of Greenburgh, the Executive Director of the Urban Renewal Commission is currently under instructions to pay \$1,000 per year for four years to twelve families who were forced to relocate prior to August 17, 1972, even though those families moved to public housing which was \$24 per month less expensive than the housing from which they moved. In many other cases not only are the families going to get relocation assistance from your Department, but also they are going to get increased public assistance, and thus a double benefit. This is outrageous.

When we consider the tens of thousands of relocation cases which must take place in New York City alone every year, this is a tremendous and totally unnecessary expense to the taxpayers, in a period when we should be doing everything possible to eliminate government expenses.

I do believe that people relocated because of urban renewal should be compensated for any increased costs they incur, but at the same time it seems incredible to me that the government should be making a fixed payment to a relocated party regardless of their actual situation. This certainly was not within the intent of Congress, and I would urge you to take whatever action is necessary to correct this squandering of the taxpayers' dollars.

Sincerely,

PETER A. PEYSER,
Member of Congress.

H.R. 4279

A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to eliminate the present requirement that relocation payments be excluded from the recipient's income for public assistance purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 216 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636) is amended by striking out "for assistance under the Social Security Act or any other Federal law" and inserting in lieu thereof "for assistance (other than assistance under a State plan approved under section 2, 402, 1002, 1402, 1602, or 1902 of the Social Security Act, or under title XVI of such Act as in effect after 1973) under any other Federal law"

Sec. 2. The amendment made by the first section of this Act shall apply with respect to payments received on or after the date of the enactment of this Act.

WOULD YOU SENTENCE YOUR OWN CHILD TO LIFE IMPRISONMENT?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. FRASER. Mr. Speaker, in the following article from the January 29, 1973, New York Times, Paul Good, disagreeing with Mr. Rockefeller's prescription for curing drug abuse, writes sensitively out of his own experience—

I saw my own son come so close to going down forever that I do not like to think about it.

Let us keep the doors open so our young can have a second chance. "My Son—Perhaps Yours" speaks for itself. The article follows:

MY SON—PERHAPS YOURS

(By Paul Good)

WESTPORT, CONN.—Once I was prepared to go Governor Rockefeller one better than his proposal to imprison all drug sellers for life without chance of parole. Once I seriously considered taking my rifle and killing a drug peddler. I didn't know his name or what he looked like. All I knew was that he—someone—was selling heroin to my son and killing a family in the process.

I put the idea aside because I knew that virtually all of my son's suppliers were addicts like he, hustling money in any way to insure their fixes, and dying piecemeal in the process. My son did the same thing at times, buying bags cheap in Harlem and the South Bronx, and selling them at a profit in our Connecticut suburb, the profit going back into his arm. To be consistent, I would have had to shoot him too, and his middle-class white addict friends who were also doing it.

Today, if he were still on drugs, should I agree with Mr. Rockefeller and say that my boy, once filled with love and promise, should be imprisoned for life without chance of parole because he succumbed to a destructive habit—a habit flourishing in a society on the edge of breakdown because of the moral hypocrisies from Watergate to Vietnam, where racism and disdain for the poor and contempt for the politically powerless makes a mockery of our claim to being a democratic community?

Where was Rockefeller when addiction began gaining a foothold as a basically black problem? He was nowhere to be heard. What does he mean when he says that the State has exhausted all remedies except to lock 'em up and throw away the key? Tens of thousands of New York addicts can't even get into stop-gap Methadone programs, no less receive the full counseling that might bring rehabilitation, because Mr. Rockefeller and his legislative cronies delivered too little funds too late.

Why should life sentences be limited to sellers? Why not extend it to crooked or apathetic cops who could stop much drug pushing if they wanted to but don't? Why not extend life imprisonment to U.S. officials who permit heroin traffic in Southeast Asia?

These are the kinds of questions people should be asking before a legislature packed with mediocre and servile men approves this bill. They should ask in particular what kind of inhumane mind would insist—knowing the addict's uncontrollable desperation that drives him to sell—that the sale of a single gram of heroin should commit him to prison forever?

A friend of my son was arrested a few years ago for a so-called accommodation sale worth \$15 to an acquaintance. He was sentenced to from three to five years, a terrible sentence in itself to a first offender who—the judicial

process laggard as it is—had been straight for almost a year by the time he entered jail. Through great effort, possible because he was white and middle-class, the boy was released early, returned to his program, entered college and found a job. If Mr. Rockefeller had his way, that young man would be in a cell today, at 23, unable ever to leave it.

My son—his once-bright promise returning now after two-and-one-half years off heroin—might be serving the same sentence beside him—never to taste full manhood, know fatherhood, be part of a family of love.

I watched my son's best friend die of drugs. I saw my own son come so close to going down forever that I don't like to think about it. I hate drugs and the cold-blooded merchandisers of them and all of their protectors. But adequate penalties exist to put them out of business. I believe that some criminals, drug peddlers among them, are seemingly incorrigible and releasing them into society is a criminal act against the citizenry. But even men once thought to be depraved beyond hope of salvage have reformed.

At the least, let's not descend to the level of Governor Rockefeller who would have put my boy—or perhaps yours—in a cell forever.

SEEKS TO ABOLISH OIL IMPORT QUOTA SYSTEM

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. CONTE. Mr. Speaker, today I have added more cosponsors to my bills to abolish the oil import quota system (H.R. 428) and to repeal the Connolly "Hot Oil" Act (H.R. 425).

I am very pleased to announce that these bills now have 103 and 76 cosponsors respectively.

Supporters for the import quotas bill include 67 Democrats, 35 Republicans, and one Independent. Geographically, 38 are from the Northeast, 25 each from New England and the Midwest, and six from the west coast.

For more than a decade, the oil import quota system and the Connolly "Hot Oil" Act have been like two clamps locking consumers in an economic vise. Together they have fomented higher prices, tight supplies, and the ruination of competition in the oil market. The cost to consumers is well over \$5 billion a year—or more than \$100 for each American household.

The oil import quota program was established in 1959 by Presidential Proclamation 3279 under authority of the Trade Expansion Act. Since then oil imports have been limited by quotas, with allocations to individual importers. Under this proclamation, there are separate programs for districts I-IV—east of the Rockies—and district V—west of the Rockies. Within these areas there are separate programs for crude oil, petroleum products, and petrochemicals.

The greatest hardships stemming from the oil import control program concern the controlled imports, which include offshore crude oil, Canadian crude oil, No. 2 fuel—home heating fuel—for the east coast, and residual oil imports for the Midwest and South.

Obviously, from the critical oil shortage we are now enduring, this program is

a disaster. It is squeezing the consumer, endangering the national security, and imperiling the public health. Throughout the Nation, industries have been shut down, transportation schedules disrupted, schools and offices closed, and hundreds of thousands of private residences have had their heat cut off.

The administration's recent suspension of import controls on No. 2 fuel through April 30 is backfiring on the consumer. The major beneficiaries are the big oil companies—not the consumers.

Capitalizing on the shortage scare, the major oil companies have cut back supplies to their dealers while raising prices. Jobbers and local dealers are forced to pass along the increased cost to the consumers—usually 2 cents a gallon, a 10-percent increase. For each of New England's oil-burning households, this means \$40 more a year for heat. For the entire New England region, the extra annual bill is \$100 million.

The rich oil companies—who recently reported stupendous profits for 1972—can raise prices with impunity because they operate within a cozy cartel that the Antitrust Division ignores.

The consumer cannot fight back by changing brands because each retail dealer has limited supplies and he has more problems than he can handle trying to meet current customer demands. The prospect of taking on new customers is unthinkable. So the consumer is helpless to fight back.

I commend the Cost of Living Council for holding hearings this week on the recent price increases for home heating oil. Yesterday I presented testimony to the Council panel, in which I asked Treasury Secretary Schultz to order the major oil companies to roll back their price hikes.

The Connolly "Hot Oil" Act is the other side of the vise in the oil industry's price-supply squeeze. Originally a depression-era remedy to help the oil industry through some bad times, it has been used in recent years to maintain tight supplies and high prices. The act authorizes the oil-producing States to limit the amount of oil produced domestically.

In the past month, hundreds of editorials have been written about the current oil shortage. Uniformly, they peg the blame where it belongs—on these two obsolete Federal programs. More or less at random, because the selection is so vast, I include editorials from the Washington Post, the New York Times, the North Adams (Mass.) Transcript, and the Daily Hampshire (Mass.) Gazette:

[From the Washington Post, Jan. 14, 1973]

THE ARTIFICIAL SHORTAGE OF FUEL OIL

Schools, factories and churches now stand cold and empty throughout the Middle West, for want of fuel to heat them. It would be excessively charitable to attribute this breakdown of the fuel distribution system to cold weather, or to a shortage of oil. Cold snaps are an accustomed part of winter life in the Midwest and, as for fuel, there is no shortage of the oil supply available to this country and its consumers. The real and critical shortages are the shortage of rational public policy, the shortage of foresight in the federal government, and the manifest shortage of common sense.

The distribution breakdown has two essential causes. To please consumers, the govern-

ment keeps the interstate prices of natural gas so low that producers are increasingly keeping it out of interstate commerce. To please the oil companies, the government severely limits imports and keeps the price high. Grain is rotting in Iowa for want of natural gas to run the dryers, but there is plenty of gas available in Oklahoma. American oil refineries are currently running substantially below capacity for want of crude oil in this country, but there is plenty of crude oil for sale throughout the world and most of it is cheaper than our domestic production.

Our national stocks of heating oil began to drop significantly last March. The White House and its Office of Emergency Planning knew it. They did nothing about it. Meanwhile the consumption of fuel oil was rising at an accelerating rate. The same officials were aware of this rise. By mid-autumn, when stocks are at their annual peak, the nation had 13 per cent less fuel oil on hand than a year earlier. At the same time consumption, by coincidence, was running 13 per cent higher than a year earlier.

Patterns of fuel usage are changing rapidly, and the federal government has been unable to change its regulatory policies fast enough to prevent serious breakdowns in supply. Electric utilities, for example, have been unable to develop nuclear power as soon as they had hoped, and environmental standards have limited their use of coal. As a result the utilities are increasingly using light oil to generate electricity and contributing heavily to the new demand. Local shortages tend to chase each other around through the economy. In the areas that are short on natural gas, some industries have begun to switch over to oil and help to drain distributors' tanks.

The present level of demand was predictable. But even now, with the unfilled demand for fuel oil all too evident, American refineries are still operating about 10 per cent below capacity. Our domestic wells cannot supply them with enough crude oil. Foreign oil is the obvious answer, but the United States stringently limits the importation of foreign oil through a system of rigorous quotas. Abolishing the import quotas is not the whole solution to our future energy requirement, obviously. But of all the steps that the White House could take quickly, ending the quota system would be the most effective.

Instead, the White House took the curious step last Monday of hugely increasing the quota of refined fuel oil that can enter the continental United States from the Virgin Islands. There is only one refinery in the Virgin Islands, and it is owned by Amerada Hess. This example of gross favoritism, is a matter of great national concern, will hardly strengthen public confidence in the administration's ability to develop a rational and disinterested energy policy. The proper course, in contrast, would have been to expand imports of crude oil as well as refined fuel oil without any limitation of source.

For the past 17 months the price of fuel oil has been held constant by the controls. With the removal of the controls, there are now two possibilities. Either the federal authorities will increase supplies through imports, or the price will go up. A sharp rise in fuel oil prices would be a substantial addition to the inflation that the administration hopes, is diminishing.

Even if import quotas were lifted tomorrow, the distress in the Midwest would continue for some time. Cold weather and logistical bottlenecks would make it difficult to move supplies quickly to the parts of the country that need them most. Because the White House was inattentive to its responsibilities over the past spring, summer and fall, citizens throughout a wide part of this country are suffering severe disruption in their businesses and discomfort in their private lives

this winter. If the White House does not move quickly to expand oil imports, this distress can only spread.

[From the New York Times, Jan. 21, 1973]
NATION WITHOUT POWER

If anyone still needs evidence that this country's jerrybuilt system for supply and distribution of fuels and energy has collapsed, look around. From the Rocky Mountains to the Atlantic, schools and factories are threatened daily with mid-winter close-downs for lack of heating oil. As emergency stocks become available, trucking lines find themselves so short of diesel fuel that they may not be able to deliver what there is. Were it not for a fortuitous few days of unseasonable warmth, the Northeast would be an icy disaster area.

This is an energy crisis with a vengeance, only tangentially related to the more abstract long-term energy problem which the whole developed world will face in the coming decade. The immediate crisis springs from a failure of planning and stockpiling that would seem unbelievable in a well-ordered society, and the final convergence of economic dislocations that have been allowed to mount unchecked for months and years.

The present shortages were foreseen long before winter set in. Instead of gathering reserves of heating oil, the nation's refineries found it more profitable to pump out a more than adequate supply of gasoline prices of which are set at a far higher level. Instead of arranging for more imported oil to fill the anticipated gap, the Administration waited until the crisis was already fullblown before reacting in justified panic and lifting import quotas that should have been abolished long ago. The fuel shortage which the nation is now experiencing arose not from natural or technological shortfalls, it is largely artificial, the result of a price structure gone haywire.

"There is a lesson here for the broader global energy crisis. A senior professor of economics at the Massachusetts Institute of Technology, M. A. Adelman, has published a well-documented rebuttal of the conventional wisdom that says the world faces a profound petroleum shortage. Arguing in Foreign Policy magazine and a forthcoming book, "The World Petroleum Market," Professor Adelman charges that the pressures now perceived are a result not of any foreseeable shortage, but of inflated prices set by the multinational oil companies and the Middle East producing nations in cartel. He goes on to charge that the United States Government, far from being trapped in this economic distortion, actively assisted in bringing it about.

There is much in Professor Adelman's thesis which will be fiercely contested in the months to come. What is beyond dispute is that fuel shortages are and will be threatening to this country as long as the economic structure of the energy business is so twisted. Government regulation keeps some prices artificially low, others artificially high; industry profits are similarly disordered. The present economics of energy has allowed many people to become quite comfortable over the years; but it leaves too many others out in the cold.

[From The Transcript, Jan. 16, 1973]
OIL SHORTAGE INEXCUSABLE

How to keep the home fires burning with fuel oil is a problem with which New England has been confronted each winter for years.

Luckily, the problem has been solved each year before the acute crisis stage has been reached. The advent of warm weather has done the trick.

