

## RECEIVED FROM THE COMPTROLLER GENERAL

457. A letter from the Comptroller General of the United States, transmitting a report that an improved management information system is needed for the Export-Import Bank's capital loan program; to the Committee on Government Operations.

458. A letter from the Comptroller General of the United States, transmitting a report that more effective U.S. participation is needed in the World Bank and the International Development Association; to the Committee on Government Operations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL: Special Committee to Investigate Campaign Expenditures, 1972. Report on campaign expenditures investigation of the election of Members of the House of Representatives, 1972 (Rept. No. 93-1, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 1975. A bill to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes; with amendment (Rept. No. 93-15). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. ABZUG:

H.R. 4322. A bill to amend the Judicial Code to provide for the transfer of grand jury proceedings where the convenience of parties or witnesses and the interests of justice so require; to the Committee on the Judiciary.

By Ms. ABZUG (for herself and Mr. ROYBAL):

H.R. 4323. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. BOWEN:

H.R. 4324. A bill to restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

By Mr. GERALD R. FORD:

H.R. 4325. A bill to amend the Tariff Act of 1930 to provide for the duty-free entry of certain hollow reinforcing bars; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 4326. A bill to amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the American River, Calif., for potential addition to the National Wild and

Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 4327. A bill to extend the authorization for appropriations to carry out conservation and rehabilitation programs on military reservations; to the Committee on Merchant Marine and Fisheries.

By Ms. ABZUG (for herself, Mr. KOCH, Mr. ROSENTHAL, and Mr. TIERNAN):

H. Res. 220. A resolution of inquiry with respect to a pending grand jury investigation in the Northern District of Texas; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

29. By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, relative to the rural environmental assistance program; to the Committee on Agriculture.

30. Also, memorial of the Senate of the Commonwealth of Puerto Rico, relative to the use of the islands of Culebra and Vieques by the U.S. Navy, and requesting the return of the lands owned by the Navy to the Commonwealth of Puerto Rico; to the Committee on Armed Services.

31. Also, memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to the use of the islands of Culebra and Vieques by the U.S. Navy, and requesting the return of the lands owned by the Navy to the Commonwealth of Puerto Rico; to the Committee on Armed Services.

32. Also, memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to the use of the island of Culebra by the U.S. Navy; to the Committee on Armed Services.

33. Also, memorial of the Legislature of the State of California, relative to the export of logs from the United States; to the Committee on Banking and Currency.

34. Also, memorial of the Legislature of the State of South Carolina, relative to proposed assistance to Zambia for the production of tobacco; to the Committee on Banking and Currency.

35. Also, memorial of the Legislature of the State of Kansas, commending the President for the end of the war in Vietnam; to the Committee on Foreign Affairs.

36. Also, memorial of the House of Representatives of the State of Minnesota, commending the President for his role in bringing about a cease-fire in Vietnam; to the Committee on Foreign Affairs.

37. Also, memorial of the Legislature of the State of Idaho, relative to the replacement of the American Falls Dam; to the Committee on Interior and Insular Affairs.

38. Also, memorial of the Legislature of the State of Nevada, relative to the fencing of land adjacent to highways that pass through Federal land; to the Committee on Interior and Insular Affairs.

39. Also, memorial of the Legislature of the State of Oklahoma, relative to a report of the National Water Commission; to the Committee on Interior and Insular Affairs.

40. Also, memorial of the Legislature of the State of South Carolina, relative to the development of a Eutaw Springs National Battlefield; to the Committee on Interior and Insular Affairs.

41. Also, memorial of the Legislature of the State of South Dakota, ratifying the proposed amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

42. Also, memorial of the Legislature of the State of Oregon, ratifying the proposed amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

## PETITIONS, ETC.

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

39. By the SPEAKER: Petition of the city council, Baltimore, Md., relative to the funding of subsidized low- and middle-income housing construction; to the Committee on Banking and Currency.

40. Also, petition of the executive committee, Friends of the Earth, New York, N.Y., relative to the findings of the Commission on Population Growth and the American Future; to the Committee on Government Operations.

41. Also, petition of Amado M. Yuzon, Manila, Republic of the Philippines, relative to the late Presidents Harry S. Truman and Lyndon B. Johnson; to the Committee on House Administration.

42. Also, petition of the city council, Baltimore, Md., relative to protecting the right of newsmen to keep their records and information sources confidential; to the Committee on the Judiciary.

43. Also, petition of Norman A. Murdock and other members of the Ohio House of Representatives, urging the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relative to the use of public funds for secular education; to the Committee on the Judiciary.

44. Also, petition of Donald A. DeNovelle and others, Denver, Colo., relative to protection for law enforcement officers sued for damages in Federal court resulting from the performance of their duties; to the Committee on the Judiciary.

45. Also, petition of Robert M. Owings, San Pedro, Calif., relative to redress of grievances; to the Committee on the Judiciary.

46. Also, petition of Leon E. and Esther M. Lofton, Inglewood, Calif., relative to redress of grievances; to the Committee on the Judiciary.

47. Also, petition of Robert Lenihan, Bridgeport, Conn., relative to redress of grievances; to the Committee on the Judiciary.

48. Also, petition of Joe Kent, Leonard, Tex., relative to requiring the preparation of all income tax returns by bonded income tax consultants; to the Committee on Ways and Means.

## EXTENSIONS OF REMARKS

A MONARCH IN PERIL: CALIFORNIA'S TULE ELK

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES  
Monday, February 19, 1973

Mr. CRANSTON. Mr. President, the Longines Symphonette Society, in coop-

eration with the Sierra Club, is in the process of minting and distributing its "America's Natural Legacy" in precious metals medallions.

Wisely, one of the medallions in this series depicts the legacy of California's tule elk, and is accompanied by a short informative pamphlet aptly entitled "A Monarch in Peril," describing the past and present status of this rare species of wildlife.

This booklet provides a short but accurate account of the tule elk, once the predominant animal of the semiarid California grasslands. It makes the case for the establishment of a Tule Elk National Wildlife Refuge, as would be accomplished by the enactment of my proposal, Senate Joint Resolution 6, now cosponsored by Senators TUNNEY, NELSON, McGEE, STEVENSON, ABOUREZK, PELL,

GRAVEL, HOLLINGS, HUMPHREY, and WIL-  
LIAMS.

Mr. President, I commend the Longines Symphonette Society for bestowing this much needed recognition on the beleaguered tule elk and ask unanimous consent that the text of their informative pamphlet be printed in the RECORD.

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

#### A MONARCH IN PERIL

Few animals have survived so precarious, varied, colorful and tragic a past as the California tule elk.

This dwarf elk, *Cervus nannodes*, half the size of the great Roosevelt elk of the north Pacific states, and lighter in coloration, is possessed with all the dignity that marks the elk "Monarch of the Wild."

Chronicles of early explorers are filled with glowing descriptions of the little elk that was the predominant animal of the semi-arid California grasslands. Vast herds flowed in seemingly endless numbers from the central valleys to the Sierra foothills and the Pacific shores. One chronicler recorded that the stately little elk "actually darkened the plains for miles."

But with the gold rush of Forty-nine came the market hunter and the cattle baron. To them, it appeared that California was so big and so generously endowed that its pristine wonders were beyond reckoning and surely without end. Only 24 years later, in 1873, wanton slaughter had reduced the once great herds to a single tiny band.

Riding over his vast estates in Kern County, California, rancher Henry Miller spied this last pitiful remnant of the dwarf elk hiding in his tule marshes. He rejoiced at discovering the "tule elk," and became their vigilant defender as well as the originator of their common name. Giving orders for his men to protect them, he thus single-handedly saved the elk from extinction.

But the battle for survival was not yet won, for soon Miller's land began to be subdivided into smaller farms; once again the tule elk was gravely threatened. Its numbers dropped to 72 head.

In the years that followed, groups of the elk were transplanted 21 times to different sites in an attempt to establish a healthy, free-roaming herd, but each endeavor failed. The elk were so high-strung that safe capture and transport were almost impossible, and so highly specialized biologically that survival in new environments was precarious at best.