No guarantee can be given, however, that this always will be the case. Indeed, evidence is growing that the region no longer can rely on Nature to come to the rescue because the factors contributing to fuel oil shortages are not linked to cold weather alone.

Relief from this perennial problem is long overdue. The difficulty is being compounded, however, by the inability of those in authority to agree on the fundamental cause of the problem, nor how to meet it.

Worse still, the trouble this winter is becoming national in scope and no longer is confined to New England.

The Midwest, for example, has been hit by an especially severe winter. Thermostats in state buildings in Iowa have been ordered kept at 65 degrees. Schools have been closed at frequent intervals in Kansas and Illinois. The University of Texas suspended classes temporarily in order to conserve fuel supplies. Minnesota has sent a representative to Canada to negotiate for additional oil imports.

And in New England, Charles H. Burkhardt, executive vice president of the New England Fuel Institute, representing 1,143 independent fuel oil dealers predicted that "If oil import quotas are not raised within 10 days, New England will see a real crisis in February."

What is the reason for this situation?

The oil dealers and the Nixon administration—as well as previous administrations in Washington—have been at odds for years on the subject. The dealers blame the oil import quota system for the persistent shortages. Spokesmen for the current administration, on the other hand, contend that domestic oil producers have placed more emphasis on production of gasoline than of home heating oil.

As far as New England is concerned, Mr. Burkhardt is convinced that complete elimination of oil import quotas would solve the problem in this region. The quotas, in effect since 1959, were supposed to spur domestic production but that hasn't been the case, he said. The domestic supply has not kept pace with the demand.

Another factor complicating the problem has been anti-pollution measures. Industries compelled to achieve a lower sulphur content in their factory emissions have been switching from heavy oil to No. 2 home heating fuel oil, with a consequent added drain on home heating supplies.

"We are being told that the crisis of supply is the fault of our efforts to protect the environment", said Sen. Edmund S. Muskie (D-Maine) after a meeting with officials of the Office of Emergency Preparedness, but he charged that President Nixon clings to the import quota system because it permits manipulation by the domestic oil producers of both supply and price.

Whatever the reasons, the consumer will be the ultimate sufferer unless government and industry can get together in his interest. There is no valid reason why any home in the nation should be cold because of fuel oil shortages.

[From the Daily Hampshire Gazette (Northampton, Mass.), Jan. 20, 1973]

FUEL SHORTAGE IN OUR OPINION

The unseasonably mild weather the last few days has eased the fuel oil crisis for the moment, but most industry officials believe that growing shortages of heating oil will continue.

President Nixon has taken some short-term steps to alleviate the current crisis by suspending controls on the importation of heating oil for the next four months.

In addition, under the 1973 import program the ceiling on imports of crude and unfinished products to the United States east of the Rocky mountains has been set at 2.7 million barrels per day, an increase of 1.15 barrels daily over the 1972 figures.

Many congressmen from the New England states have for years been urging the total elimination of the import quotas, arguing that the quotas artificially keep oil prices high in this section of the country.

Now, with the domestic supply of oil dwindling there is an added reason for lowering or removing the quotas—we need the additional oil to heat our homes and keep our factories and businesses humming.

Perhaps, President Nixon can be persuaded that quotas are not in the best interests of the oil-consuming public.

Rep. Silvio O. Conte argues that the four-month lifting of the quotas is only a "stop gap measure" and what is needed is to "scrap the oil import quotas totally and forever."

But even that may not be enough in the long run to meet the nation's energy needs. The value of the present crisis may be that it has gotten more people in government thinking about developing new sources of energy.

The sources of energy we now rely on are finite and in the process of being exhausted. Eventually, even warm weather and the waiving of all quotas won't be enough to carry us through the crisis if we fail to develop alternative sources of energy.

SOVIET JEWS

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RINALDO. Mr. Speaker, yesterday I joined with 259 of my colleagues in introducing legislation which will prohibit the United States from giving most-favored nation treatment to those countries which impose excessive exit visa fees. Shortly, the U.S. House of Representatives, acting on behalf of the people of America, will enact this measure and register its outrage at the Russian Government's treatment of Soviet Jews. It will be abundantly clear to the Soviet officials that if they wish to take advantage of American credit, they must adopt a civilized code of conduct toward its minority groups.

The tyranny that the Soviet Government practices on its 3½ million Jewish population is well known. The world community of nations is all too familiar with the repressive tactics the Soviet Union practices toward those of the Jewish faith. The Soviet Government has consistently inflicted unconscionable measures against its dissidents, its scholars, its scientists, and its people who wish to be free.

Soviet Jewry today is threatened with cultural and religious genocide from a policy of forced assimilation—a deliberate and brutal government effort to stamp out the Jewish historic and cultural heritage.

The study, too, of Hebrew is systematically and forceably discouraged. Last year, as we all are painfully aware, Moscow's only Hebrew teacher was imprisoned on the vague charge of "hooliganism."

To the oppression, which has become so commonplace, we have now seen the Soviet authorities add a barbarous ransom on those Russian Jews who seek to emigrate to Israel. It is this intolerable act that has caused our colleagues in the House to join together and express their outrage at this tyrannical Soviet policy toward those who seek nothing more

than to pursue their cultural and spiritual beliefs.

Too often, the world stood still while innocent people have suffered persecution. Our action yesterday, the committee hearings to be scheduled in March, and the eventual House and Senate passage of this measure will demonstrate our hope that the Soviet Union will end this senseless oppression of people who desire the right to emigrate and remove themselves from a totalitarian state.

It is particularly noteworthy that among those joining in this legislation are many House Members who share my view that we ought to expand and improve economic ties with the Soviet Union and other Eastern block countries. This legislation does not mean we are abandoning our hopes for future trade agreements. It does mean, however, that we shall not sit idly by while the Soviet Union practices brutal repression against 3½ million people.

Yesterday, we passed the stage of symbolic protest. The fact that 259 Members in the House and 70 Members in the Senate have cosponsored this legislation insures us that our promise to support oppressed people will be backed up by this legislation.

Mr. Speaker, all people have the right to live in dignity and with personal freedom. Our cause is not only for the Soviet Jews who are oppressed; it is for all humanity. It is all too obvious that if one person's freedom is denied it diminishes the freedom of all people. This is our opportunity to stand up for America's ideals.

POSTAL SERVICE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. DULSKI. Mr. Speaker, during the past 3 days 85 district managers of the U.S. Postal Service have been in Washington consulting with top management on Postal Service problems.

Postmaster General E. T. Klassen emphasized, in calling the conference, that he wanted to hear frank assessments from the managers as to conditions in their areas and where management changes might be in order to improve service.

I commend the Postmaster General for arranging this conference and I believe it has worked to the benefit of both the managers in the field and the policymakers in headquarters here and in the regional offices.

The transition of the Postal Service from a Government Department to an independent agency has been a frustrating experience for everybody. It was to be expected that there would be problems because a "going" institution was involved and massive changes in management and operations were contemplated.

There has been considerable criticism of Postal Service from individuals and business people. Complaints have come into nearly every congressional office

and I have been approached about specific problems by many of my colleagues.

PROBLEMS INEVITABLE

As one of those who felt deeply the necessity for a major reform of the postal system and in view of my background experience on the Post Office and Civil Service Committee, I recognized from the outset that there were going to be problems of transition and overnight improvements should not be expected.

I am convinced that no one is more concerned than Postmaster General Klassen about the Postal Service complaints and the delay in instituting new systems.

The report I have received on the management conference here this week indicates that the managers were completely frank about the problems as they see them in the field and expressed in vigorous terms their thoughts on what needs to be done to overcome current service deficiencies.

The conference began with the district managers being separated into nine groups which met privately and discussed their mutual problems. They compiled their observations and recommendations which later were presented in summary at a general session attended by all the managers and the top management of the Postal Service.

Interestingly, the reports of each group were quite similar on basic problems although different points were emphasized as a reflection of the understandable inconsistency of the difficulties across the Nation.

SYMPATHETIC REACTION

After overnight consideration of the comments and recommendations of the district managers, General Klassen and three top aides provided off-the-cuff sympathetic responses to the principal items raised.

I am very much impressed by the fact that General Klassen and his staff accepted the criticisms in the manner in which they were intended and agreed to take prompt corrective action in many areas. Naturally, some points require further more thorough study.

The principal problems were centered in about a half dozen areas as follows:

Managed mail.—This new system of funneling mail from many post offices to central points without any local sorting has resulted in jam-ups at the centers because they are not yet equipped for the huge additional flow of mail. When the centers receive the equipment they have been promised, obviously they should be able to handle their new loads.

In the meantime, headquarters has ordered an immediate reexamination of the concept and has directed the local offices to resume sorting at least part of the outgoing mail in order to ease the present jams at the centers.

Transportation.—There was considerable complaint about the lack of flexibility on mail transportation, particularly airlifting of first-class mail. Managers complained that the airlines have not been cooperative and even have been lax in some cases about handling airmail.

Management expressed great concern about airlift and conceded that unless the airlines can provide guarantee avail-

ability, the Postal Service may be required to turn more and more to air taxis and, on shorter hauls, to high-speed surface routes. Postmaster General Klassen said he intends to consult immediately with the airlines.

BUDGETS TO BE FLEXIBLE

Budget.—The managers complained about the rigidity of their budgets and said they were man-oriented instead of dollar-oriented. Management agreed on the need for greater flexibility and announced such flexibility would be effective with fiscal 1974. Further, managers were told that budgets in the future would be developed starting at the local post office level, with managers to be consulted and kept advised on policy changes up the line.

Other major areas included: Need for improved communications among various levels of Postal Service; need to start aggressively selling Postal Service instead of own people "selling it short"; need for more ontime equipment deliveries, penalties for tardiness, premiums for early deliveries, budget adjustments for affected offices as necessary; greater responsibility at regional and district levels for postal facilities as Corps of Engineers role phases out.

Mr. Speaker, this management conference of the U.S. Postal Service obviously was worthwhile and successful. It was not an instant panacea—and was not expected to be.

But it seems to me that a lot more people down the line have become better informed in general. They have had a chance to bare and discuss their gripes and frustrations. In fact, perhaps most important, the several levels of management may now have found a common wavelength.

The dedication of General Klassen is unquestioned and I believe that he made that crystal clear to the individual members of postal management in this week's conference. The get-together also demonstrated the dedication of the people in the field—they have not just been sitting on their hands.

OIL AND MINERAL DEPLETION ALLOWANCE INTRODUCED TO COMBAT ENERGY CRISIS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RARICK. Mr. Speaker, today I introduced legislation to restore the mineral depletion allowances to the level provided for prior to the 1969 Tax Reform Act.

The measure will encourage a favorable economic climate for free-enterprise business to explore and develop domestic fuel sources needed to combat the Nation's critical energy crisis.

The section of the Internal Revenue Code, to be amended by the bill, includes oil, natural gas, uranium, and other energy sources.

Congress, in its zealous efforts at tax reform, in 1969 placed additional tax

stumbling blocks in the way of getting new oil and gas out of the ground and into the marketplace.

Cutting the depletion allowances killed much of the incentive for the oil industry to develop needed oil and gas fields. The present energy crisis we are now experiencing has been the sad result.

This legislation follows the recommendations of the National Petroleum Council made last December at the request of the Secretary of the Interior.

If our country is to have the much-needed energy for the future, without weakening our national security by a dependence on foreign oil imports, American industry must have the profit incentives to develop new domestic energy sources.

I insert the text of my bill:

H.R. 4289

A bill to amend the Internal Revenue Code of 1954 relative to percentage depletion rates

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 613(b) of the Internal Revenue Code of 1954 (relating to percentage depletion rates) is amended to read as follows:

(b) PERCENTAGE DEPLETION RATES.—The mines, wells, and other natural deposits, and the percentages referred to in subsection (a) are as follows:

(1) 27½ percent—oil and gas wells.

(2) 23 percent—

(A) sulfur and uranium; and

(B) if from deposits in the United States—*anorthosite, clay, laterite, and nephelitic syenite (to the extent that alumina and aluminum compounds are extracted therefrom), asbestos, bauxite, celestite, chromite, corundum, fluorspar, graphite, ilmenite, kyanite, mica, olivine, quartz crystals (radio grade), rutile, block steatite talc, and zircon, and ores of the following metals: antimony, beryllium bismuth, cadmium, cobalt, columbium, lead, lithium, manganese, mercury, nickel, platinum and platinum group metals, tantalum, thorium, tin, titanium, tungsten, vanadium, and zinc.*

(3) 15 percent—

(A) metal mines (if paragraph (2)(B) does not apply), rock asphalt, and vermiculite; and

(B) if neither paragraph (2)(B), (5), or (6)(B) applies, ball clay, bentonite, china clay, sagger clay, and clay used or sold for use for purposes dependent on its refractory properties.

"(4) 10 percent—*asbestos (if paragraph (2)(B) does not apply), brucite, coal, lignite, perlite, sodium chloride, and wollastonite.*

"(5) 7½ percent—*clay and shale used or sold for use in the manufacture of sewer pipe or brick, and clay, shale, and slate used or sold for use as sintered or burned lightweight aggregates.*

"(6) 5 percent—

"(A) gravel, peat, pumice, sand, scoria, shale (except shale described in paragraph (5)), and stone (except stone described in paragraph (7));

"(B) clay used or sold for use, in the manufacture of drainage and roofing tile, flower pots, and kindred products; and

"(C) if from brine wells—*bromine, calcium chloride, and magnesium chloride.*

"(7) 15 percent—*all other minerals (including, but not limited to, apatite, barite, borax, calcium carbonates, diatomaceous earth, dolomite, feldspar, fullers earth, garnet, gilsonite, granite, limestone, magnesite, magnesium carbonates, marble, mollusk shells (including clam shells and oyster*

shells), phosphate rock, potash, quartzite, slate, soapstone, stone (used or sold for use by the mine owner or operator as dimension stone or ornamental stone), thenardite, tripoli, trona, and (if paragraph (2)(B) does not apply) bauxite, flake graphite, fluorspar, lepidolite, micas, spodumene, and talc, including pyrophyllite), except that, unless sold on bid in direct competition with a bona fide bid to sell a mineral listed in paragraph (3), the percentage shall be 5 percent for any such other mineral (other than slate to which paragraph (5) applies) when used, or sold for use, by the mine owner or operator as rip rap, ballast, road material, rubble, concrete aggregates, or for similar purposes. For purposes of this paragraph, the term "all other minerals" does not include—

"(A) soil, sod, dirt, turf, water, or mosses; or

"(B) minerals from sea water, the air, or similar inexhaustible sources."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to taxable years ending after the date of the enactment of this Act.

THE 21ST ANNUAL NATIONAL PRAYER BREAKFAST

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. MYERS. Mr. Speaker, more than 3,000 leaders of the United States and from 120 other nations of the world gathered in Washington February 1 for the 21st annual National Prayer Breakfast.

As president of the House of Representatives Prayer Group, I was honored to participate in the planning of this event which serves to emphasize our rededication to God and the spiritual principles which form the foundation of a strong nation.

Mr. Speaker, I feel that the remarks delivered at the National Prayer Breakfast are deserving of a larger audience than those of us who were fortunate to attend; accordingly, I insert the transcript of the Prayer Breakfast in the RECORD and commend both the remarks and the spirit in which they were delivered to all:

SPEAKER'S TABLE AT THE NATIONAL PRAYER BREAKFAST

FRONT TABLE

The Honorable Orlando Montenegro, *President, Executive Committee of the National Congress, Republic of Nicaragua.*

The Honorable Richard Kleindienst, *Attorney General of the United States.*

Mrs. Kleindienst.

Dr. Julio Astacio, *Minister of Public Health, Republic of El Salvador.*

The Honorable George Shultz, *Secretary of the Treasury.*

Mrs. Shultz.

Mrs. Johnson.

The Honorable James E. Johnson, *Assistant Secretary of the Navy.*

The Honorable Ann Armstrong, *Counselor to the President.*

Mrs. Hatfield.

The Honorable Mark O. Hatfield, *United States Senate.*

Dr. Billy Graham.

Dr. Guillermo Sevilla-Sacasa, *Ambassador of Nicaragua and the Dean of the Diplomatic Corps.*

The Honorable Carl Albert, *Speaker of the House.*

Mrs. Burns.

The Honorable Arthur F. Burns, *Chairman, Board of Governors, Federal Reserve System.*

The Honorable Albert H. Quie, *U.S. House of Representatives.*

The President of the United States.

Mrs. Nixon.

Mrs. Rogers.

The Honorable William P. Rogers, *Secretary of State.*

The Honorable Stanley Haldasz, *Minister of State for Cultural Affairs of Canada.*

Mrs. Haldasz.

The Honorable Harry A. Blackmun, *Associate Justice, Supreme Court of the United States.*

Mrs. Myers.

The Honorable John T. Myers, *U.S. House of Representatives.*

The Honorable Dudley J. Thompson, *Minister of State of Jamaica.*

Mrs. Richardson.

The Honorable Elliot L. Richardson, *Secretary of Defense.*

Mrs. Butz.

The Honorable Earl L. Butz, *Secretary of Agriculture.*

UPPER TABLE

The Honorable Arch A. Moore, Jr., *Governor of West Virginia.*

Mrs. Moore.

Mrs. Waller.

The Honorable William Waller, *Governor of Mississippi.*

The Honorable Sherman Tribbett, *Governor of Delaware.*

Mrs. Halverson.

Dr. Richard C. Halverson, *Pastor of Fourth Presbyterian Church, Washington, D.C.*

Mrs. Washington.

The Honorable Walter E. Washington, *Mayor of the District of Columbia.*

Mrs. Silva.

Mr. Federico Silva, *Presidente de Campsa, Spain.*

Mrs. Morton.

The Honorable Rogers C. B. Morton, *Secretary of the Interior.*

The Honorable John A. Volpe, *Secretary of Transportation.*

Mrs. Volpe.

Mrs. Romney.

The Honorable George W. Romney, *Secretary of Housing and Urban Development.*

Chief Buthelezi, *Chief Executive Officer of the Zululand.*

The Honorable Frank Carlson.

The Honorable Linwood Holton, *Governor of Virginia.*

Mrs. George Wallace.

Colonel James Irwin.

The Honorable John A. Love, *Governor of Colorado.*

Mr. Morgan Maxfield.

Mrs. Evans.

The Honorable Melvin H. Evans, *Governor of Virgin Islands.*

OPENING PRAYER: THE HONORABLE ANN ARMSTRONG, COUNSELOR TO THE PRESIDENT

Let us unite in prayer:

Most holy God, we thank You. We thank You for the joy in knowing Your presence here, for the assurance of Your guidance in the days ahead, and especially this morning we thank You for the hope of peace.

As at last the morbid requiem of gunfire stills, of You who are the author of peace, of You who are so diverse yet so compelling and encompassing, we ask You to remind us now of our essential brotherhood. You who span time, who know our beginnings and our ends, help us to seize this shining moment in our history.

For our nation, grant a renewal of faith like that of our founding fathers. For Your son, John Stennis, grant, Great Physician, restored health to one who has served you long and generously.

For our President and all our leaders gathered here, in this time of swift and startling change, sustain them with Your never-serv-ing truth.

For us all, give us Your hand, guide us in wisdom and in mercy. Lead us upwards and outwards spiritually beyond the limits of divisions to new heights of unity and peace, even as we now stretch and reach through space.

And on this beautiful shared earth, bring us together and let us love one another. Amen.

OPENING STATEMENT: THE HONORABLE ALBERT H. QUIE, U.S. HOUSE OF REPRESENTATIVES

Mr. President, Mr. Speaker and distinguished guests, and ladies and gentlemen: It is with a high sense of purpose and personal resolve that we're meeting this morning in this unique breakfast setting. This is the 21st Annual Breakfast, and like each one that has preceded it the purpose is to provide an opportunity where corporately we may reaffirm our dependence upon God and dedicate our nation and ourselves to Him and His plan for our lives.

Senator Stennis of Mississippi, who has given so much love and guidance to the Senate Prayer Breakfast Group, was to have presided over this National Prayer Breakfast this morning. But as you all know, Senator Stennis was seriously wounded and is now in the hospital. And we need to be praying for him today, and I want you to be praying in your places and I know the prayers from here from this spot will be for him as well, because he exemplifies in his personal life the ideals we're talking about this morning, that of a true reconciler, building concerned relations between people. This is a God-fearing man.

It is my signal honor today to welcome the President and Mrs. Nixon along with the leadership of our nation and many distinguished guests from abroad to what we like to think of as a continuation of our intimate weekly breakfast in the United States and the House of Representatives.

We should perhaps point to certain unique aspects of this gathering. The 3,000 of us breakfasting here together, drawn from many backgrounds and many nations, are actually meeting informally in a nonstructured fellowship made possible by the spirit of Jesus Christ. Yet this splendid gathering is but a tip of the iceberg, for grassroots level, everyday, weekly breakfasts exist in hotels, offices, auditoriums, homes, and wherever people meet—hundreds of small groups of 5 to 50, meeting casually in the same spirit to provide a moral and spiritual power base for our communities and for our nation.

So we do not think of this breakfast program as a religious exercise in any formal sense. Yet we do meet in that spirit of concern and compassion and outreach of love that includes all people. This is the reason we can come as we do from all walks of life with many and varied political and economic and philosophical and religious viewpoints represented in a deliberate effort to reach out and discover each other as brothers and sisters.

Just as we do in the Senate and the House, there are now many such informal group meetings on the regularly weekly or biweekly basis and leadership breakfasts, luncheons and fireside groups across the nation and around the world. In practically every State of the union there are Governors Prayer Breakfasts, and more than a thousand cities in which Mayors Prayer Breakfasts are conducted, most of them on an annual basis.

In some form, this idea has spread to 70 countries in every continent of our world. It is heartening to note that some of these nations have also begun to have their own National Prayer Breakfasts.

So as I view it, the true greatness of this hour lies in the fact that this is not some great independent expression or special witness, but is primarily a continuing fellowship among ourselves in which we find the strength through Christ for a better way in everyday living.

We hope it is clear to all that in sponsoring this prayer breakfast occasion we do not mean to convey that by so doing we feel particularly worthy or that we have spiritually arrived.

I want to say again this year that we are aware of criticism, sometimes valid, directed at us as public figures. We do not set ourselves up to read the Bible or pray or speak or whatever because we feel we have arrived. In fact, we at the head table this morning are anxious that you understand that we see ourselves as a gathering of sinners who know we do not deserve the blessings of God more than any others, and probably less than most.

Yet, we do meet simply to thank God for his goodness and to look for his guidance.

Another interesting fact is that the spirit of this breakfast is being shared by many who are close to us. Our soldiers and sailors, Marines and airmen are joining their Commander in Chief in giving expression to those moral and spiritual values that undergird our national life. On 1,400 bases, installations and ships at sea, in co-operation with their base commanders, chaplains have arranged similar breakfasts and observances. In many breakfasts, our servicemen will hear pre-taped messages for the occasion from President Nixon and from members of both the House and the Senate.

Mr. President, as we meet here today to pray especially for you and for our great nation, and thank God for a big step toward peace, you will be gratified in the knowledge that at home and around the world there is a growing appreciation on the part of many for the value to people and nations of responsible men and women meeting in the spirit of prayer, recognizing that our ultimate hope and trust is in the Lord.

We are therefore praying, even believing, that instead of this annual event being a mere highpoint in our experience, it will indeed be an inspiration of what ought to happen in all our lives, privately and with others, on a daily basis.

And again this year, then, I welcome all of you, and I want to say that you will see in your programs the guests at the head table that I will not be introducing and therefore I will not take the time to mention them. I would like to mention some individuals who don't appear there, however. That is: the mayor of the city of Moscow and his wife, Chief of Zululand and Mrs. Buthelezi, and Governor Jack Williams.

And so, now may I present to you, to begin the program, a representative of the House of Representatives Prayer Breakfast Group, John Myers from Indiana who will bring you greetings.

GREETINGS FROM THE HOUSE BREAKFAST GROUP: THE HONORABLE JOHN T. MYERS, U.S. HOUSE OF REPRESENTATIVES

Good morning.

Mr. President, Mrs. Nixon, Government leaders, distinguished guests: On behalf of the members of the House of Representatives, welcome to the 21st Annual National Prayer Breakfast.

Thirty-one years ago a group of Government leaders was having breakfast together here in Washington as they frequently did. And the topic of conversation turned to religion, to prayer, and the powers of prayer. And before they left that morning they had decided that they would meet on a routine and dedicate the purpose of that meeting to prayer.

They started meeting weekly at the old Willard Hotel. Later they moved to the Capitol building. And today they still are meet-

ing, however divided now, in a Senate Prayer Group and a House Prayer Group.

Our House Prayer Group meets each Thursday morning that the Congress is in session with a member leading in the discussion. Seated members of the Congress, former members of the Congress, and the members of legislative bodies of other nations are eligible to attend.

One of the first actions of each session of the Congress is the administering of the oath of office. Each member of the Congress must take that oath. The very last sentence in that oath is: "So help me God." Soon after a member accepts that oath of office, he realizes the importance of that one sentence. He realizes that there are difficult decisions, problems arising that he must make decisions where he needs help. He realizes that he is not alone in these decisions, that God is with us if only we ask.

The motivation that brings each of us to those breakfasts is different. But each of us takes away a better understanding, a better insight into our colleagues, better equipping us for the spirit on the floor of competitiveness that is so necessary. And the personal testimonies continue to restore our faith and our understanding of the powers of prayer.

I recall one story about a little girl who was being prepared for a very serious operation. And of course, this was a new experience for the little girl and she was frightened, and she was asking what each piece of equipment in this operating room meant and what the doctors and nurses were doing. And it came to the point where she was to receive that anesthesia, and she was told she was about to go to sleep. And she said, "Oh, I never go to sleep without saying my prayers." She hopped off the table and knelt beside this operating table, and recited a prayer that so many of us remember and learned as children: "Now I lay me down to sleep. I pray to God my soul to keep. And if I should die before I wake, I pray to God my soul to take."

This experience moved these seasoned doctors and nurses. They, too, knelt in prayer before the serious operation. A seemingly difficult operation was easy, and the operation was a success.

Each of us here this morning is involved in a serious operation, though few of us have the responsibility of a life in our hands as a surgeon has, but we do have to make difficult decisions. We have to face difficult problems. We need God's help.

That is what our prayer groups are about, that we might be able and better equipped to make the difficult decisions that each of us must make in our lives. We in the Congress are frequently faced with the dilemma of doing what is right, or doing God's will, or the choice of making a decision that seems to be politically popular at the time. We need God's help to make those right decisions.

Abraham Lincoln once said, "If we are right, God will be with us. And if God is with us, we cannot fail." We, the leaders in this room, must not fail.

OLD TESTAMENT READING: THE HONORABLE HARRY A. BLACKMUN, ASSOCIATE JUSTICE, U.S. SUPREME COURT

Mr. President and Mrs. Nixon, Mr. Chairman and ladies and gentlemen: The Old Testament selection this morning is from the Book of Isaiah, Chapter 40, the first chapter of what has sometimes been called the sub-book, with the title, "The Book of the Consolation of Israel," Verses 12 to 31. And I read not from the King James Version, but from the Jerusalem Bible.

"Who was it measured the water of the sea in the hollow of his hand, and calculated the dimensions of the heavens, gauges the whole earth to the bushel, weighed the mountains in scales, the hills in a balance? Who could have advised the spirit of Yah-

weh? What counselor could have instructed Him? Whom has He consulted to enlighten Him and to learn the path for justice and discover the most skillful ways?

"See the nations are like a drop on the pall's rim. They count as a grain of dust on the scales. See the islands weigh no more than fine powder. Lebanon is not enough for the fires, nor its beasts for the holocaust. All the nations are as nothing in His presence. For Him they count as nothingness and emptiness.

"To whom would you liken God? What image could you contrive of Him? A craftsman cast the figure, a goldsmith plates it with gold and casts silver chains for it. For it a clever sculptor seeks precious palm-wood, selects wood that will not decay, to set up a sturdy image.

"Did you not know, have you not heard, was it not told you from the beginning, have you not understood how the earth was founded? He lives above the circle of the earth. Its inhabitants look like grasshoppers. He has stretched out the heavens like a cloth, spread them like a tent for men to live in. He reduces princes to nothing. He annihilates the rulers of the world. Scarcely are they planted, scarcely sown, scarcely has their stem taken root in the earth, then he blows on them. They: they wither and the storm carries them off like straw.

To whom could you liken me and who could be my equal, says the holy one. Lift your eyes and look. Who made these stars if not He who drills them like an army, calling each one by name? So mighty is His power, so great His strength, that not one fails to answer.