Finally, in 1933, a transfer of penned animals to freedom in the scenic Owens Valley of eastern California proved eminently successful. Here the little elk found freedom to roam and familiar surroundings. The arid grasslands and brush resembled its original habitat, while the 75 by 10-mile area, surrounded by natural barriers, provided freedom and isolation within a safely circumscribed territory.

But even here stockmen and trophy hunters marred the dwarf elk's Eden. By 1960 it appeared that once again time was running out for the tule elk.

Then a few dedicated people, rising to defend the elk, formed The Committee for the Preservation of the Tule Elk. From all over the world they came forward to save the animal.

At first the struggle was great, but by 1970 new concepts stirred in the minds of men. Earth Day was born and the voice of the '70s cried out to preserve our wildlife. In 1971 the California legislature enacted a law to restore the tule elk to the number 2,000 in its native state, before it could again be subjected to hunting. Bills were introduced to set part of the Owens Valley aside as an official tule elk national wildlife refuge.

So now, under the snowcapped Sierra to the west and barren chiseled Inyo Mountains to the east, the tule elk fulfill their traditional life cycle amid sage, saltbrush and grasses, in thunderstorms or parching drought . . . wild and free.

As the spring thaw melts the river's ice and tender shoots of new grass burst from the sod, tule elk herds of 30 to 40 animals return to the valley from wintering in the high areas. Shaggy and gaunt, with coats sun-bleached to a sandy color, the elk begin feasting on the new grasses, building up their strength after the lean winter.

Soon, in April or May, each tule elk cow gives birth to one or two tiny spotted calves. Able to stand from birth, the newborn elk totters to brushy cover where it remains hidden all day, coming out at night to follow the cow as she grazes.

Summer is a peaceful time; but the peace is shortlived. As the late-summer rutting season begins the herd grows restless. Snorting and thrashing their antlers against the ground to remove the soft velvet covering, the great bulls prepare for the thunderous battles of rut.

The oldest and largest bulls come out of velvet first, and soon the hills echo with the mighty sounds of bugled challenges. When two well-matched bulls meet, the challenge is taken up and, antlers crashing, they lock in deadly combat, struggling for balance and footing in a contest of strength. Often a bull is mortally wounded; if the antlers should fail to disengage, both elk will starve to death.

But usually one of the combatants emerges victorious, and to him goes the prize: a group of waiting cows. Herding them like a dog, the triumphant bull begins a reign which is both perilous and exhausting, for his victory is never secure. Bachelor bulls watch and wait nearby for the slightest opportunity to rush in and disrupt the herd, forcing the leader to be ever alert.

Constant vigilance eventually takes its toll, and by early fall the once-vigorous master of the herd begins to fail. Scarred from battle, weakened by hunger and lack of sleep, he is now fair game for the smaller bulls which will harass him, until finally he is driven from the herd. A younger bull then takes command, perhaps to remain for the rest of the mating season, or perhaps to be defeated and replaced several times before winter draws near and the rutting season closes.

#### CARS OR PEOPLE?

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Ms. ABZUG. Mr. Speaker, recently I had the privilege of presenting my views on Federal operating subsidies for mass transit to the Senate Subcommittee on Housing and Urban Affairs. I would like to insert that testimony in the RECORD:

#### STATEMENT BY BELLA S. ABZUG

I would like to express my strong support for the bill under consideration (S386), which would authorize grants to assure adequate commuter service in urban areas. Unless a solution to the transportation crisis is found soon, our cities will become totally unlivable. As it is, the quality of life decreases each year for millions of Americans, as we spend longer and longer hours just getting to work and home again.

According to the 1970 census, 73.5 percent of Americans—about 150 million people—live in urban areas; in addition, a substantial number of the remaining 26.5 percent com-

mute to urban areas to earn their living. These people must be moved around—from office to office as well as between home and office—and they must move either in privately-owned automobiles or in some form of public or semi-public mass transportation.

To far too great an extent, our national transportation policies have ignored the need to move people in favor of the need to move goods, and have ignored the need to move people and goods within urban areas in favor of the need to move people and goods between urban areas. The transportation situation in our urban areas is at a crisis level, and we must take giant steps to deal with it as soon as is humanly possible.

Existing mass transit facilities are, for the most part, unable to keep up with the demands made upon them. The facilities are old and subject to frequent breakdowns; the systems are uncoordinated and do not cover adequately either the central cities or the suburbs.

Our urban mass transit systems are not only unable to engage in needed construction and maintenance activities but also unable to meet their day-to-day operating costs. As a result, fares are going up and up; in New York City, for example, mass transit fares have gone from fifteen cents to thirty-five cents over the last thirteen years, and they show every likelihood of climbing still further in the near future. This money is being taken from those who can least afford it—working men and women. Our failure to give adequate financial aid to mass transit, which is as much of an essential service for working people as is police protection, takes food out of their mouths and clothing from their backs. To add insult to injury, they must endure inhuman conditions just to get to and from work each day.

As if this were not bad enough, our failure to make mass transit attractive to potential riders who can afford cars leaves them willing to suffer through the noise, smoke and frustration of rush hour traffic, not to mention the agony of finding parking space at a reasonable price once they get where they are going. If people are willing to travel on the Long Island Expressway during the evening rush hour on a hot summer day—and tens of thousands are—then we have failed to meet our responsibilities with regard to mass transportation.

For transportation in and around crowded urban areas, autos are extremely inefficient. Per person carried, they take up far more space, use more of our dwindling supply of gasoline, create far more air and noise pollution, and create more congestion than mass transit facilities. Unfortunately—and largely as a result of the transportation policies of the federal government—state and local governments have been doing far more building of highways than of mass transit facilities.

The Highway Trust Fund has expended about \$4 billion annually on highways. Mass transit has been a poor step-child when it comes to federal help. Under the Urban Mass Transit Act, the total amount of funding authorized for both construction grants and loans is less than \$3½ billion; for fiscal year 1972, only \$900 million was appropriated and, believe it or not, the Administration impounded \$300 million of even that paltry sum.

The message cannot be lost on anyone, and is certainly clear to state and local officials; build more highways, especially superhighways, and we in Washington will pay almost the entire bill; build mass transit facilities, and you are on your own.

It has been apparent for some time that this sort of policy, if allowed to continue, will strangle our central cities and, in the process, strangle the rest of the nation as well. Former Secretary Volpe, in speaking of his home state, Massachusetts, noted:

"... new highways across the State allow

trucks to get from the New York border to within ten miles of Boston in 2½ hours instead of 7 hours. When they get near Boston, however, it takes them an hour or more to go that additional distance because of the congestion."

My own home area, New York City, is much more crowded than Boston, and it faces a correspondingly more acute situation. The policy of encouraging long-distance highways over urban roads and/or mass transit facilities has hurt urban and suburban dwellers for many years; now, it has reached the point where it is severely injuring the long-haul truckers for whom the interstate system was designed. Thus, use of federal funds is entirely appropriate for the construction and operation of urban mass transit systems, for unless vast sums of money are spent on such systems, the traffic congestion in and around the urban centers of commerce will render the entire interstate system useless for business purposes.

I do have one specific request with respect to the bill before you, S. 386. On Page 3, at Line 13, the Secretary of Transportation would be authorized to make grants or loans for operational expenses "to any state or local public body." I take it that the intent of this language is to provide for direct grants to local transit agencies, where such agencies exist, and I fully support that intent. However, the language does not make this clear, and I would hope that either in the final version of the legislation or in the accompanying report, you will indicate that local transit agencies, if they exist, should receive their share of these operating expenses directly from the Department of Transportation.

Thank you for allowing me this opportunity to express my support.

#### BIRTHDAY OF GENERAL STONEWALL JACKSON

#### HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES  
Monday, February 19, 1973

Mr. MOLLOHAN. Mr. Speaker, the military history of this country is replete with examples of great generals who have led their forces with such brilliance as to earn the everlasting acclaim of their countrymen. Few, however, have earned the respect of friend and foe alike as Thomas J. "Stonewall" Jackson.

The 21st of January marked the 148th anniversary of Old Stonewall's birth in Clarksburg, W. Va. Orphaned at the age of 6, Jackson met adversity, even as a child with a perseverance and determination that was to set the pattern for his future successes as a brilliant military tactician. He consistently displayed a will to win which brushed aside the obstacles in the path to victory.