"How can you say, Jacob, how can you insist, Israel, that my destiny is hidden from Yahweh, my rights are ignored by my God. Did you not know, had you not heard, Yahweh is an everlasting God. He created the boundaries of the earth. He does not grow tired or weary. His understanding is beyond fathoming. He gives strength to the wearied, he strengthens the powerless. Young men may grow tired and weary, youths may stumble. But those who hope in Yahweh renew their strength. They put out wings like eagles. They run and do not grow weary, walk and never tire."

GREETINGS FROM THE SENATE BREAKFAST GROUP: THE HONORABLE MARK O. HATFIELD, U.S. SENATE

Mr. President, Mrs. Nixon, ladies and gentlemen: As I see this audience this morning, we in the Senate Prayer Breakfast who meet on Wednesday of each week cannot help but be especially mindful of our leader of that breakfast group who has, over the years, provided the continuity, provided us with the stimulus to make our attendance known. And I see in this audience a great resource to try to bridge into what oftentimes is thought of as a withdrawn, rather exclusive group that meets on Wednesday morning. May I break tradition and ask each of you in your own way and in conformity with your own faith to mobilize together in this great room today the power of prayer on behalf of John Stennis, our leader, and do this silently for just a few seconds.

(Silence)

Thank you.

My brothers and sisters, as we gather at this prayer breakfast, let us beware of the real danger of misplaced allegiance, if not outright idolatry, to the extent that we failed to distinguish between the god of civil religion and the God who reveals himself in the Scriptures and Jesus Christ. For if we as leaders appeal to the god of civil religion, then our faith is in a small and exclusive deity, a loyal spiritual adviser to power and prestige, the defender of only the American nation, the object of a national folk religion devoid of moral content.

But if we pray to the Biblical God of justice and righteousness, we fall under God's judg-

ment for calling upon His name but failing to obey His commandments. Our Lord Jesus Christ confronts false petitioners who disobey the word of God when He said, "Why do you call me Lord, Lord, and do not the things I say?"

God tells us that acceptable worship and obedience are expressed by specific acts of love and justice. As Isaiah taught us, "Is not this what I require of you to lose the fetters of injustice, to snap every yoke and set free those who have been crushed? Is it not sharing your food with the hungry, taking the homeless poor into your house, clothing the naked when you meet them, and never evading the duty to kinsfolk?"

We sit here today as the wealthy and the powerful. But let us not forget that those who truly follow Christ will more often find themselves not with comfortable majorities, but with miserable minorities.

Today our prayers must begin with repentance. Individually, we must seek forgiveness for the exile of love from our hearts. And corporately as a people, we must turn in repentance from the sin that has scarred our national soul. "If My people shall humble themselves and pray and seek My face and turn from their wicked ways, then will I forgive their sins and heal their lands."

We need a confessing church, a body of people who confess Jesus as Lord and are prepared to live by their confession. Lives lived under the Lordship of Jesus Christ at this point in our history may well put us at odds with values of our society, abuses of political power, and cultural conformity of our church. We need those who seek to honor the claims of discipleship, those who live in active obedience to the call, "Do not be conformed to this world, but be transformed by the renewing of your minds." We must continually be transformed by Jesus Christ and take His command seriously.

Let us be Christ's messengers of reconciliation and peace. Then we can soothe the wounds of war and renew the face of the earth and all mankind.

Thank you.

NEW TESTAMENT READING: THE HONORABLE CARL ALBERT, SPEAKER, U.S. HOUSE OF REPRESENTATIVES

Mr. President, Mrs. Nixon, my friends: From the New Testament, I have chosen to read Verses 12 through 17 of Chapter 3 of Paul's Letter to the Colossians, and Verses 8, 9 and 13 of Chapter 4 of Paul's Letter to the Philippians:

"Put on, then, as God's chosen ones holy and beloved compassion, kindness, lowliness, meekness, patience, for bearing one another, and, if one has a complaint against another, forgiving each other. As the Lord has forgiven you, so you must forgive. And above all these, put on love, which binds together everything in perfect harmony. And let the peace of Christ rule in your hearts, to which indeed you were called in the one body, and be thankful.

"Let the word of Christ dwell in you richly as you teach and admonish one another in all wisdom, and as you sing psalms and hymns and spiritual songs with thankfulness in your hearts to God. And whatever you do in word or deed, do everything in the name of the Lord Jesus, giving thanks to God the Father through Him.

"Finally, brethren, whatsoever things are true, whatsoever things are honorable, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue and if there be any praise, think on these things. I can do all these things in Him who strengthens me."

PRAYER FOR NATIONAL LEADERS: THE HONORABLE JAMES E. JOHNSON, ASSISTANT SECRETARY OF THE NAVY

Mr. President, Mrs. Nixon, Mr. Speaker, Christian friends, people around the world:

I thought about this prayer, and then I thought about my six-year-old son and what he did to me a few days ago. I was hurrying, trying to get out, going on a trip. Seven o'clock in the morning, my son came running down the stairs and says, "Dad, where are you going?" I explained to him I was going to Chicago. And before he said anything, I said, "Son, what would you like for me to bring you back?" He looked at me with tears in his eyes, and he says, "Dad, only your love."

And that's what I'd like to pray this morning is ask God just for His love. Shall we pray.

Father, as we gather here today, we ask Thy blessing upon the leaders of this nation. We ask You the Father Thou would bless those who have the power to lead us. Bless our President, Vice President and all of those who are in authority. May they continue to strive to carry forth this nation in a way that Thou would have it to go.

We know, dear Father, that in all of our endeavor we have to look to Thee for guidance and understanding. And may we put in the hearts of our people throughout this United States of America that when our country is wrong, we as Americans should do everything in our power to make it right. But Father, when our country is right, we as Americans should do everything we possibly can to keep it right. And we should always remember that, right or wrong, America is still our country.

And we pray, dear Father, that these leaders will lead us in such a way that their light will shine—their light will shine in such a way that men may see their good work and glorify in Thee.

And we ask You, dear Father, to just pour out a blessing on Senator Stennis. We ask you, dear Father, that You will heal him. And we understand that Your power is so great that You can do all things, and we ask You today to bring him back to the Senate.

And may we pray, dear Father, for those who have hatred in their hearts, that You will change their hearts to loving and kind. And we know, dear Father, that oftentimes we love things and use people instead of using things and loving people. We ask You, dear Father, only for Your love.

And we know, dear Father, that after we speak all these things, we ask Thee to make us a little bit prouder of being an American. And allow us to stand just a little bit taller among our Christian friends, and love forever. Amen.

MESSAGE: THE HONORABLE ARTHUR F. BURNS, CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. President, Mrs. Nixon, Mr. Speaker and my friends and neighbors: As I rise to bring a message to this distinguished audience, my mind turns to the long succession of prophets of our Judeo-Christian faith. The prophets of Israel and Judea lived in turbulent times. They witnessed idolatry, war and much social conflict. Being messengers of God, they were deeply concerned about the future of their people, and they became tireless teachers and reformers.

We, too, live in a time of tumultuous change. Our material prosperity has been advancing. The doors of opportunity have been opened wider to racial and cultural minorities. New and far-reaching bridges to international peace have recently been built. Nevertheless, tensions, conflicts and doubts still surround us, and they are weakening our national spirit.

If America is to remain the good and generous country it has been, we need to turn back more frequently to the prophets of our faith. There is no better way to strengthen our hopes and our combined striving for human improvement.

The ancient prophets are not to be con-

fused with soothsayers. They were, first and foremost, moral leaders, and they accepted unflinchingly the responsibilities that go with leadership. When God ordered Moses, "Bring forth my people out of Egypt," Moses at first sought to enlist the good will of the Pharaoh. But when his entreaties and negotiations failed, he assumed command over the tribes of Israel, led them hastily out of Egypt, planned for their material needs in the wilderness, provided them with a code of moral law and justice, taught them to worship the Lord, and dealt patiently, but firmly, with their grumbling.

The later prophets were equally fearless in discharging the responsibility of leadership. Catching sight of Elijah, King Ahab inquired, "Is it you, you troubler of Israel?" The prophet answered him, "I have not troubled Israel. But you have in your father's house, because you have forsaken the commandments of the Lord." And when Ahab acquiesced in Jezebel's wickedness and robbed his neighbor of his vineyard, Elijah sought out the King with thunder. "I have found you, because you have sold yourself to do what is evil in the sight of the Lord. Behold, I will bring evil upon you. I will utterly sweep you away."

The prophets were in no doubt about the goals to which earthly power should be directed. What God required of man was moral conduct, not ritualistic exercise. Isaiah reported to the people, "What to me is the multitude of your sacrifices," says the Lord. "I do not delight in the blood of bulls. Bring no more vain offerings. I am weary of bearing them. Wash yourselves. Make yourselves clean. Remove the evil of your doings from before my eyes. Cease to do evil. Learn to do good. Seek justice. Correct oppression. Defend the fatherless. Plead for the widow."

In other words, those whom God blessed with abundance should share bread with the hungry, cover the naked with garments, protect orphans and widows, deal fairly with servants and neighbors, and trade honestly. These principles of justice and righteousness must apply to nations as well as to individuals, for the entire nation is responsible for the moral condition of its people, and it will be so judged by the Lord. By doing God's will on earth, by letting righteousness roll down as a mighty stream, a universal peace shall in time be established.

In the immortal words of Micah, "Nations shall not lift up sword against nation. Neither shall they learn war any more, for they shall sit, every man under his vine and under his fig tree, and none shall make them afraid."

The prophets of the Old Testament understood well that the ideal society to which they aspired required physical, as well as moral, effort. Men must also work, produce, invest if they are to achieve God's blessing of peace and abundance. The prophets dreamed of the noble day, as did our President in taking his oath of office 12 days ago, when nations shall beat their swords into plowshares, and their spears into pruning hooks.

It is instructive to note that in this prophetic vision, swords and spears are beaten into instruments of production, not into contrivances of indolence or consumption. "Sweet is the sleep of a laborer." So sang the preacher. And Isaiah disclosed God's reward to honest labor: "They shall build houses and inhabit them. They shall plant vineyards and eat their fruit. For like the days of a tree shall the days of my people be, and my chosen shall long enjoy the work of their hands. They shall not labor in vain."

The prophets understood also that man could not move towards the ideal society by relying solely on his own resources. Time and again we find the prophets on their knees, praying for divine guidance to inspire their teaching and their people. The

prophets were men of great humility. They recognized their inadequacy. Thus we hear Moses pleading, "Who am I that I should go to Pharaoh and bring the sons of Israel out of Egypt. Oh my Lord, I am not eloquent, either heretofore, or since thou hast spoken to thy servant, but I am slow of speech and of tongue."

The prophets of the Old Testament also understood the need of love in a righteous world. "You shall love your neighbor as yourself," was already part of the Mosaic code.

It was left, however, to Jesus of Nazareth, the transcendent prophet of the New Testament, to refine and broaden this Mosaic commandment, and to reveal the profoundest of all moral truths; that neither understanding nor justice, nor righteousness can achieve full expression without the cleansing power of love.

To Jesus, the commandment "Love your neighbor" embraced kinsman and stranger, saint and sinner, friend and foe. How often do we remember? And yet, how can we ever forget His saying, "Love your enemies, and pray for those who persecute you, so that you may be sons of your Father who is in Heaven. For He makes his sun rise on the evil and on the good, and sends rain on the just and on the unjust. For if you love those who love you, what reward have you? Do not even the tax collectors do the same? And if you salute only your brethren, what more are you doing than others? Do not even the gentiles do the same? You therefore, must be perfect, as your heavenly Father is perfect."

These, then, are some of the teachings of the prophets of our faith. If they could speak once more, I can imagine them saying to the men and women gathered here today, "You are leaders, and you therefore have the responsibility of leading. Devote your energy to creating a social order based on justice and righteousness. Respect the role and dignity of honest work. Love your neighbor. And remember to pray for divine guidance in your quest for human betterment."

When God appeared to Solomon in a dream and inquired, "Ask what I shall give you," Solomon replied: "O Lord, my God, Thou hast made Thy servant King in place of David my father. Although I am but a little child, I do not know how to go out or come in. Give Thy servant, therefore, an understanding mind to govern Thy people, that I may discern between good and evil, for who is able to govern this, Thy great people?"

In this spirit of devotion and humility, may our President, our legislators and our judges bring new hope to our people. May they remain strong in their labors for peace, justice and prosperity in God's world.

REMARKS OF THE PRESIDENT

Mr. Speaker, Chairman Quie, Dr. Burns and all of our very distinguished guests from all over the world and our very distinguished guests from the United States of America:

I first have a bit of what I think is good news and encouraging news. A message was handed to me just as the breakfast was beginning from Senator Stennis' physician, General Moncrief. He reports that the Senator says he feels well this morning, and this morning, when the doctor said he was going to the Prayer Breakfast, Senator Stennis, who because he has some tubes in his mouth could not talk, but he wrote on his pad. "I wish I were going, too."

I think if Senator Stennis is listening, as I am sure he is on radio, or maybe he will hear it on television tonight, he is here today, he is with us and we are with him and he is going to be back. That is what we all know and that is what we pray for.

As I heard the other speakers, I thought of that first Prayer Breakfast—the National Prayer Breakfast—which was held, as I recall, in the Mayflower Hotel, in 1953. President Eisenhower addressed it on that occa-

sion. I think Billy Graham did, and it was a memorable occasion.

I think back to the four years that I have had the privilege to be here as a guest and also of the years before even 1953 when I met with first the House Prayer Breakfast group and then the Senate Prayer Breakfast group.

I think, too, of what has happened over these four years, and I think all of us perhaps will remember what a year we have just completed. Since we last met here, just one year ago, we have made the trip to the People's Republic of China, which opened communication with one fourth of the people who live on this globe where there had previously been virtually no communication whatever as far as we were concerned.

We made the trip to the Soviet Union, to Moscow, and with the Ambassador from the Soviet Union here, and the Mayor from Moscow here, we all realize that that trip had enormous significance in terms of the future of the world in which we live because it was really the first time that two very great powers sat down together, recognized their differences and also those areas where they could work together and made agreements, agreements to work together in certain peaceful enterprises and to limit armaments in other enterprises and so a beginning was made, a very important beginning that needed to be made. That happened this year.

And then finally, and reference has already been made to this, for the first time in ten years at one of these Prayer Breakfasts, the President of the United States is able to say the United States is at peace in Vietnam.

Could I put that peace in perspective? I refer to these journeys abroad and also the agreement that has just been reached. We could read too much into the peace that we have talked about, much as we would hope that it could mean everything that we could possibly imagine.

But as we look over the history of agreements between nations and as we look at those periods of peace that follow war, the record is not too encouraging. Because what we often find is that after war, and after a period in which a nation has peace, the conflict that we were engaged in in war tends to turn itself inward and we continue to engage in that conflict in peace. And rather than a period of peace being one that is creative and positive, it is one that is negative, one of withdrawal, one of isolation, and that plants the seeds for more conflict, not only at home but abroad.

This is the record too often in the past. We must not let it happen now.

I recall, for example, in 1969 right after I had been elected for the first time, a trip to Europe. We had some problems on our campuses at that time, as you may remember. And when I visited one of the European Heads of State which had had no war for 25 years—and we had had two, one in Korea, and we were then involved in one in Vietnam—we talked long into the night about the problems of our young people—his and ours.

And he made a very profound comment. He said, "The problem with your young people is war." He said, "The problem with our young people is peace."

We must not let that happen. For our young people and for this nation, we must recognize that peace is not something that is simply the absence of war; it is an opportunity to do great things—great things for our people at home, great things for people abroad.

I think for example, of treaties that are made, and I have made reference to the fact that the recent agreements that we have signed will mean peace in Vietnam, and eventually throughout Indochina, we trust, but it will mean peace only to the extent that

both sides and the Leaders of both sides have the will to keep the agreement.

All the paper in the world, all the more fancy phrases that could have added to the very intricate phrases that are already in the agreement would mean nothing if the individuals who have the responsibility for keeping the agreement do not keep it.

We will keep the agreement. We expect others to keep the agreement. That is the way peace can be kept abroad. Only, in other words, by the will of the individuals involved, and you must change the man or you must change the woman if the agreement is to be kept.

And so it is at home. We are concerned about conflict at home. We are concerned, for example, about the problems that divide us. They talk about the divisions between the generations, the divisions between the races, the divisions between the religions in this country, and we have them.

So we can legislate about some of those divisions. For example, we pass laws, laws providing and guaranteeing rights to equal opportunity, but there is no law that can legislate compassion; there is no law that can legislate understanding; there is no law that can legislate an end to prejudice. That only comes by changing the man and changing the woman.

That is what all religion is about, however we may worship. That is what our religion is about, those of us who may be of the Christian religion.

So today, I would simply close with one thought. There is a lyric from a song I recall, that runs something like this: "Let there be peace on earth and let it begin with me."

And so, abroad and at home, let that be our prayer. Let there be peace on earth and let it begin with each and every one of us in his own heart.

Thank you.

CLOSING PRAYER: DR. BILLY GRAHAM

Mr. President, Mrs. Nixon: Our Father, we thank Thee for all the things that our hearts have felt and our minds have heard today. We pray that we will go from this place with a sense of Thy presence, and we pray that when the President of the United States goes back to his Oval Office, and all the responsibilities are his, that he will sense the presence of God. And we pray that there will be a supernatural power helping him in making the great decisions of State, and we pray the same for the Congress and for the judges, and for all of those in authority.

We pray for their wives and their families, who share in these tremendous responsibilities.

We thank Thee for Him that we have talked about and heard about today, even our Lord Jesus Christ, who was willing to go to the cross and die for our sins, and who was raised again from the dead for our justification, and who is someday coming as the Prince of Peace to bring an everlasting peace to the world.

And now, unto Him who loved us and washed us from our sins in His own blood, and has made us kings and priests unto God—to Him be the glory, the praise and the dominion, forever and ever, amen.

WINNING THE WEST WITH WATER

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. JOHNSON of California. Mr. Speaker, an old friend, who is one of the Nation's leading authorities on water re-

sources, has written a book on one of the important Federal agencies dealing in this area, the Bureau of Reclamation.

William E. Warne outlines the history and work of this agency in the most recent of the "Praeger Series on Government in Action." The 270 pages and 14 chapters, well supplemented with charts, maps, and photographs, is written with authority, an authority which comes from experience and knowledge for Bill Warne has served as Assistant Commissioner of the Bureau of Reclamation, as Assistant Secretary of Interior with authority over the Bureau of Reclamation and as director of the Department of Water Resources in my own State of California.

Another well-known water expert who currently is a staff consultant on the Committee on Science and Astronautics has reviewed Bill Warne's book. Philip P. Dickinson is another old friend whose background and experience qualify him also as an expert in the field. He has entitled his review "The Course of Empire." I would like to share this with my colleagues at this point:

THE COURSE OF EMPIRE

(By Philip P. Dickinson, Fellow, American Society of Civil Engineers)

One does not expect a book about bureaucracy to be exciting. But here's one that is.

Mr. Warne's history and description of the work of the United States Bureau of Reclamation is exciting because it really is an extraordinary story of the winning of the West. It tells how and why the 20th Century migration to our arid states which lay beyond the 100th meridian was a great social epoch—one which, to this observer, is aptly epitomized by the famous 18th Century quotation of George Berkeley "Westward the course of empire takes its way". When you say "Bureau" in the 17 western states, it means one agency only—the Bureau of Reclamation. William Warne is qualified to relate this story by reason of his long service as Assistant Commissioner of Reclamation and as Assistant Secretary of the Interior.

The book is not confined to history; it also examines the present state and future problems of the Bureau of Reclamation in a critical way. For example, the author notes that one of the basic objectives of the Reclamation Act of 1902—that is, the settlement of the West—has now been accomplished. In fact, California is the most populous state of the union. The other basic purpose of the act—to bring water to dry lands that could not otherwise support agriculture—remains a valid and essential function.

Under these circumstances Mr. Warne asks, what is so sacrosanct about the so-called 160-acre limitation, once considered a pillar of Reclamation law? The settlement era is past; the objective now is to maintain the agricultural and industrial economy of the West by the conservation and distribution of that most essential substance, water, and by the generation and distribution of its valuable by-product, electric power.

It should be noted that the 160-acre limitation is not, as some think, a limitation on land ownership. Rather it is a restriction on the delivery of Federal water; specifically, to that amount required to irrigate 160 acres in single ownership, whatever the crop. A man and wife may get water for 320 acres. Mr. Warne calls the limitation "outmoded."

Certainly some veteran reclamationists will object to any liberalization or perhaps repeal of the 160-acre limitation, on the grounds that a financial subsidy is involved. Under the law Federal funds are provided for the construction of Reclamation projects, subject only to capital repayment in 40 years, with-

out interest. A measure of the subsidy is the fact that interest-free money doubles in capital value in 40 years.

On the other hand, others may counter that the Bureau of Reclamation's powerful rival and political competitor, the U.S. Army Corps of Engineers, builds water projects for inland navigation and flood control in all 50 states with no repayment requirement whatsoever. Indeed, the arbitrary allocation of the costs of a dam to free "flood control" in the winter and spring months can sometimes become, in the dry summer and fall months, free irrigation. In some cases it has.

The Kings River Project in the San Joaquin Valley of California is an example. The Corps built Pine Flat Dam with a generous allocation to flood control, right in the middle of the Bureau's Central Valley Project service area where stored water costs from \$3.50 to \$7.50 an acre-foot at the side of the main canals. Water users, however they may appreciate Reclamation's interest-free irrigation service, naturally like even better the Corps' wholly free "flood control" releases, with or without acreage limitation.

The delicate, if not hostile, relationship of the Bureau of Reclamation and the Corps of Engineers (which is affectionately known as "the lobby that can't be licked") is discussed also in the chapter on the great Missouri River Basin. It is there that a joint Bureau-Corps plan for ultimate basin development was described by the president of the Farmers Union as "a loveless, shotgun marriage."

Such is the nature of the tales of bureaucratic in-fighting, political quarrels and pertinent anecdote that spark the narrative. Like the Bureau of Reclamation itself, this addition to the Praeger Library will arouse controversy because it pinpoints issues and suggests new answers to many basic questions of land management, water resource development, electric power generation, and the delicate relation of each of these to the quality of our environment in the decades ahead.

One new answer, as portentous as the proposal to abandon the 160-acre limitation, is a suggestion that the Bureau be assigned a national role. That challenges another basic provision of the Reclamation Act of 1902 which confines the Bureau to the construction and operation of projects west of the 100th meridian—that is to the 17 arid or semi-arid western states. The law still applies, with Alaska and Hawaii added.

It is pointed out that irrigation is now widely practiced in many humid eastern and southern states—particularly Florida, Arkansas, Louisiana and New Jersey—where farmers have found it to be an economical means of improving crop yields and in countering occasional dry spells. Likewise, eastern cities and factories are running short of developed water supplies to meet municipal and industrial needs. Finally, the energy crisis threatens an imposition of electric power rationing.

All three of these functions are within the professional experience and competence of the Bureau of Reclamation. How can the Bureau's expertise be applied to solving the eastern problem? Simply by removing the 100th meridian barrier of Reclamation Law which still confines the Bureau to the western states. This, too, would require legislation.

It doesn't seem likely that the Congress would approve such major changes in the Nation's water resource development policy without careful re-examination of all facets of the current problems and the proposed solutions. Accordingly, Mr. Warne's final recommendation for the creation of a Reclamation Commission to "review the history, examine the policies . . . , evaluate the programs and assess the future of Reclamation" would appear to be a logical first step.

THADDEUS KOSCIUSZKO

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. O'HARA. Mr. Speaker, February 10 is the day set aside to honor Thaddeus Kosciuszko, a Polish soldier and statesman who played an historic role in the American Revolution—a man known as the "hero of two worlds" for the battles he waged on behalf of both American and Polish independence.

This year, as the Nation pauses to reflect on the contributions made by this great man, we in the U.S. Congress, can take particular pride in the fact that, last year, we took the long-overdue step toward creating some lasting memorial to Thaddeus Kosciuszko, by authorizing the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania—legislation which I was privileged to cosponsor for several years. Our action in designating the house in Philadelphia—the last home this great man occupied in his adopted land before his death—assures that we are finally paying deserved tribute to this patriot of two nations.

Here was a man who volunteered his service to the Continental Congress during the Revolutionary War, who was commissioned a colonel in the Army Engineers, who was responsible for the construction of the famous fortifications at Saratoga and West Point, and who distinguished himself in the battles of New York and Yorktown. The Congress, by special act, bestowed on him the rights and privileges of American citizenship and the rank of brigadier general for his historic role in the American Revolution.

No student of the American Revolution has ever questioned the enormous contribution which Thaddeus Kosciuszko made to the success of the Continental Army. No student of military history has ever questioned the fact that Kosciuszko was probably the greatest fortifications expert of this own time, and perhaps of all times. By the action in the 92d Congress establishing the Kosciuszko Home National Historic Site, we have acted to place his contributions in their proper perspective, so that all Americans could recognize how much the success of our arms depended on the brilliance of his mind.

I am particularly pleased about what we have accomplished in this regard, for Thaddeus Kosciuszko was the forerunner of millions of Polish-Americans who, by their skill, hard work and patriotism, have contributed so much to this country's developments.

My own State of Michigan, for example, is the home of hundreds of thousands of Americans of Polish descent. It is also the center of some of the great Polish institutions of learning in the world—among them, Orchard Lake Center of Polish Studies and Culture. Distinguished scholars in my State, along with others, are in the process of a most exhaustive

study of the wellsprings of Polish culture, particularly as it relates to the early history of the United States.

Thaddeus Kosciuszko, whose memory we honor his month, is at the core of that early historical development to which those of Polish extraction lent their efforts and their commitment. So, as we pay tribute to this man whose contributions helped win the freedom we cherish so highly, we are also paying tribute to the millions of Polish-Americans who, following in the footsteps of this great hero of the Revolutionary War, have devoted their lives often at great risk, to the cause of freedom.

THE GROWING THREAT TO FREEDOM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. RARICK. Mr. Speaker, in his Inaugural Address, President Nixon said:

We have lived too long with the consequences of attempting to gather all power and responsibility in Washington.

Abroad and at home, the time has come to turn away from the condescending policies of paternalism—of Washington knows best.

Government must learn to take less from people so that people can do more for themselves.

In calling for a renaissance of individual responsibility and rededication to America, President Nixon found broad popular support.

Yet his administration, which has been most active in curtailing individual liberties and in continuing the destruction of States rights, has shown little indication of transferring or surrendering the powers amassed in Washington back to the States, local governments or the people. To the contrary, the division of our country into 10 regions or zones appears for the purpose of insuring stronger control by Washington, not returning local control. Likewise the power concentrated in the executive branch by his 1971 Presidential Proclamation 4074, its companion, Executive Order 11615, and his 1969 Executive Order 11490, all remain in force.

The great threat to the American people by over-concentration of power in one branch of the Government coupled with a hostile division between political parties can be best shown by what happened recently in another constitutional republic, the Philippines.

President Marcos, using the threat of a Communist takeover, the fear of crime, and the promise of reforms, was able to induce his Congress to delegate to him as the President, unlimited power. In fact, he amassed such power that he was able to persuade his legislators to enact a new Constitution after which he dismissed the Philippine Congress, sent them home, and now rules the Philippines as a new "safe democracy."

How did the people of the Philippines react? As long as they have law and order, prices are controlled, and peace is in their land, their attitude seems to be that, if American-style democracy can be

so easily subverted, it probably never was appropriate.

Now, we learn that President Allende of Chile is in the process of rewriting the Constitution of that country, reforming its legislative chamber and seeking to amass similar one-man political rule.

Last year, relatively unnoticed by the news media, similar action was taken by General Torrijos, the strongman of Panama, who rewrote the Constitution and reformed the political structure of that country so that he now rules as a one-man monarch, hiding behind the buffer of the so-called revolutionary council.

Interestingly, among the three republics which have now fallen from within, the ideological reasoning differs. The Philippines suffered the need for such extraordinary action was to stop communism while the Chileans and the Panamanians are being told that their dictatorships are necessary to stop imperialism. But, the result—the loss of individual liberties in all three countries—is the same. They are blemishes on the honor and the workability of the American system of government.

The handwriting is on the wall. Well-phrased speeches and pleasing platitudes, without action, are disarming. The American people must not let pressures from below be used at the top to justify peaceful dismantling of our constitutional system of government.