He obtained an appointment to the U.S. Military Academy at a time in the history of this country when such appointments were difficult to come by. At West Point he set a record of achievement that earned him the 17th place in his graduating class and the recognition of his leadership abilities by his classmates and instructors.

Following receipt of his commission, Jackson was honored for gallantry on the field of battle during the campaign in Mexico. After his return to the States, he resigned from the Army to accept an

appointment as an instructor at the Virginia Military Institute. The outbreak of the War Between the States, however, found him back in the saddle, firm in his belief that the Almighty was clearly on the side of the Confederacy.

From that moment on his military career is legendary. Even the changes in warfare that have taken place in the last century have not dimmed the value of the study of Jackson's campaigns by students of military tactics.

Jackson is perhaps noted most for his refusal to accept defeat regardless of the odds, thus the title of "Stonewall" which originated with his determined stand at Stonewall Hill during the First Battle of Manassas and has almost obliterated the fact that he was christened Thomas. From that moment on he became the nemesis of the Union forces. Four Federal armies pursued him throughout the Shenandoah Valley, in hopes of destroying him. Jackson evaded each, in turn, then reversed the field and struck them down one at a time.

Jackson, a deeply religious man, believed firmly in the right of the cause for which he was struggling and believed as well that the rightfulness of his cause gave his forces near invincibility. His life is an example of the significance of generalship to tactical victories and an inspiration to all whether they be students of military history or of human conduct.

#### A SALUTE TO INVENTORS

#### HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES  
Monday, February 19, 1973

Mr. SCHWEIKER. Mr. President, last Sunday, February 11, inventors across the country were saluted on the birthday of Thomas Edison, an inventor who created approximately 1,100 patented inventions.

Thomas Edison and many other inventors encouraged by the U.S. patent system's protection of patent rights were given the incentive to create new products and discover better uses for old ones. They were responsible for the development of whole new industries, employing millions of people. The creative genius of these inventors has been the driving force in developing new technologies, increased productivity, and a higher standard of living.

Mr. President, our distinguished minority leader, HUGH SCOTT, at the Fifth Floyd Crews Lecture on Patent Law at New York University last November, spelled out the need for a healthy, growing American patent system. I think it would be appropriate, therefore, that Senator SCOTT's remarks be printed in the RECORD, and I ask unanimous consent to do so.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

#### REMARKS BY SENATOR HUGH SCOTT

We all agree on the occasion of this lecture that a declining future for our patent system and its supporting patent law is not

desirable. I am sure you share my belief that patents have been and that they can and will continue to be a powerful incentive and force for the future application of science and technology in the public interest.

Our patent system cannot live in the past. We must seek to peer ahead, however uncertainly, into the future of our technological post industrial society, and into the role of patents, the patent system and patent law. I see a continuing need for reform of the legislative basis for our patent system and the procedures of the Patent Office.

Looking ahead a few months to the start of the 93rd Congress, it is no feat of forecasting to anticipate a continuing interest by many members of Congress for reform, and my continuing commitment will be for a statutory clarification of the issue of compulsory patent licensing. The coming months should see spirited interest in this issue, for the big battle at this year's meeting of the Patent Section of the American Bar Association was over the question of whether the Association should abandon its long standing opposition to compulsory licensing and support a statutory provision on that subject. Current forces of consumerism and concern about our declining position in so-called high technology international trade clearly show why compulsory licensing will receive continuing attention.

Likewise, another critical issue confronting the patent system is enforcement—that is, litigation involving patents. Over the years, various proposals have been made to improve the conduct of patent litigation by such methods as establishing a single court of patent appeals, by the appointment of masters to make technical findings of fact in patent litigation and by increasing the presumption that a patent is valid until shown otherwise. None of these proposals has commanded general support, so the underlying problem of enforcement still awaits solution. That solution will require much hard headed thought by scholars and practitioners of patent law.

These issues of compulsory licensing, and of enforcement are well known to you, and need no further elaboration from this podium. We will in due course argue them out in the proper arena.

What I would like to present now is an example of the current thinking about the relationship between science, technology and the Nation's growth. The common thread running through this example is that the ultimate benefits from the use of science and technology requires application; that application is the field of the inventor, the innovator and the promoter and an effectively operating patent system is a powerful force to accelerate such applications.

In predicting the future, it has become fashionable for some to assume that man is in control of his destiny for the first time in his history by virtue of our modern science and technology. Allow me to illustrate this assumption in terms of the population problem, which many observers place high or at the top of the list of urgent problems. For our illustration, consider an analysis of world population growth and related technical problems made by two scientists of the University of California.

The authors arrive at what is to them the obvious and important conclusion that population growth is the major problem facing the world today. They see the population approaching a level at which environmental resistance will soon become the dominant control mechanism unless some form of worldwide birth control is achieved. Time is the critical factor. They foresee a rising death rate in most parts of the world, which will not leave the developed nations unaffected, and urge that the United States establish strong, well-defined national goals to remove the pressure of internal population problems. The specific technical develop-

ments which they prescribe for achievement of this U.S. goal assume success in several areas of research and development. Parenthetically, if successful, these efforts should also give rise to many useful patents, and to policy issues concerning who will ultimately use them and for what purposes. The authors call for the following:

(1) Development of techniques for the conversion of waste products into useful forms. Most important industrial activities must be revised to minimize or eliminate waste production and to facilitate the conversion of unavoidable wastes.

(2) Establishment of a central agency for the control of the use of energy and natural resources with the overall purpose of providing a rational basis for national policies regarding growth and development.

(3) Establishment of large-scale research and development programs for efficient harvesting of marine resources.

(4) Development, as soon as possible, of more efficient methods of energy conversion.

I present their conclusions not to endorse or oppose them but to illustrate the importance attached to that chain of human activities which begins with research and extends through development, invention, and innovation to practical application. And intertwined throughout this chain is the thread of patents, patent law and patent systems.

So for me it appears that the patent fraternity lives in an exciting time when rapidly changing technologies will make more demands than ever upon effective operation of our patent system.

I have no reservations in predicting an exciting future for our national patent system and its supporting body of patent law. The new technologies that the private and public parts of our Nation wish to bring into use and into the market place will generate a fresh new flow of invention and opportunities for innovation. How well will the patent system fulfill its constitutional responsibilities to promote the progress of science and useful arts by securing for limited times to inventors the exclusive right to their discoveries? This remains to be seen. Some of you will be prime movers for what happens.

#### THE INTERNAL SECURITY PROGRAM

### HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. ICHORD. Mr. Speaker, for the information of the House, I desire to insert in the RECORD a copy of a letter I have received from General Brownfield who heads the Military Order of the World Wars, together with a copy of a resolution adopted by that organization regarding a recent report of a subcommittee of the House Committee on Internal Security which had been submitted to the House, titled "The Federal Civilian Employee Loyalty Program."—House Report No. 92-1637 of January 3, 1973.

General Brownfield advises that the Military Order of the World Wars has noted with dismay and concern the present failures in the administration of the loyalty-security program regulating Federal civilian employment as reflected in the aforementioned subcommittee report. A resolution recently

enacted by that organization urges support by Members of the Congress with a view toward the enactment of a comprehensive and effective program on the subject.

Indeed, I am not at all surprised that there should be a strong reaction among our patriotic groups and our citizenry to the failures in the Federal civilian employee loyalty program which the subcommittee report has pointed out. This report, prepared by the gentleman from North Carolina (Mr. PREYER), subcommittee chairman, based upon a most intensive and thorough study, is undoubtedly a monumental contribution to the subject, and I recommend it for serious consideration by all Members of the House.

The letter and resolution follow:

#### THE MILITARY ORDER OF THE WORLD WARS,

Washington, D.C., February 5, 1973.

HON. RICHARD H. ICHORD,  
Internal Security Committee,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. ICHORD: The Military Order of the World Wars has noted with dismay and concern the inadequate and ineffective internal security program executed by the Federal government for its officials and employees, as described in the report, "The Federal Civilian Employee Loyalty Program," by the House Committee on Internal Security.