I ask that related news clippings follow:

[From the Washington Post, Jan. 18, 1973]

MARCOS' RULE HAS CONFOUNDED CRITICS

MANILA, January 17.—The critics of Philippine President Ferdinand Marcos have long assumed the he wanted to institute one-man rule, but they also assumed that he would not be able to do so.

He proved by his action today proclaiming a new constitution and giving himself the power to rule by decree that they were right about his goal, but wrong about his ability to achieve it.

Marcos, in effectively proclaiming one-man constitutional rule over the Philippines has taken his September martial law proclamation, with its promise of speedy social reforms and faster economic development, to its logical conclusion.

Marcos assumed the powers of president, prime minister, legislature and military commander in chief of the Philippines. He announced the dismissal of the vice president, and members of Congress and suspension of the interim National Assembly provided for in the new constitution.

Efren Piana, justice undersecretary, said the only limitations on Marcos' powers are those invested in the judiciary.

Marcos announced his decisions at a meeting of a newly formed Peoples' Congress composed of about 4,000 public officials, civic leaders and others. The government said they represented the final authority of the local citizens' assemblies.

Some Western observers have recently felt that Marcos was taking far too long to get where he was obviously headed, as the president maintained constitutionality in the hope of making his authoritarian rule acceptable to the outside world. Marcos has shown that he is eager to provide stability for foreign investors, as well as answers to domestic critics. He can now do this if his main governmental reform is greater concentration upon social reform.

Marcos' last electoral mandate, in 1969, immediately aroused suspicions of a prolonged Marcos era. Student activists con-

centrated on this issue from the start of Marcos' second term.

The fears widened as he suspended habeas corpus in August 1971 and these fears helped propel a comeback of the opposition Liberal Party in the midterm elections that year. In the campaign, opposition politicians, looking to the next presidential election, made Marcos their target.

Marcos' own tendency toward political overkill helped arouse opposition.

Today's speech proclaiming the new constitution illustrated that tendency. Two of his three proclamations were, strictly speaking, unnecessary.

The new constitution makes the September martial law proclamation "legal, valid and binding" until the regular National Assembly eventually meets and repeals it—some time in the 1980s by present reckoning. Yet Marcos chose to issue another proclamation today continuing martial law.

The same reasoning applies to the proclamation today indefinitely suspending the clause in the new constitution providing for an interim assembly. It seems unnecessary because, under the new constitution, President-Prime Minister Marcos alone convenes the assembly at a time of his choosing.

Marcos also used overkill in his announcement of the results of the nationwide referendum of citizens' assemblies on adoption of the new constitution and continuation of martial law. He announced more than 90 per cent support for his moves, even though it was known that the nation is deeply divided, as it has traditionally been on most major questions of recent years.

Authoritative sources say that one opinion poll Marcos had ordered, but not published, showed a massive rejection of the constitution. After learning of that, he canceled a scheduled national vote and substituted the "referendum" of the country's village assemblies.

Had Marcos been content with proclaiming a slightly more modest result than the 90 per cent level, his authoritarian rule would probably have got off to a better start in terms of general acceptance.

Marcos now has the power to appoint four new Supreme Court judges, six more election commissioners, and removes all former congressmen and senators "to the sidelines," as the president politely put it. Marcos can also replace all government appointees.

These and many other powers merely flesh out in explicit constitutional language the powers that Marcos assumed on Sept. 22 in Martial Law General Order No. 2. He proclaimed that "I shall govern the nation and direct the operation of government, including all its agencies and instrumentalities" in his capacity as commander in chief of the armed forces.

From the start, Marcos attached to martial law the dream of a reformed Philippines in which the old injustices, past inefficiencies, prevalent corruption and numerous other brakes on Filipino progress would all be overcome. Inevitably, this made necessary Marcos' prolonged extension of power. Marcos was caught in a bind. For martial law to be popular, he had to make the reforms stick, but to make them stick he had to be sure his assumption of greater power would stick, too.

As long as the American-style constitution was in force, there was inevitable tension between Marcos and the senators and congressmen. The Supreme Court also remained a restraint on authoritarian power. The choice for Marcos was authoritarian rule through persuasion and consensus—or through maneuver and imposition. He chose the latter course.

Perhaps past suspicions between the president and the politicians on the one hand, and between Marcos and oligarchy on the other, made it inevitable that he should choose impositions, albeit stage-managed to look like "democracy."

Inevitably, some foreign observers feel politics is too deeply ingrained in Marcos and in the Philippines for there to be fundamental change. Marcos today asserts that the revolution is in the constitution, but it must also be within himself. Marcos' martial law experiment remains very much as he himself has described it—a great gamble.

[From the New York Times, Jan. 21, 1973]

MARCOS GETS HIS KIND OF DEMOCRACY

(By Tillman Durdin)

MANILA.—Americans—and many Filipinos—have long been proud of the American-style system of democracy adopted by the Philippines when the country was granted its independence in 1946. Last week that legacy of a half-century of American rule was abolished by President Ferdinand Marcos as unworkable.

Climaxing a tortuous process of consolidating himself in power, Mr. Marcos not only perpetuated indefinitely the martial-law dictatorship he established Sept. 22 but claimed for it the legitimacy of a new constitution of ostensibly parliamentary form.

The Marcos strategy has been shaped principally by three factors—the President's determined drive for emergency powers to crush what he called the twin threats of Communist and Moslem insurgencies in different parts of the country and rising crime and corruption in Philippine society as a whole; the support that his "New Society" program has been enjoying among many Filipinos who are willing to see their freedoms abridged temporarily at the price of achieving Mr. Marcos's stated objectives; and the political challenges to his program that have been posed by groups and individuals who charge that Mr. Marcos has been inflating the dangers stemming from the relatively small number of Communist-led insurgents as a means of making himself into a dictator. This third factor, in fact, was what precipitated the change last week.

Headed by Lorenzo Tanada, a Harvard Law School graduate, a noted civil-rights attorney and, until recently, a luminary of the Philippine Senate, the opposition groups have been seeking an injunction by the Philippine Supreme Court to prevent Mr. Marcos from putting into effect a new authoritarian constitution drafted by a convention dominated by the President. The new charter would not only give Mr. Marcos extraordinary powers in its basic clauses but would incorporate all the martial-law decrees he has issued under a clause of the old Constitution designed for situations of national peril.

Mr. Marcos was going to submit the new charter to a national plebiscite. Mr. Tanada and eight other petitioners asked the Supreme Court in mid-December to prohibit the plebiscite. They argued that the new charter had been improperly adopted, was a contradictory, unfit and undemocratic document, and was being put to the people by the President in violation of the rights of Congress under the old Constitution. In any case, they argued, a fair vote on a new constitution was impossible under martial-law suppression of free speech.

This move had a jolting effect on the President. Evidently fearing that the High Court might rule against him, Mr. Marcos postponed the date of his plebiscite and temporarily lifted restrictions on free debate on the new charter. So widespread and emotional was the upsurge of criticism that Mr. Marcos reimposed martial-law controls and, abandoning the idea of a plebiscite, resorted to hurriedly calling "citizens' assemblies" as a sounding board for his intentions. In a pressured and manipulated expression of opinion, the assemblies, or neighborhood groups, voted Mr. Marcos' way.

Last Wednesday, just as the Supreme Court began hearing arguments in the case, Mr. Marcos took decisive action. Using the approval of the "citizens' assemblies" as justi-

fication, he declared the new constitution ratified without benefit of a regular plebiscite, continued martial law in effect, eliminated all possibility of legislative interference with his authority by suspending an interim National Assembly provided for in the new charter, and declared his intention to maintain single-handed domination of the Philippines.

"It is easier perhaps and more comfortable," he said, "to look back to the solace of a familiar and mediocre past, but the times are too grave and the stakes too high for us to permit the customary concessions to traditional democratic processes."

Mr. Marcos said the country was returning to a better form of democracy—the tradition of decision-making by barangays, or tribal meetings, that prevailed in the Philippines before the islands were conquered successively by the Spaniards and the Americans. He assured the "citizens' assemblies" that they would be kept advised of developments on the national level through provincial governors, mayors and barrio captains and would be asked to meet "when and if such meetings are deemed wise and necessary."

The Supreme Court adjourned in confusion. In fact, under the new constitution, the Supreme Court loses its old authority—and Mr. Marcos has the power to remove court judges at will. The old Senate and House of Representatives are no more. But a transitional section in the new charter provides that Mr. Marcos continues indefinitely to have the powers both of President under the old Constitution and of Prime Minister under the new. Mr. Marcos is firmly entrenched, and no opposition in the legal sphere is going to dislodge him.

Mr. Marcos said he intended to keep his special powers only so long as necessary to carry out his program of reforms. But there were many Filipinos who would share the fear expressed editorially by The New York Times last Thursday that "there is real danger that the Philippines, thus polarized, will go the way of Vietnam and erupt into civil strife in a country ideally suited for guerrilla warfare." For the United States, with its important economic and mutual-defense commitments in the Philippines, the implications of such a development would be far-reaching.

[The Washington Evening Star-Daily News, Feb. 6, 1973]

ALLENDE ASKS CHILEANS FOR NEW CONSTITUTION

SANTIAGO.—President Salvador Allende, vowing "war to the death" on imperialism, yesterday proposed scrapping Chile's existing Constitution in favor of one that would replace the two chambers of Congress with a single "People's Assembly."

"Nothing is going to halt Chile on its march to Socialism," the self-described Marxist president told more than 80,000 cheering supporters at a rally. Throughout the city during the day, thousands of persons paid 20 cents apiece for the 62-page volume outlining his program titled: "With Allende and For the Fatherland."

Allende's proposal will serve as the platform for his leftwing coalition in the March 4 elections for the entire 150-seat Chamber of Deputies and half the 50-seat Senate. The vote will test his 27-month-old government.

The single-body "People's Assembly" would "give popular initiative" to the legislative process, Allende said.

The political opposition, led by the Christian Democrats, hopes to increase its control of both chambers in the elections to an absolute majority. It could then impeach Allende or at least override his vetoes.

Besides scrapping Congress and the country's 48-year-old Constitution, Allende's program calls for increased taxation of the wealthier classes to support the poor.

CONCENTRATION CAMPS IN THE SOVIET UNION TODAY—AN APPEAL TO THE CONSCIENCE OF THE WEST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. ASHBROOK. Mr. Speaker, last Thursday, February 1, I commented in the CONGRESSIONAL RECORD on the amazing testimony recently given before the Senate Subcommittee on Internal Security by Mr. Avraham Shifrin, a Russian Jew now residing in Israel.

Mr. Shifrin told the subcommittee that the concentration camps system in the Soviet Union did not die with the death of Stalin—that there are still thousands of forced labor camps in the Communist motherland where millions of prisoners live under conditions as bestial as those that prevailed in Stalin's day.

Mr. Shifrin based his testimony in part on his own experiences in Soviet camps from 1953 to 1963. But he emphasized that his information dealt with the situation today, and that his Soviet concentration camp map was kept up to date based on documents smuggled out of the Soviet Union, letters from prisoners and from their relatives, telephone conversations with dissidents in the Soviet Union, documents and letters printed in Samizdat, and the statements from people now in the Free World who have emerged from camps in recent years—one of them as recently as December 1972.

Mr. Shifrin also gave the Senate subcommittee some very pertinent information bearing on the Communist treatment of prisoners of war. He told the subcommittee that he had met many thousands of Axis prisoners—German, Italian, Japanese, Spanish, and so forth in the camps as late as 1956, 11 years after the war ended. He said that, while the great majority of the survivors were repatriated in 1955 and 1956, as late as 1962—17 years after World War II ended—hundreds of Axis officers were still being held prisoner on Wrangel Island, in the remote Soviet Arctic.

Mr. Shifrin appealed to the conscience of the world to assist those now in Soviet prison camps. He stated:

But the people of the Soviet Union resist, they struggle, they are not broken. They refuse to permit the communists to destroy God's image in their souls, to corrupt them, and turn them into beasts, or into robots. . . .

That is the reason why I am here today. I want to remind you of our responsibility to those who are oppressed. They need our help. How can we help them? We can help them in two ways: first, by exposing the facts; and second, by voicing our indignation.

In helping them we shall also be helping ourselves.

In my original insertion of February 1, I quoted from a summary of Mr. Shifrin's testimony that had been put out for the information of the press. Inadvertently, the summary was incomplete, and I therefore insert at this point the complete version of the summary of Mr.

Shifrin's testimony before the Senate subcommittee.

SUMMARY OF TESTIMONY BY AVRAHAM SHIFRIN BEFORE THE SENATE SUBCOMMITTEE ON INTERNAL SECURITY, THURSDAY, FEBRUARY 1, 1973

[The following statement represents an accurate summary of Mr. Shifrin's testimony.]

Permit me to begin my testimony by saying how honored I am to be given the privilege of speaking here about my experiences during the 10 years of my imprisonment in Soviet concentration camps and prisons, and about the information I have received from many different sources inside the Soviet Union—and even from inside the camps—concerning conditions in the Soviet concentration camp empire today.

I am a proud Zionist, and, of course, I am very deeply concerned with the plight of the Jews in the Soviet Union, but as a human being I feel it my duty to speak here on behalf of all the prisoners, regardless of their nationality or religion. All nationalities are represented in the Soviet concentration camps. In fact, the camps are the only place in the USSR where there is no discrimination.

I also want to ask my friends in Soviet captivity to forgive me for not mentioning them all by name here in the Senate of the United States. Hundreds of prisoners whom I know personally are today on the other side of the barb-wire fence. They occupy the same concrete bunks on which I used to spend sleepless nights in the camp barracks. They eat rotten cabbage, and with bare hands they build industrial plants and electric power station dams and fell timber in the wild forests and in the Arctic.

I was amazed to discover when I left the Soviet Union in 1970 that most people in the free world—even well-informed people—appear to believe that the massive concentration camp system which existed in Stalin's day has for all practical purposes been abolished in the U.S.S.R. At the height of the Stalin terror, according to Khrushchev's statement of 1956, there were 15 million prisoners in the camps of the U.S.S.R. It is true that after Khrushchev's denunciation of Stalin in 1956 he did order the release of many millions of political prisoners—and this unquestionably does have a good deal to do with the confusion that exists in the free world. I myself saw how the camps over a period of a few years were emptied of almost half of their population. But I also saw in the period immediately following the suppression of the Hungarian revolution how the camps rapidly filled up again to capacity with soldiers, officers, workers, intellectuals, but mostly with professors, students, and young people.