By resolution No. 2 herewith, the Order requests that this unsatisfactory condition be corrected by appropriate legislation and effective implementing programs.

It is requested that full and open hearings on this matter be held at an early date, with a view toward awakening public opinion and designing adequate legislation and programs properly to cope with the problem.

Sincerely,

A. R. BROWNFIELD,  
Brigadier General, U.S. Army (Retired)  
Chief of Staff.

#### THE MILITARY ORDER OF THE WORLD WARS— RESOLUTION NO. 2

Whereas, the internal security program of this nation has been found by the Congress to be inadequate and ineffective; and

Whereas, the first duty of any government is to protect itself and maintain itself as a secure and stable institution under its constitutional authority; and

Whereas, the people of this nation are constitutionally entitled to government which is dedicated in its entirety and without exception to the interests of his nation above all others:

Be it hereby resolved, by the General Staff of The Military Order of the World Wars, in midwinter conference assembled, that the United States of America is ill-served by government officials and government employees who fail in any degree to do their utmost to maintain a high degree of internal security in our government against all enemies, both foreign and domestic, as required by oath of office and lawful official responsibility.

Be it further resolved, that the President of the United States and all members of the Congress be hereby most strongly advised that a comprehensive new and thoroughly effective program of internal security, backed by federal statutes containing high standards and severe penalties, is essential to the national security and general welfare of our nation and should be put into effect at the earliest possible time.

A. R. BROWNFIELD,  
Brigadier General, U.S. Army (Retired),  
Chief of Staff.

NO PARALLEL BETWEEN REHABILITATION PROGRAMS FOR GERMANY AND JAPAN, AND FOR NORTH VIETNAM

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, February 19, 1973

Mr. HARRY F. BYRD, JR. Mr. President, the Rappahannock Record, published at Kilmarnock, Va., in famed Lancaster County, carried in its issue of February 8, 1973, an interesting article by Brig. Gen. Rothwell H. Brown, retired. General Brown points out that—

There is absolutely no parallel between our rehabilitation programs for Germany and Japan and the rehabilitation program apparently agreed to by Dr. Kissinger for North Vietnam.

General Brown's piece merits careful reading.

The editor of the Rappahannock Record is J. E. Currell, a long-time friend, as is General Brown.

I ask unanimous consent that General Brown's piece from the Rappahannock Record be printed in the Extensions of Remarks.

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

Now LET US SEE

(By Rothwell H. Brown)

For a country which prides itself upon advertising, the United States has shown an ineptitude in advertising the justness of its cause in South Vietnam which is positively incredible.

In spite of protests by the Ralph Naders of this country, advertising has been a help and only rarely a hindrance to the housewife and to the businessman making their purchase decisions in the free capitalistic market.

It is therefore extremely difficult to understand how the righteousness of our cause in South Vietnam has never been fully advertised to the people of the United States. Somewhere along the line the communications media created the impression that the United States was the actual aggressor in South Vietnam.

Since it has been perfectly obvious right from the very beginning when the communists began to circumvent the 1954 Geneva Accords that the communists were determined upon seizing total power over all of Vietnam, it is simply incredible to read in the American press that the United States is the aggressor nation.

In looking back over this long and deadly struggle the American press and particularly American television commentators have blown up, out of all proportion, unfortunate incidents such as occurred at My Lai. At the same time, they have played down the terrible and cruel massacre of thousands of innocent people at Hue and the senseless cannonading of refugees fleeing from Quang Tri.

American bombing of strategic military areas in North Vietnam has been likened unto Hitler's murder of millions of Jews. However, the assassination of tens of thousands of innocent school teachers and village chiefs in South Vietnam by both the North Vietnamese and the Viet Cong has received almost no publicity in the liberal press in the country.

It is also quite amazing that tens of thousands of churchmen have supported the

atheistic communist government of North Vietnam. Even more astounding is the number of Catholic priests who have joined in pro-atheistic propaganda in spite of the fact that millions of Catholics fled North Vietnam in 1954 and that President Thieu himself is a deeply devout Catholic.

If there was ever a cause of justice, it lay in our intervention for the preservation of freedom and a belief in God in South Vietnam. Yet somehow or other, the very advertising skills which have made this country an economic powerhouse were twisted and distorted into making us craven butchers.

Now that some sort of a peace has finally been brought about by President Nixon, this great anti-American propaganda machine is being geared up to convince the American people that they have been the chief agent of destruction of a perfectly innocent peace-loving people in North Vietnam.

Already every advertising skill hitherto devoted to the sale of American products on the free market is now being devoted to creating an atmosphere which will convince the American people that they have been morally responsible for the war in Vietnam.

The awful destruction which was inflicted upon South Vietnam by the North Vietnamese invasion forces, particularly during the Tet offensive, is totally ignored. The mining of Haiphong harbor and the Christmas bombing of North Vietnam are now being presented as forcing this country to spend billions of the American taxpayers' dollars for the rehabilitation of North Vietnam.

The liberal press now cries out through every communications and advertising media that, since the United States was the chief instrument of destruction in North Vietnam, it bears a moral responsibility to completely repair all the damage which it did. This is an absolute fallacy, but if it is not met with counter-advertising and propaganda, the American taxpayer is going to pay tribute to one of the most cruel aggressors the world has ever known.

At the end of World War II the United States instituted the Marshall Plan for Europe in order to prevent the shattered nations of Europe from becoming communist. Likewise, the economic and rehabilitation programs which were set up by General MacArthur for the rehabilitation of Japan were designed for the same purpose.

There is absolutely no parallel between our rehabilitation programs for Germany and Japan and the rehabilitation program apparently agreed to by Dr. Kissinger for North Vietnam.

There is absolutely no reason in the world why the American taxpayer, who is already struggling under a terrific burden of taxation, should be required to see his hard earned dollars spent in the rehabilitation of a communist enemy who has killed 50,000 Americans and wounded or disabled nearly a half million more. If reconstruction is required in North Vietnam, then let Soviet Russia and communist Red China, who gave them the arms with which to carry on their aggression, pay the bill. And let this country return once again to that great slogan of Charles Cotesworth Pinckney, "Millions for defense but not one cent for tribute."

#### THE ENERGY CRISIS

**HON. G. WILLIAM WHITEHURST**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. WHITEHURST. Mr. Speaker, I recently sent a newsletter to my con-

stituents in Virginia's Second Congressional District. I would like to share the text with my colleagues at this point in the point in the RECORD:

GREETINGS FROM WASHINGTON—FEBRUARY 1973

#### THE ENERGY CRISIS

"The energy picnic is over for America." These words describe the current "energy crisis" that has suddenly been thrust on stage. For years there has been talk of such a development. Dire warnings were issued, then promptly disregarded as being something beyond the pale of contemporary America. Now we have lumber mills shutting down because of fuel shortages. Homeowners can't get hookups to gas lines. Farmers can't dry grain. In Tidewater there has been a severe shortage of kerosene. There is no doubt about it: the energy squeeze is here. Not surprisingly, all eyes have turned toward the government, and specifically the Congress. But passing a law isn't going to solve the energy crisis.

C. Howard Hardesty, Jr., Executive Vice President of the Continental Oil Company, who described our past policies as a "picnic," states bluntly: "The simple fact is that we are spoiled rotten. Except for our family, sacrifices don't come easy to any of us. We want low cost, low-sulphur fuel oil, but we don't want ships, pipelines, terminals or refineries on our shores."

"We want adequate supplies of domestic oil and gas, but we don't want to explore the potentiality of offshore areas. We want more imports of crude oil, but we don't want to give foreign nations a stranglehold on our economy. We want more natural gas, but we will not let market forces set real values."

"We want more coal, but we don't want surface mining and prohibit coal's use by sulphur restrictions. We demand adequate supplies of electricity but resist setting up nuclear plants. We want to use more oil more efficiently but rush out to buy 8 mile-per-gallon automobile monsters. At this point in time, our environmental concerns are more deeply rooted than our energy concerns. So far we are not willing to accept the fact that some tradeoffs, some compromises will be needed to keep these inconsistencies from destroying our way of life."

From all sides comes the message, America can no longer live "on the cheap" in terms of energy. We have been on a joyride, and now it's over. If we are to keep juice flowing into our electric fingernail files, carving knives, toothbrushes, and shoe-shine machines, we've got to pay the piper. How did we get into this mess?