Today the concentration camps house far fewer people than they did during the peak years of Stalin's terror. But the sad fact is—and I shall document this in the course of my testimony—that there are millions of prisoners in the concentration camps and prisons of the Soviet Union today; that the camps, far from having disappeared, number into the thousands; and that the conditions are just as bestial as they were in the days of Stalin.

I want to make it clear that I am not speaking about 1953. I am not even speaking about 1963, when I was released. I am speaking about today.

That conditions in Soviet concentration camps have changed little since the times of Stalin is evidenced by numerous letters received by Alexander Solzhenitsyn after the publication of his novel "One Day In The Life Of Ivan Denisovich." Excerpts from these letters were released by Solzhenitsyn and published in the collection of his works (v. 5, Possev, West Germany, 1969). In general, these letters said that conditions were

very much the same, or that they were even worse than those described by Solzhenitsyn.

A group of prisoners of the Ust-Nera camp, for example, wrote: "Our conditions now are much worse (worse than those described in your novel). We are not being beaten, but soldiers say that we should all be done away with. Where does such hatred come from in boys 18-20 years old? They are obviously being incited . . . In December 1962 (when the novel was published) out of a total of 300 prisoners in our zone, 190 of us were suffering from scurvy."

Here you see a map of the USSR. The red flags stand for concentration camps. The blue flags indicate entire complexes of camps. There may be a hundred camps or more in a single complex, each camp housing 2,000 to 5,000 prisoners. There are millions of prisoners in Soviet punitive institutions today. In Moscow alone, tourists could find 27 huge prisons, had they made an effort to see them instead of the "Swan Lake" in the Bolshoi Theater Ballet.

I am unable to show you all the camps on this map. There simply is no room to stick in the flags. Around each big Soviet city you will find three to five concentration camps. In Odessa, a city which the tourists love so much, there is a huge concentration camp with towers and barbed-wire fencing, right in the center of the town, on Chernomorskaya Doroga.

Here, for example, is Orsha, a minor provincial city, not even marked on the map. Yet, it is surrounded by six concentration camps. Here are their addresses:

P. O. Box UZh 15/6—"B."

P. O. Box UZh 15/2—"V."

P. O. Box UZh 15/12.

P. O. Box UZh 15/12-1.

P. O. Box UZh 15/12—"E."

P. O. Box UZh 15/12—"Zh."

This is a situation that should be of profound concern to the entire free world. It should be of concern, first, on moral and humanitarian grounds. But beyond this, the existence of this massive concentration system poses a serious danger to the security of the Free World. To the extent that the men in the Kremlin are able to repress all dissident opinion and all restraining voices, they are freer to engage in subversion and blackmail and expansion abroad.

I feel it to be my moral duty to tell you about the new wave of arrests in the Soviet Union, about starvation in concentration camps and prisons, about the mortal danger to which sick prisoners—like Silva Zalmanson, Eduard Kuznetsov, and Anatoli Altman—are exposed there. Remember the conditions under which Yuri Galanskov died only a few weeks ago. His friends had appealed to the free world time and again. They warned how gravely ill Galanskov was, but nobody seemed to have listened to them.

My memories of the camps consist of a succession of nightmares.

Today in Soviet concentration camps you can see hundreds of thousands of women, including mothers with babies. They are being held in special subdivisions. Once in Potma in 1961, I saw some 200 or 250 women with babies in their hands, children screaming, women crying, guards cursing, dogs barking. Revolted and outraged we began to shout at the guards: "Fascists!" "Murderers!" There were about three thousand of us, being moved by cattle-car to a transit camp. The guards panicked and began to shoot in the air. And suddenly in the midst of this pandemonium we heard the metallic voice of the radio announcer, amplified by the loudspeakers: "Citizens, rejoice. The Soviet Union has scored another great victory: a rocket with Cosmonaut Yuri Gagarin on board has been launched into space!"

Thousands and thousands of men and women languish in concentration camps because of their faith in God. The Communists want to destroy all confessional groups, all religions—I wish to remind you of such mar-

tyrs as Boris Talantov, Anatoly Krasnov-Levitin, Schelkov, and thousands of other nameless victims—Christians, Jews and Moslems. The believers cannot pray, they are denied the opportunity to observe religious holidays. The guards deride them, molest them, and throw them into punitive cells whenever they catch them praying. In the Tayshet Camp No. 10 in Siberia, I have witnessed the following scene. One Sunday the guards decided to break up a prayer meeting of Russian Orthodox nuns, so they ordered them to go to the shower-room to wash. The nuns asked that they be permitted to take their baths on Monday, because they did not wish to violate their Sabbath, but the guards refused. They tore the clothes off the women, and dragged them, naked, by their legs through the snow to the shower.

In the concentration camp of Kenigirin/Kazakhstan about 500 women were run over by tanks, when they formed a line in order to protect the male prisoners whom the guards were trying to punish for staging a riot. This incident took place after the prisoners had stopped their work in the mines and gone on a hunger strike to protest against the unbearable conditions in the camp. And the conditions were such that some prisoners in desperation opened their veins, inflicted wounds on themselves, swallowed spoons and nails, drank their own blood and ate their own flesh. Yes, understand me correctly, their own flesh, driven to a state of delirium by hunger.

In the Potma Camp No. 10 I saw a prisoner, Nikolai Shcherbakov, cut off his own ears and throw them into the face of the camp officer. When I asked him later why he did it, he answered: "When I am free some day, I'll tell them of the horrors of our life here, and they may not believe me. So I'll show them my earless head and the inscription tattooed on my forehead: 'Slave of Communism.' That should convince them!"

The brutality and sadism of the concentration camp guards—to which I will refer later in my testimony—partly results from the KGB instructions. But in part it is due to the initiative of officers and soldiers who have been completely dehumanized by their work. When you see a guard crushing the skull of a dead prisoner or plunging a red-hot iron into a corpse to ascertain that the man is really dead, then he is following instructions. But when—as I have seen in the wild forest near Lake Baykal—the KGB soldiers tie a naked prisoner to a tree and leave him there to be devoured by swarms of poisonous gnats, they act on their own initiative, because the government encourages them to be brutal and then occupation has dehumanized them.

When the prisoners are made to eat rotten cabbage, and sleep on concrete bunks in cells covered by a thick layer of frost—these are Moscow instructions. But when the guards throw the corpses of dead prisoners out on the snow to be devoured by wild beasts in the forest, then it is the guards' initiative.

All these awful things you can see now, today, in the thousands of concentration camps and prisons of the Soviet Union. But the people in the Soviet Union resist, they struggle, they are not broken. They refuse to permit the communists to destroy God's image in their souls, to corrupt them and turn them into beasts, or into robots.

Numerous underground groups and movements are springing up all over the Soviet Union. Many hundreds of freedom fighters have been arrested, and sent to jails and concentration camps for up to 15 years. We must remember the names of these heroes:

The civil rights movement in the Soviet Union goes back to before the Hungarian revolution of 1956. Among the early heroes of this resistance, I note particularly the names of Eduard Kouznetsov, Ilya Bokshstein, Igor Avdeev, Viktor Khaustov, and Yuri Osipov.

They began their resistance with the public readings of poetry in Mayakowsky Square. First they read the poems of Mayakowsky. Then they began to read some of their own poetry that contained criticisms of the Soviet regime. Then Bokshstein one day climbed up on the statue of Mayakowsky and delivered a passionate oration against Soviet tyranny. A battle ensued with the secret police, and scores of those who took part in the demonstration were arrested and imprisoned.

Since that time there have been many similar public protests in the Soviet Union—some of them inspired by the suppression of the Hungarian Revolution, some of them inspired by the desire for more freedom and hatred of the regime of oppression, some of them inspired at least in part by the recurring food shortages. In every case the answer of the regime has been more arrests and more repression. Over the past 16 or 17 years in the Soviet Union there have been riots and even major clashes in a whole series of Soviet cities, including Ryazan, Timyr Tau, Krasnodar, Vladivostok, and Novocherkassk. Only half a year ago there was a major riot in which many people were killed in the city of Dneprodzherzinsk, on the river Dnieper.

Intellectuals like Galanskov and Ginzburg tried during this period to publish an underground magazine. The Samizdat movement became nationwide—thousands of people participating in the laborious copying of documents of opposition. The Chronicle of Current Events, chief of the Samizdat publications, began to come out on a regular basis—and despite frantic efforts on the part of the regime it continues to come out until this day. A Jewish underground chronicle, Exodus, also began to appear on a regular basis. Entire books, like Marchenko's "My Testimony," were circulated in Samizdat form.

There were many casualties in this unrelenting battle for freedom—men and women whose names are justly honored throughout the world. Among the best known of these martyrs for freedom were Sinyavsky and Daniel, Pavi Litvinov, General Grigorenko, Anatoli Marchenko, Victor Krasnov and Victor Feinberg. All of these men are still in prison.

I would like to pay special tribute here to two young men who have paid an incredibly high price for their defiance of the Soviet regime—Pyotr Yakir, the son of a Jewish General who was executed by Stalin, and Yuri Shoukhevich, the son of a Ukrainian insurgent General who was also executed by Stalin. Both of these, remarkably enough, were first sent to the concentration camps at the age of 14 as sons of the "enemies of the people"; both were released after serving 20 years; both resumed the battle for freedom immediately on their release. And both are now back in prison.

I must also say a few words about Vladimir Bukovsky. He was one of the initiators of the Russian democratic opposition. Out of 30 years of his life, 9 were spent in psychiatric prisons and concentration camps. In January 1972 he was sentenced to a total of 12 years for having sent to the West a collection of documents concerning the confinement of healthy dissenters to special psychiatric institutions. These documents together with other materials were released by this Subcommittee on December 4, 1972.

Igor Ogurtsov, Mikhail Sado, Yevgeni Vagin, and Boris Averochkin, leaders of the All-Russian Social-Christian Union for the Liberation of the People, and some sixty of their followers were arrested in Leningrad, Tomsk, Irkutsk, Petrozavodsk, and other cities, because their patriotic appeal for the revival of Russia's spiritual and religious values did not fit into the pattern of the Communist-sponsored policy of "Russification."

Also arrested during '71 and '72 were Vyacheslav Chernovil, Valentin Moroz, Ivan Dzyuba, Svyatoslav Karavansky and scores and scores of other Ukrainian nationalists who resisted the ruthless "Russification" campaign unleashed by the Kremlin leaders who want to divide and rule. When riots broke out in Novochevsk and Dneprodzerzhinsk the Communists suppressed it with the hands of the Uzbeks—but in Tashkent they used Ukrainians to crush the rioting Uzbeks.

Victor Kalninsk, Juozas Zdebkis, Willi Saarte and many Latvian, Lithuanian, and Estonian patriots strove for the independence of their nations. Rollan Kadyev, Reshat Balamov and other Crimean Tartars who demanded the right for their people to return to their native land. More than 500,000 Crimean Tartars were deported to Siberia at Stalin's orders and are still denied the right to return home by the present government.

Navy Captain Gennady Gavrilov and scores of his friends were arrested in Leningrad, Moscow, Tallin, Riga, Baku, Perm, and Khabarovsk in connection with the conspiracy of the Baltic Fleet officers. These are just a few examples.

It is with pride that I come now to the struggle of the Jewish people. In November 1972 Grisha Berman went to the draft board in Odessa and declared that he refused to serve in the Red Army because in his heart he felt himself a citizen of Israel. He got a three year sentence. A three year sentence was also imposed on Vladimir Markman just for a few telephone conversations with friends in Israel. But all this does not intimidate the Soviet Jews. I wish to mention here the names of such heroes as Eduard Kuznetsov, Silva Zalmanson, Anatoll Altman, and their friends who tried to fly secretly to Israel because the government of tyrants stubbornly refused to permit them to emigrate legally. Today they languish in the Potma concentration camp No. 10—the most horrible of all in the Soviet Union—locked up for 15 years.

And now let me voice a note of warning. The cancer of Communism has now spread over half of Europe, China, Cuba, and parts of Africa. The Communists try to destroy your society with the help of all those radical groups. They deceive your youth with propaganda; they try to demoralize you so that they can seize power in your country. And don't think that I am spreading panic. Remember that there was a time when there was no Communism in Eastern Europe or in Cuba, and the red flags were not exposed so boldly in France and Italy. In the Soviet Union, Communists try to eradicate all dissidents, all democratic elements. They lock people up only because they dare to think. All this spells danger to you: The more they consolidate their power internally, the greater is the threat to the free countries.

That is the reason why I am here today. I want to remind you of our responsibility to those who are oppressed. They need our help. How can we help them? We can help them in two ways: first, by exposing the facts and second, by voicing our indignation.

In helping them we shall also be helping ourselves.

RESCUE WORK AND FEDERAL LEGISLATION

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. GONZALEZ. Mr. Speaker, rescue work is one of the most worthy of proj-

ects, if only because it deals with what is most precious to each of us—life itself, and safety.

The welfare of a community cannot but be greatly improved by the dedication and good works of a group which acts as an emergency rescue squad. It is indeed a wonderful feeling one gets to know that there are individuals who will take the time and make the effort to act as savers whenever and wherever possible.

I must first of all commend you on the work which you have done, and thank you on behalf of this community for the volunteer work which you are performing. Certainly no one, even in jest, could say that individuals in this business of providing supplemental voluntary emergency services for the money.

NEED FOR EMERGENCY CARE

One of the common problems confronting most local communities is adequate emergency care in situations involving victims of automobile accidents, heart attacks, shootings and other maladies. These every day occurrences, depending on the area, can spell disaster if prompt, adequate services are not available.

During this last Congress, I began looking into this whole area, and after some investigation concluded that, unfortunately, available emergency services are quite disproportionate, depending on the community which you are in.

Oftentimes the difference between the life and death of a person is determined on whether or not there is available prompt, professional ambulance care, for example, or in the availability of good services in the hospital emergency room. And, it depends on whether the assistance available is trained to meet the emergency at hand.

NEED FOR FEDERAL LEGISLATION

After studying the differences between the services available from State to State, or even from city to city, I concluded that not only was emergency medical assistance quite diverse in its quality, but it was almost nonexistent in some parts of the country. Running an ambulance service is certainly not a lucrative business, and much less so when all the necessary equipment is included which will make the difference to the patient. As a result, some communities have no more than a "taxi" service, if that.

Medical authorities estimate that approximately 60,000 deaths a year can be eliminated if wider use is made of new techniques and equipment. Right now victims must wait about 4 hours, on a national average, before receiving expert care. The big drive is to reduce this delay.

Jacksonville ambulance service is one of the best in the country, and is being used as a model to improve other communities. It consists of 63 experienced firemen who volunteered for duty. They receive 50 hours of first aid training and 100 hours of hospital training. Two-way radios, electro-cardiograph—EKG—machines, telemetry systems and defibrillators are being used.

Using an EKG machine to measure heartbeats, with a telemetry system, the highly skilled, well-trained ambulance attendant can follow the doctors' instructions on the way to the hospital and keep the patient alive. And fibrillation—a wild shuddering of the heart which prevents it from pumping blood—can be stopped by administering an electrical shock. When state law permits this type of "paramedical" duties, we have found that the results have been very good.

As a result of comparing what is available in the way of emergency assistance across the country, some of my colleagues and I concluded that there must be some kind of national assistance and standards established. Driven by the results of the Jacksonville services, we were hopeful that perhaps this type of service could be the rule, rather than the exception.

I, therefore, am sponsoring once again the Emergency Medical Services Act. During the last Congress both the House of Representatives and the Senate passed a similar bill, but it was never sent to the President for signature since the Senate bill included many other programs which the House committee had not had an opportunity to study. As a result, a conference committee was never appointed to resolve the differences. But I feel sure that this issue will be coming up again in this Congress for action.

SPECIFIC PROVISIONS OF THE BILL—EMERGENCY MEDICAL SERVICES ACT

The bill would centralize responsibility for Federal Government support of local ambulance crops and emergency receiving facilities under HEW in an Emergency Medical Services Administration. The act would provide for minimum national standards, and provide for Federal assistance. Licensing would be required of drivers, attendants, as well as of the service itself. Ambulance vehicles and equipment would have to meet standards and inspections, and adequate liability insurance would be required to cover ambulance operations. In short, emergency medical care would be regulated and assistance provided to provide for top-quality emergency services.

Financial assistance would be made available to the local and regional communities through the States which qualify, according to need. To qualify the States would have to establish a fully comprehensive ambulance program for a year, to assist local communities. Federal assistance would be available for the development and operation of existing ambulance services, and in addition, grants would be available on a matching basis—50-50—for the initial purchase of ambulance equipment, vehicles, and communications system.

REVENUE SHARING AND POSSIBLE PROGRAM FOR LOCAL AMBULANCE SERVICE

The Congress enacted legislation last year known as the revenue sharing bill, Public Law 92-512, which provides fiscal assistance to State and local governments. Among the priority expenditures listed is one for "public safety," including law enforcement, fire protection, and building code enforcement.

AFTERMATH OF HURRICANE AGNES STILL CAUSING PROBLEMS

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1973

Mr. WALSH. Mr. Speaker, the response of the Federal Government to the damage caused by Hurricane Agnes has saved many communities from extinction. The rapid reaction of the Department of Housing and Urban Development, the Small Business Administration, and many other Federal and State agencies was an example of the capacity of government to meet a crisis of great proportions.

But in the aftermath of Hurricane Agnes, many long range problems remain. It is my good fortune to represent the Finger Lakes area of New York State. Some of the most fertile and productive agricultural lands are located within this area.

Many of the farmers have been meeting recently to discuss their financial plight as a result of the damage caused by Hurricane Agnes. The problems of the farmer have received considerable coverage by the local news media.

A recent article in the Geneva Times outlined the impact of Hurricane Agnes on the agricultural production in several counties in the Finger Lakes area. It underscores the tremendous need for the Congress to continue its examination of its disaster relief programs. The floodwaters have subsided, but the problems have not. The article follows:

[From the Geneva (N.Y.) Times, Jan. 5, 1973]

FLOODS'S IMMEASURABLE LOSSES DAMPENING FARMERS' SPIRITS—CRITICAL POINT CONFRONTS FINGER LAKES FARMERS

(By Karen Stone)

"The situation of dairy farmers in the Finger Lakes area is reaching a critical point . . ." read a recent report from Cooperative Extension Dairy Specialist Jesse B. Hannan of the Seneca Farm and Home Center in Waterloo. Production in the New York-New Jersey milk shed has decreased steadily for the last three months, he reported, and the trend is projected to continue.

"I'm discouraged and I know a lot of them (farmers) are getting discouraged. The losses will be tremendous and are immeasurable at the present time," said Avery Arnold, cooperative extension field crops specialist for the four-county area of Ontario, Seneca, Wayne and Yates.

"There's no question that (area farmer's) incomes will be down. The greatest impact will probably be during this winter feeding season. The quality and quantity of roughage feed is down, and if farmers are forced to buy feed, and many will be, they're going to have to pay prices that are way out of line—more than they can justify," said Larry Davis, Cooperative Farm Business specialist for dairy and livestock in the four-county area, whose office is in Canadaigua.

As these three agricultural specialists noted, Finger Lakes area farmers experienced problems in 1972 which began with Hurricane Agnes water damage last summer and area farmers and agricultural officials expect problems to continue into spring.

Crop and cropland losses in the area resulting from the June flooding and ensuing wet weather as estimated by Cooperative Extension and Agricultural Stabilization and Conservation Service offices in each of the

EXTENSIONS OF REMARKS

counties have been put at over \$23.5 million thus far.

According to counties, the estimated damages have been estimated at: \$8,942,200 in Ontario County; \$7,765,000 in Wayne; \$4,600,000 in Yates; and \$2,257,500 in Seneca, a total of \$23,564,500 in the four-county area.

When Hurricane Agnes first hit last summer, area farmers suffered serious land flooding and crop damage. Since then, heavy rains through the fall prevented harvesting and fall planting of many of the crops.

The impact of present and future damage will depend on the weather, agriculturalists say.

Throughout the area, some crops, especially corn, still are out in the fields awaiting harvesting. In Seneca County, ASCS director George Utzman estimated that 30 per cent of the corn crop in the county is still out in the fields.

"If the ground would freeze, maybe they could get some of it," Utzman said. "But it's just been too warm and wet."

During much of the fall, the ground has been too wet for farm machinery to harvest crops. "Even with the best equipment, many farmers have not been able to get into the fields. Where some have, the ground has been damaged. The heavy machinery traveling over the mud causes the ground to clump. It causes soil and field damage," explained Wayne County cooperative extension specialist Arnold.

"I regret to say that even at this stage, it looks like this will affect the spring season. It's almost sure to affect the early planting of oats," said Arnold.

"The water table is high now and any more rain or a wet spring will make the ground too wet to plant then. The corn that's left in the fields under snow will have to be taken care of in the spring. We'll be behind to start with, and I think it will be a late spring season," Arnold continued.

In Yates County and the southern end of Seneca County, excessive rain affected the grape crops when most varieties were in early to full bloom.

"Many growers were affected by vine damage due to the high winds which have been associated with the storms that hit our area," said Joseph Donahoe, of Penn Yan, Yates County Agricultural agent.

"Since the storms," he said, "we found fungus diseases have been serious in certain grape varieties which is also associated with adverse weather conditions."

Yates County ASCS Executive Director Olen J. Sharron reported that out of 59 vineyard owners who hold federal crop insurance, 50 have applied for losses this year on their insurance.

"The claims filed could amount to roughly \$100,000 in indemnity," he said. "This represents quite a loss to the county, and this is only the people who decided to sign up for the insurance."

In Wayne County, fruit growers suffered losses because of the wet planting and harvesting conditions.

In the muckland areas there, which were covered by four to five feet of flood water last summer, damage there alone has been listed by the County Agricultural Stabilization and Conservation Service office at \$6,215,000.

Eight Wayne County farmers, headed by Anthony Reckio, formed an association to work together in the rebuilding of dikes along the Barge Canal which overflowed onto the muckland areas. Reconstruction of dike areas is now underway.

Through the joint efforts of the farmers' association, Wayne County ASCS Director Charles Costello and Savannah Supervisor Donald Colvin, federal loans were secured to partially cover the costs of rebuilding the dikes along the canal, digging ditches along Rt. 31, and diverting water into May's Point.

Reckio has estimated that the farmers

February 8, 1973

will not recover from the damage for years and that they will be paying back the loans for about ten years.

Area dairy farmers' problems are related to the poor harvesting season too. According to dairy specialist Hannan, many dairy area farms do not have adequate roughage supplies in their barns or silos for winter. What they do have, he said, is of poor quality and does not produce adequate milk production.

Also, farmers were not able to harvest their corn because of wetness, and some did not even harvest their corn for silage, he noted.

One 40-cow dairy farmer, Hannan reported, estimated that his gross income was down \$5,000 so far this year. "This would be close to his labor income for the year," Hannan said.

One of the main problems, Hannan said, was that Agnes hit during the haying season this spring. Much of the hay was of lower quality because of water damage, he said, and because many farmers had to cut their hay late, the digestibility and protein content of the hay was down. An additional problem which arises from this situation, Hannan pointed out, is that cows' daily intake is lowered considerably because they do not eat as much of this poor quality hay.

"Many farmers thought they would make this up in good quality corn silage, but when it came time to harvest corn, because of late planting, much of the corn wasn't mature. Corn that is not mature contains more moisture and the cow has to eat more to get the same amount of nutrients that they would get from a lower moisture content silage," he explained.

Hannan said milk production in the New York, New Jersey milkshed was down 4.5 per cent in September, 8.5 per cent in October, and ten per cent in November.

The trend is expected to continue, he said.

MISS MARIE NEU

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, I would like to take this opportunity to recognize a great honor bestowed recently upon one of my constituents.

Miss Marie Neu, 17, of Westland, was crowned January 27 as Michigan's Junior Miss of 1973. Marie, the daughter of Mr. and Mrs. Norbert Neu, 32020 Sandra Lane, was chosen in competition with 22 other lovely young ladies from throughout Michigan. She will now represent Michigan this spring in the national competition at Mobile, Ala.

A senior at Rosary High School, in Detroit, Miss Neu plans to attend Eastern Michigan University next September, and intends to major in drama and music.

Miss Neu has been interested in both music and drama for several years. She has participated in musical groups at Rosary High, and earlier at the St. Bernadine of Siena School. For her entry in the talent section of the competition, she sang "Mira" from the musical "Carnival."

Another of her hobbies is swimming, a sport in which she has also shown great talent. She and her sister, Susan, have competed for several years in synchronized swimming with the Garden City parks and recreation team. Swimming competition has enabled her to

travel to California, Texas, Florida, Iowa, Kansas, and Ohio.

Swimming has helped her maintain her physical fitness, and the extensive traveling has enabled her to develop self-confidence and poise—all important elements in the junior miss judging.

Miss Neu gave a fine insight into her

personality when she replied to a question about her ambition in life.

I think my primary goal or ambition is to find the meaning of my life. I want to help people through whatever I decide to do, and to realize the reason for my existence on earth, no matter how large or small that reason might be.

Mr. Speaker, I want to offer my public

congratulations to this outstanding young lady on the great honor she has brought to herself, her family, and her community. I also want to wish her well in the national competition, although whether she wins or not, she has already established herself as a winner in the eyes of all who know her.

SENATE—Thursday, February 15, 1973

The Senate met at 11 a.m. and was called to order by Hon. HUGH SCOTT, a Senator from the State of Pennsylvania.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Our Father God, whose goodness and mercy has followed us all our pilgrim days, who has held before us the hope of that kingdom whose builder and maker Thou art, grant that this day the words of our mouths and the meditations of our hearts may be acceptable in Thy sight. Grant to Thy servants here grace and wisdom to think clearly and to speak wisely. In our daily discourse give us the magnanimity to contend without being contentious, to disagree without being disagreeable, to differ without being difficult. And when we finally arrive at the truth help us to know it and to act on it. In all things keep our country under the rulership of Thy Spirit.

We pray in the Redeemer's name. 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., February 15, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HUGH SCOTT, a Senator from the State of Pennsylvania, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. SCOTT of Pennsylvania thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

RECEIVED DURING ADJOURNMENT—APPROVAL OF JOINT RESOLUTION

Under authority of the order of the Senate of February 8, 1973, the Secretary of the Senate, on February 13, 1973, received a message in writing from the President of the United States, in which he announced that, on February 9, 1973, he had approved and signed the joint resolution (S.J. Res. 59) to extend the provisions of the Railway Labor Act and for other purposes.

Under authority of the order of the Senate of February 8, 1973, the Secretary of the Senate, on February 13, 1973, received sundry messages from the President of the United States, submitting nominations, which were referred to the appropriate committees.

(The nominations received on February 13, 1973, are printed at the end of today's Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of February 8, 1973, the Secretary of the Senate, on February 8, 1973, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 59) to extend the provisions of the Railway Labor Act, and for other purposes.

Subsequently, on February 8, 1973, under authority of the order of the Senate of February 8, 1973, the Acting President pro tempore (Mr. METCALF) signed the enrolled joint resolution.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that, on February 8, 1973, he presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 37. Joint resolution to designate the Manned Spacecraft Center in Houston, Tex., as the "Lyndon B. Johnson Space Center" in honor of the late President; and

S.J. Res. 59. Joint resolution to extend the provisions of the Railway Labor Act and for other purposes.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 8, 1973, Mr. EAGLETON, from the Committee on Labor and Public Welfare, reported favorably, with amendments, on February 14, 1973, the bill (S. 50) to strengthen and improve the Older Americans Act of 1965, and for other purposes, and submitted a report (No. 93-19) thereon, which was printed.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, February 8, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 211) designating February of 1973 as "American History Month," in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 211) designating February of 1973 as "American History Month," was read twice by its title and referred to the Committee on the Judiciary.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VACATING OF ORDER FOR RECOGNITION OF SENATOR MANSFIELD TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the recognition of the distinguished majority leader today be vacated.

The PRESIDING OFFICER (Mr. HUDBLESTON). Without objection, it is so ordered.

THE RETURNING POW'S FROM VIETNAM

Mr. SCOTT of Pennsylvania. Mr. President, it was notable that the returning prisoners of war stressed their conviction that they had been a part of an enterprise which had ended with peace with honor. A number of them thanked the President of the United States.

I thought it interesting that not one of them said: "Thank you, Jane Fonda." Not one of them said: "Thank you, Olof Palme."

Not one of them said: "Thank you, Dr. Benjamin Spock."

Not one of them said thank you to the militants or the dissidents.

Not one of them said thank you to the extreme left.

They knew what had happened. They knew what they were there for. They knew. They knew how they came to be