During the 1930's the US Government advocated a low-cost energy policy. Prices were held down, consumption of energy pushed relentlessly by advertising and in many cases subsidy. We energized everything in sight. Now, due to sudden awakening of environmental concern, plus the realization that our current energy sources are finite, we face crisis across the land.

The January 22 issue of *Newsweek* highlighted the energy crisis and contained some startling statistics which are worth repeating here. They tell a graphic story.

We have 6% of the world's population, but burn up 33% of the world's energy, some 69,000,000,000,000,000 (quadrillion) British Thermal Units (BTU) a year. Projections are for a rapid increase, unless we level off our gadgetry and develop more efficient processes in manufacture, motoring, heating and cooling, and other energy uses.

We have on hand 52 billion barrels of oil, about 10 years' supply at today's rate of consumption. We import a lot of oil, about a quarter of what we use. But this supply is subject to the perils of radical governments abroad. By 1985, just 12 years from now, our

import percentage will be well over 50%, and perhaps as much as 65%. The impact on our trade deficit is almost incalculable.

We have anywhere from 160 to 600 billion barrels of shale oil. But crude oil prices would have to rise 150% to make it economically feasible to extract this oil. The Department of Transportation has estimated that within a few years gasoline will go up to \$1 per gallon. It is already 99c in energy-short Italy.

We have 1.5 trillion tons of coal, enough for 500 years' supply. But little of it is low-sulphur, and coal strip mining is under heavy attack from environmentalists. We have neglected to launch any kind of crash program to gasify or liquefy coal resources.

We have 450,000 tons of uranium, enough for 13 years. But atomic energy has barely been exploited for peacetime use. The President has asked for a stepped-up program to develop a fast-breeder reactor to move the atom into the energy gap. It produces 1% of our power today and can be expected to produce 13% by 1985. Environmental concern has delayed atomic plant siting. An experimental plant with a fast-breeder reactor at Oak Ridge, Tennessee, will be "on line" by 1980. We need 280 such plants of 1,000 megawatts each over the next 15 years, but we have only the equivalent of 10 such plants now and only 46 under construction.

We waste a lot of energy. Automobiles blow 87% of their energy intake out the tailpipe. The pilot light on a gas range consumes one-third of all the fuel the average kitchen range burns. Experts estimate that we waste 50% of the energy sources we use. We can improve on this record. Better insulation, more efficient engines, and Federal regulation can do it.

The Office of Emergency Preparedness talks of higher gasoline taxes, abandoning many short-haul air flights, regulating car engine sizes, and even rationing gas. None of these will come easy. A storm of protest was raised recently when the Environmental Protection Agency proposed rationing gasoline to ease the smog problem in Los Angeles.

The next decade will be the hardest, and the problem is that we don't really have a coordinated energy program. We shudder to contemplate an "energy czar" or an over-all Federal agency in charge of who can use what energy. But it apparently will take something drastic if we are to have a decent supply of energy while awaiting the breakthrough of the atom. We now have 64 agencies in charge of various pieces of the energy-environmental puzzle, which is about par for this city.

Within a short time of your receiving this newsletter, the President will unveil his energy program. These are some possible recommendations: (1) decontrolling natural gas prices at the wellhead which will dampen increases in demand for this clean fuel and provide the incentives, from higher prices, for producers to step up their search for new gas reserves; (2) a sweeping change in oil import controls (I have joined about 100 of my colleagues in legislation which would end oil import quotas completely); (3) faster and more extensive development of oil resources along the East Coast continental shelf and Gulf of Mexico; (4) an effort to secure a cooperative agreement with the other major oil imports and consumer nations, primarily Europe and Japan, in dealing with the oil producing nations, principally in the Middle East; (5) more determined negotiations with Canada for the development of oil resources in northern Alaska and the Canadian arctic to the mutual benefit of both countries; and (6) the funneling of additional funds into research and development of new energy sources. One interesting possibility is the construction of big nuclear plants in the ocean on floating platforms, using the elec-

tricity produced to make hydrogen from sea water through a process known as electrolysis. Production would be safe, the source of supply inexhaustible, and hydrogen fuel would be relatively cheap and entirely clean.

Whatever happens, the immediate outlook is serious. Energy will take a far larger share of our bankroll over the next 10 to 15 years. Sacrifice will be the name of the game, regulation will be tighter, and proliferation of devices to save human energy will have to be slowed.

John G. McLean, head of Continental Oil Company, is bullish on our energy prospects. But he warns, "The task will not be easy, and it will require a greater sense of urgency and commitment on the part of both industry and Government than presently exists."

We spend only 5% of our national income on fuel sources today. This is tiny. To get the energy we will need, the costs will have to go up. But even a 100% increase, as foreseen by energy experts, would still leave us well ahead of other nations, and should be absorbed by our economy without drastic disruption.

#### BUSING

Some of you have written to me to ask if anything is being done in the way of anti-busing legislation. Let me assure you that those of us who fought the battle in the House last year are busy lining up support for another bill this year to preserve the neighborhood school. As a parallel move, I joined Congressman Mizell (R-N.C.) and 15 other Congressmen on January 3rd in reintroducing an amendment to the Constitution which would prohibit assigning students to a particular school because of race, creed, or color. From conversation with some of my colleagues, I am optimistic about our getting a strong anti-busing bill passed in the House this year.

#### VIRGINIA BEACH OFFICE

Our Virginia Beach office is now open and available to my Virginia Beach constituents. We are located in Room 428 of the Pembroke One building, 281 Independence Boulevard 23462. The telephone number is: 499-1910. Please call Mrs. Boyles there if you have a problem requiring our help. My Norfolk office is unchanged at Room 201 in the Federal Building on Granby Street. Norfolk constituents who need our help should call Mrs. Wasserman there at 441-6763.

R. A. GREEN

### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. BENNETT. Mr. Speaker, I join my colleagues here in the House in tribute to the late R. A. Green, who served Florida well here in Congress, through two decades. He was a man of the people, always anxious to serve them in every way he possibly could. And he served them diligently and with pleasure at the opportunity. He also served them and his country well in World War II as a naval officer, a duty which his age would have spared him if he had so elected. We will all miss him and his persistent good humor and progressive spirit.

His accomplishments were many. I express to his family the deep regard that we all have here; and my own deepest sympathy for their loss.

NICOLAUS COPERNICUS, 1473-1543

### HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, February 19, 1973

Mr. SCHWEIKER. Mr. President, today marks the 500th anniversary of the birth of the great Polish Astronomer Mikolaj Kopernik—known to the world as Nicolaus Copernicus. It is cause for pride and celebration for people of Polish descent everywhere.

Copernicus was a true renaissance man. He was an author, translator, linguist, and Polish patriot. His theory that the planets revolve around the sun and that the turning of the earth on its axis accounts for the apparent rising and setting of the stars is the basis of modern astronomy. His study of astronomy is credited with ushering in the present-day space age.

Many Polish-American organizations will hold special observances of the 500th anniversary of Copernicus' birth. One of them, the Polish Falcons of America, has published a special issue of its publication, *Sokol Polski*, which will be distributed nationwide.

Mr. President, the Friday, February 16, *Pittsburgh Post-Gazette* honored Copernicus with an editorial entitled "The Pole Who Changed History." I ask unanimous consent that the editorial be printed in the RECORD.

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

#### THE POLE WHO CHANGED HISTORY

For Americans of Polish descent the 500th anniversary on Monday of the birth of Nicolaus Copernicus is cause for pride and celebration.

This great astronomer who lived from Feb. 19, 1473, to May 24, 1543, is secure in the annals of history as one of the few whose findings changed decisively the way men looked at their universe. The recently published book, "Milestones of History," lists the Copernican discovery as one of the 100 decisive events in the history of mankind, explaining:

"Copernicus' insistence that the sun—not the earth—was the center of the universe helped usher in an epoch of broad scientific inquiry that earned the modest astronomer the title, 'Father of the Scientific Revolution.'"

Mikolaj Kopernik (the more familiar Copernicus is a Latinization of his Polish name) gained the glimmering of an idea from reading ancient Greek authors who were not satisfied with the seemingly self-evident "fact" that the earth was the center of the universe, about which the sun, the planets, and the stars revolved. A man with medical and law degrees, employed as a government administrator, he somehow found time to carry out astronomical observations which resulted in the first really new theory of planetary motion in almost two thousand years. Tradition has it that the first published copy of his manuscript on these findings were rushed to him on his deathbed.

Of course, the new theory directly contradicted the Biblical explanations of the relationships of a flat earth with the canopy of the heavens. The Copernican theory had heavy going with church officials. Also, later discoveries showed that the sun is the center of only the solar system and not of the entire universe. But the Copernican theory freed

the minds of men from old preconceptions and therefore paved the way for the scientific discoveries which have changed the face of the world and the course of history.

It is no wonder that not just Poland and persons of Polish descent, but scientific societies and cities (such as Bologna and Padua in Italy) across the world are celebrating the Copernicus anniversary. (Here in Pittsburgh there will be numerous observances, including lectures, this weekend and in succeeding weeks.)

Half a millenium after his birth, it is beyond dispute that Copernicus speeded the transition from the religiosity of the Middle Ages to the rationalism of today.

### NEW YORK'S TWO NEW WOMEN'S LAW FIRMS

### HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Ms. ABZUG. Mr. Speaker, I am pleased to note the founding of two new women's law firms in the city of New York. One of them, Bellamy, Blank, Goodman, Kelly, Ross & Stanley, will specialize in the fields of matrimonial law and sex discrimination in mortgages, loans, and other credit procedures. Among its members are Nancy Stanley, formerly my legislative assistant, Senator Carol Bellamy, an able new member of the New York State Legislature, and Janice Goodman, long a prominent and active figure in the women's movement.

The second firm is Lefcourt, Kraft & Libow, which will specialize in landlord-tenant law and matrimonial law. One of their projects will be an experiment in having people seeking divorces handle their own cases to some degree. Among its members are Carol Lefcourt and Veronika Kraft, formerly members of the New York Law Commune, and Carol Libow, who represented Columbia University maids in their successful lawsuit challenging sex discrimination in layoff practices.

I wish both of these new firms the best of luck, and insert in the RECORD, at this point a New York Times article on their creation:

[From the New York Times, Feb. 17, 1973]

TWO LAW FIRMS PUSH FEMINISM—AND THEIR LAWYERS ALL ARE WOMEN

(By Laurie Johnston)

The last thing any of them wants to be called is "Portia," but nine young women lawyers are about to face professional life in two new all-women law firms that they describe as "feminist collectives."

"We're going to come in in the mornings and see all women peers instead of men, and no superiors at all," said Mary Kelly, now in a major Wall Street firm. "We don't know any major law office with more than one woman partner, and most don't have that."

Bellamy, Blank, Goodman, Kelly, Ross & Stanley will be the firm name—punctiliously alphabetical—on the office door in the Bar Building, 36 West 44th Street, beginning March 1.

In a converted loft building at 640 Broadway, the letterheads of Lefcourt, Kraft & Libow have been going into the mail since the firm opened Feb. 1. "We took the names out of a hat—well, a hand—in that order," Carol H. Lefcourt explained.

Although women have occasionally associated their individual law practices or offices, the two new groups are believed to be the first all-women legal firms incorporated here. "We never heard of any," a librarian for the Bar Association of the City of New York said.

Most of the partners come from prestigious law firms or from government posts. They plan to undertake nonprofit cases to challenge discrimination against women, while operating a private practice to pay the bills and earn what they call a "flexible" living.

"Sure we'll represent men, maybe even in a divorce case, but never in conflict with our feminist philosophy," Diane Blank said. "We would make that decision case by case."

Bellamy, Blank, Goodman, Kelly, Ross & Stanley has received a \$150,000 three-year grant from the Sagem Fund of New Haven, an arm of the Mellon family fortune, to start a program of test cases in the fields of matrimonial law and of sex discrimination in mortgages, loans and other credit procedures.

Lefcourt, Kraft & Libow is already conducting an experiment in "do-it-yourself" divorce actions, in which people suing for divorce handle many of the legal aspects themselves, and a study by 300 volunteer observers in the city's Landlord-Tenant Court. Both projects are being done under contract to the Task Force for Justice of the Presbytery of New York City.

The partners in what they refuse to call "B.B.G.K.R.&S."—they prefer simply "women's law firm"—have long friendships among themselves and with members of the smaller firm that date variously from the Peace Corps, civil-rights activity in the South and legal work for the women's movement.

Carol Bellamy, a former corporation-law associate with Cravath, Swaine & Moore and a public-interest lawyer, was elected a State Senator (from Brooklyn) in November. Diane Serafin Blank is law clerk to Judge Charles H. Tenney of the Federal District Court for the Southern District of New York. Janice Goodman is staff attorney for the Center for Constitutional Rights and is an instructor in the women's litigation clinic at Rutgers University Law School.

Mary Kelly is an associate with Willkie, Farr & Gallagher, specializing in securities, Susan C. Ross is a writer on women and the law and was on the General Counsel's staff of the Equal Employment Opportunity Commission in Washington, and Nancy E. Stanley is a staff attorney with the commission's appellate division.

The downtown "sisterhood" of lawyers of Carol Lefcourt and Veronika Kraft, former members of the now-dissolved New York Law Commune, which defended the "Panther 21" and Abbie Hoffman of the "Chicago 7," among others, and Carol H. Libow, former associate with Shaw, Bernstein, Scheuer, Boyden & Sarnoff. She also worked with the Legal Aid Society. Mrs. Lefcourt is a sister-in-law of Gerald B. Lefcourt, who was also a member of the law commune.

The fourth member of their new collective is Ann Teicher, a legal paraprofessional who will be the firm's law clerk.

Seven of the nine lawyers graduated from the New York University Law School. Mrs. Stanley's degree is from the Georgetown National Law Center, and Mrs. Lefcourt's is from Brooklyn Law School.

"We're ambitious to do a good job professionally," said Mrs. Lefcourt, whose firm will also handle criminal cases. "But we love the idea of teaching legal 'self-help' in a lot of areas where a lawyer's fee isn't worth it to people."

Both groups say they want to create a firm "with a collective instead of competitive feeling" and show other women they can "do such things themselves without waiting to be invited" by men.

## THE LATE FRANK T. BOW

### HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. FISHER. Mr. Speaker, the untimely death last November of Congressman Frank Bow was indeed a shock to his colleagues in the Congress. He had served in this body, with great distinction, for 22 years, and had announced his voluntary retirement. Not long before his death, Mr. Bow was named as Ambassador to the Republic of Panama, effective in January.

I have never known a more conscientious and a more dedicated Member of this body. Above all, Frank was a friend of the American taxpayer. As a member of the Appropriations Committee he was one of the more influential and effective proponent of sound fiscal policies in the operation of our Government. Always firm and articulate in his views, many Members sought his counsel and advice and were influenced by his leadership.

The entire Nation suffers from the loss of such men as Frank Bow. His example and his dedication will be remembered for generations to come.

## CONCURRENT RESOLUTION BY SOUTH CAROLINA GENERAL ASSEMBLY REQUESTING CLEANUP OF PORTIONS OF LYNCHES RIVER

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, February 19, 1973

Mr. THURMOND. Mr. President, on behalf of the junior Senator from South Carolina (Mr. HOLLINGS) and myself, I bring to the attention of the Senate a concurrent resolution passed by the South Carolina General Assembly.

On January 25, 1973, the South Carolina General Assembly passed a concurrent resolution memorializing the Congress to enact legislation that will provide for the cleanup of certain portions of the Lynches River, located in South Carolina. Senator HOLLINGS and I jointly endorse this concurrent resolution.

Mr. President, our rivers are a valuable natural resource which provide both recreation and economic assistance to many South Carolinians. Logs, trees, and other debris blocking or obstructing our waterways create serious ecological effects.

Mr. President, on behalf of Senator HOLLINGS and myself, I ask unanimous consent that the concurrent resolution be printed in the Extensions of Remarks.

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

H. 1156

A concurrent resolution memorializing Congress to enact legislation that will provide for the cleanup of certain portions of the Lynches River located in South Carolina

Whereas, the Lynches River, for many years, has provided agricultural and recreational benefits to the citizens of South Carolina; and

Whereas, certain portions of the Lynches River from the point where such river crosses South Carolina Highways No. 41 and 51 to the point where the Lynches and the Great Pee Dee Rivers merge need to be cleaned up and cleared of such obstacles as logs, trees and other debris. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That Congress be memorialized to enact the necessary legislation that will provide for the cleanup of certain portions of the Lynches River from the point where such river crosses South Carolina Highways No. 41 and 51 to the point where the Lynches and the Great Pee Dee Rivers merge.

Be it further resolved that copies of this resolution be forwarded to Senators Strom Thurmond and Ernest F. Hollings and to Congressman Edward Young.

## WILDLIFE—A BAROMETER OF MAN

### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. WHITEHURST. Mr. Speaker, I recently had the honor and pleasure of addressing the 22d anniversary awards banquet of the Governor's conservation achievement program. The Virginia Wildlife Federation sponsors a statewide conservation achievement program which is designed to identify and recognize the Old Dominion's top conservationists. The Virginia Wildlife Federation has been encouraged and supported by Gov. Linwood Holton and his predecessors. Nominations for the award are made through local conservation clubs and government departments. Nominees may be professionals, nonprofessionals, or organizations. The winners are selected in each of 10 categories by a screening and judging committee composed of qualified conservationists, and are honored at the conservation achievement awards banquet. I include the text of my speech to this group in the RECORD at this point. The text follows:

## REMARKS OF CONGRESSMAN G. WILLIAM WHITEHURST TO VIRGINIA WILDLIFE FEDERATION

The survival of wildlife in a fast-changing world serves as a barometer of the health of man. If wild creatures can thrive in their native habitat, it's a good bet that humankind will find its environment livable too.

But if the earth and air and waters are fouled—if nature's wetlands, so incredibly productive of life, are filled indiscriminately—if we overdraw on nature's credit, then man may be in deep trouble.

This utilization argument for conservation of fish and wildlife, and for protection of the areas they need for living, is one of several that people are coming to accept. Here is another: Man is at the top of the food chain; thanks to nature's complex systems, virtually every wild species on earth serves human needs in some direct or indirect way. From the smallest plankton to the biggest whale, natural systems attempt to maintain a balance that supplies both man and domestic animals with some desired or needed substance. Even the irksome mosquitoes in the swamps and wetlands serve

as food for the little fish which, in turn, are fed upon by bigger fish we want for food and sport—not to mention the magnificently profuse bird life that feeds upon them all.

Research scientists may yet find keys to human survival if we can maintain and preserve on earth its present diverse forms of life. The genes and tissues of the humblest and most obscure being could one day yield up secrets as yet unimaginable to the most inspired biochemist of the 1970's.

Secretary of the Interior Morton stated it eloquently when he said:

A land without wild things upon it is a sterile, perhaps even a dying land. A farm must be more than a corn and beets factory; it must support quail and pheasants, rabbits and foxes. A park must be more than a picnic spot or camping area; it must have squirrels and pigeons, or bear and elk. A refuge must be more than a waterfowl area; it must have raccoons and muskrats and a whole community of other living things or it fails to live up to its potential for existence.

In the short history of our country, 47 wildlife species have been driven over the brink of extinction. More than 120 species have disappeared throughout the world since 1600 A.D. Today hundreds of others face a similar fate. The Fish and Wildlife Service has driven hard to preserve the last options for some species. With the cooperation of Canada, it has worked to protect whooping cranes and wolves. With the cooperation of State agencies, it has studied and transplanted masked quail, blackfooted ferrets and Aleutian geese. With the cooperation of other Federal land agencies, it has worked for California condors, antelope and other species.

The Fish and Wildlife Service with an assist from the National Park Service has sharply reduced alligator poaching in the deep south. The amended Endangered Species Act has enabled the Secretary of the Interior to cut off imports of eight species of endangered great whales. Now the import controls are being used to help foreign nations maintain the survival of eight great cat species that are hunted for their skins.

But control of over-exploitation of animals is only the most obvious, and perhaps the easiest, of the many responses needed. The gravest threats come from man's alteration of the environment. Polluted waters will kill off our finest fish species and disrupt complex food chains supporting other forms of life. In the end, perhaps only zoo specimens and stuffed museum displays will remind us of our once-great wildlife heritage.

We do not need to swing the pendulum so violently that we create unneeded hardship on our own need for living space, but society needs to recognize that other creatures' claim to existence is no less valid than our own.

Through legislation and more important, through education, that realization will come about. What could inspire more the membership of this great Federation?

HON. LYNDON B. JOHNSON

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 1973

Miss HOLTZMAN. Mr. Speaker, I wish to join my colleagues in mourning the passing of Lyndon Baines Johnson. His Presidential leadership on behalf of domestic reform must be considered one of the high watermarks in the annals of American social history. In a time when

we are confronted by callous disregard for the problems of the unemployed, the ill-housed and the under-educated, we must remember his courageous efforts to better the life of all Americans and hope that it will inspire us in our own struggle to achieve meaningful social change and equal opportunity for all.

#### LEADERSHIP OF THE ANTIWAR GROUPS

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. ICHORD. Mr. Speaker, I have written a letter to the editor of the Washington Post and Times Herald outlining some facts omitted from a recent story in that newspaper concerning two so-called anti-war groups called the National Peace Action Coalition and People's Coalition for Peace and Justice.

As I expected the Post, the only morning newspaper in the Nation's Capital, neither published the letter nor acknowledged receipt of it. Therefore, if there is no objection, I will enter the letter in the CONGRESSIONAL RECORD so that the Congress and the public will be aware of the full truth about the aforementioned groups:

FEBRUARY 7, 1973.

The Editor,  
Washington Post and Times Herald,  
Washington, D.C.

DEAR SIR: I assume that your article in the February 1, 1973 issue of the Post and Times Herald headlined "Despite Cease-Fire, Antiwar Movement to Continue" was an effort to be informative. But I think your readers would be more enlightened if they were aware of the nature of the leadership behind the two major groups mentioned in the stories, the National Peace Action Coalition (NPAC) and the People's Coalition for Peace and Justice (PCPJ).

The documentation of this guidance is readily available in various Congressional reports and hearings, including those of the House Committee on Internal Security, which I chair. But I will herewith furnish it in succinct form of the enlightenment of yourself and your readers.

The HCIS hearings document that the first major "antiwar" protest group was the "November 8 Mobilization Committee," actually established in September 1966. In late November of that year, it was transformed into "Spring Mobilization Committee." This group became the "National Mobilization Committee" in May of 1967 and then evolved into the "New Mobilization Committee To End The War" (New Mobe) in July 1969. New Mobe was the genesis for both NPAC and PCPJ.

During the summer of 1970, New Mobe split, amoeba-like into two factions, one immediately taking the name of National Peace Action Coalition and the other first calling itself the National Coalition Against War, Racism and Repression which early in 1971 took on the name of the People's Coalition for Peace and Justice.

It is interesting to study the background of just why this split took place and resulted in the evolution of two major "peace groups" that never have had much admiration for one another and co-operated only reluctantly—something that is hinted at by

the fact that you found it necessary to develop two major stories rather than lump the entire "peace movement" into one article.

The hearing evidence established that NPAC is wholly a creature of the Socialist Workers Party, admittedly of Trotskyite Communist philosophy and devoted to imposing that political theory upon the government of the United States—by force if necessary.

NPAC was formed in June 1970, as a conference in Cleveland, Ohio, hosted by the Cleveland Area Peace Action Council which was dominated by members of the Socialist Workers Party and which followed to the letter the line advocated in the Trotskyite press concerning the issue of organizing mass antiwar protest marches and the withdrawal of all U.S. forces from Southeast Asia. It was developed at our Committee hearings that only two persons were authorized to sign checks for the NPAC and they were Socialist Worker Party members Sydney R. Stapleton and Patricia Grogan. The person in charge of the NPAC headquarters in Washington was Fred Halstead, a leading national officer of the Socialist Workers Party and its candidate for President during the 1968 national election.

The major action resolution of the conference which created NPAC and enunciated its objectives was submitted by none other than Jerry Gordon who has since remained as chief spokesman for NPAC and whom you cite as the authority for its future activities.

The national co-ordinators of the NPAC were, other than Gordon, James Lafferty of the Socialist Workers Party dominated "Detroit Coalition," Ruth Gage-Coliby, a longtime vocal supporter of the SWP and Don Gurewitz, a member of the Socialist Workers Party.

Jerry Gordon, incidentally, has been referred to by no less an authority of the "New Left" movement than the "Daily World," official organ of the Communist Party of the USA, as a leader of "the Trotskyite group" within the New Mobilization Committee to End the War. That reference is in the June 25, 1970, edition of the "Daily World."

Considering that, as was revealed in Senate Internal Security Subcommittee hearings of 1961, Gordon was at one time the Ohio Chairman of the Labor Youth League, a now defunct Communist Party USA youth organization, the reference in the "World" was not intended as a compliment, because the SWP is the CPUSA's main rival for leadership in the radical left.

The other major "antiwar" spokesman you cite is Sidney Peck of the People's Coalition for Peace and Justice.

It may surprise you to learn that our hearings disclosed that although there were various leftist elements within its ranks, the PCPJ appeared to have no definite ideological stand. True, Committee hearings and investigation did develop that come 35 present or former members of the Communist Party, USA, were active in the formation of PCPJ. And at least seven members of what was once PCPJ's 100-man coordinating committee were influential members or former members of the Communist Party. These included Gilbert Green and Jervis Tyner, both members of the Party's National Committee.

Pauline Rosen, who was active in the PCPJ in behalf of the Communist Party, reported to the Party's national convention in February of last year that it had failed to obtain a role of real leadership within PCPJ.

Yet Sidney Peck remains that spokesman for PCPJ and Sidney Peck has been identified in the Congressional Record, October 13, 1969, as former State Committee member of the Wisconsin Communist Party and Peck himself acknowledged to the Milwaukee Journal (in an interview of May 30, 1971) that he had

joined the Communist Party in Minnesota after World War II.

I believe this background of the NPAC and the PCPJ illustrates the validity of your headlines, "Despite Cease-Fire, Antiwar Movement to Continue." The "movement" now will dedicate itself to toppling whatever non-communist regime is at the helm of South Vietnam. It will seek to reduce to absolute zero the American presence and influence in Southeast Asia in order to leave a vacuum that will be filled by another ideology. It will continue to assert that the U.S. military forces are composed of a bunch of bloodthirsty monsters in order to undermine military morale as well as public confidence in our men in uniform. All this is fairly predictable when you examine the background detailed here.

All of this was already available in the published hearings of HCIS and other Congressional Committees or from other public sources. I will acknowledge that wading through a lot of dry testimony is not nearly as thrilling as listening to the titillating rhetoric of Jerry Cordon or Sidney Peck, nor as exciting as watching a gang of rowdies rip down and burn American flags at a demonstration they have convened.

As I have said before, 98 percent of those who took to the streets in protest of the war in Vietnam were sincere, honest, patriotic citizens who simply deplore bloodshed and violence. But some were not and, unfortunately, these who were not played a dominant leadership role. It is these "Local Activities," as you term them, who will "keep operating."

That comes as no particular surprise. I agree with President Nixon's recent comment to the effect that "the most vigorous criticism, or shall we say, the least pleasure out of the peace agreement comes from those who were the most outspoken advocates of peace at any price. . . ."

To be blunt, the Sidney Pecks and Jerry Gordons and David Dellingers who were so active in the top leadership of the so-called antiwar movement in this country were not the doves of peace—they were the hawks working in behalf of the enemies of the United States and the free world.

Sincerely,

RICHARD H. ICHORD,  
Chairman.

#### RURAL ELECTRIFICATION ADMINISTRATION

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

MR. DE LA GARZA. Mr. Speaker, I am among those Members who have introduced legislation to reverse the administration's termination of the direct loan programs of the Rural Electrification Administration for rural electric and telephone systems.

This high-handed action by the administration flouts the expressed intent and will of Congress.

The integrity of the legislative body and its determination to assert its rights under the Constitution are at stake.

We have no choice but to meet this challenge.

The loanmaking authority of the Rural Electrification Act of 1936 was created to carry out a policy declared by Congress to be in the public interest. That policy is still in the public interest today.

There is a very real need for the continuation of the REA to give adequate service to meet the needs of our rural population.

This program must be reinstated and I am confident it will be reinstated by act of Congress.

#### NIXON AND DAY CARE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

MS. ABZUG. Mr. Speaker, last week I received a letter from a constituent that epitomizes the problems that working mothers face in trying to secure adequate day care for their children. The story that this woman relates is a tragic and classic example of what will happen if the new HEW day care regulations are adopted.

We must not let this woman's plea go unanswered and unheeded.

I would like to insert this letter in the RECORD so that we can all see one real example of the need for day care in this country.

DEAR CONGRESSWOMAN ABZUG: What is happening to day care? I live in Inwood and the services are being cut back severely. I have a young daughter (4 years old). I am her and my sole support. My mother watches her at present but she is getting old and tired and my dad is quite ill. Hardly the best atmosphere for a child of any age. She has absolutely no opportunity to meet anyone her own age. Consequently I have a four year old, old lady on my hands. Seeing her 3½ year old cousin once a week is a big event. He's in school already in New Jersey and seems to be light years ahead of her.

It's a waste and a tragedy. Yet for me to get her into Montessori it will cost far more than I can afford. Day care prices quoted to me most frequently are from \$25 to \$36 a week. Since I take home \$100 a week this is impossible.

I realize Mr. Nixon has ordered cut backs. He also cut my throat.

I know without funds you can do only so much. Please let me know if there is any group in my area actually engaged in trying to ameliorate this condition. I would like to add my help and support.

Keep up the good work.

Yours truly,

A VOTER.

I would also like to include at this time a copy of a report on the new HEW regulations prepared by the excellent publication, Day Care and Child Development Reports. It is a concise and clear explanation of what the regulations will mean to the States and local governments that currently are providing these services. The report also explains what the cuts will mean in services to the aged and the handicapped. I commend the article to your attention.

SPECIAL REPORT—NEW HEW DAY CARE REGULATIONS WOULD RESTRICT PROGRAMS—CHILD DEVELOPMENT DOWNGRADED, SELF-SUPPORT EMPHASIZED

The Nixon Administration plans another step away from child development services toward day care closely tied to welfare and employment.

Regulations governing day care and other

social services, expected to be issued by HEW this week, follow the pattern set by the spending ceiling imposed on social services last year and the proposed Federal budget for fiscal 1974.

The regulations would severely narrow eligibility to the poorest, allow Federal reimbursement only for services leading to economic self-support or self-sufficiency, and make it more feasible for welfare agencies to provide day care themselves than to contract with other public or private agencies.

The net effect of the new rules would be to further limit the most available source of day care funds, to reduce enrollment of children, and to eliminate many programs now funded under Title IV of the Social Security Act.

A copy of the proposed regulations obtained by DCCD Reports in advance of publication in the Federal Register indicates they would:

Shrink eligibility for services drastically and require frequent redetermination of eligibility.

Prohibit private donated funds to be used as a state's share to obtain Federal matching. (At press time, there were indications this provision might be changed.)

Make day care an optional rather than a mandatory service which state welfare agencies must provide; and eliminate the requirement in current regulations that states comply with the Federal Interagency Day Care Requirements.

Impose specific restrictions on a welfare agency's purchase of services from another public or private agency.

Impose rigid administrative controls on eligibility, services and funding.

The regulations would apply to social services under Titles I, IV, XIV and XVI of the Social Security Act, many of which call for Federal matching of state expenditures on a 75-25 basis.

They are expected to limit Federal spending for social services—once the most available source of funds—to about \$1.8 billion this year. Last year Congress, with the support of the Administration, put a \$2.5 billion ceiling on the previous open-ended authorization. States estimated they could have used \$4.6 billion last year.

The regulations are intended to curb what critics call misuse of the funds and to bring fiscal and management controls to program administration.

The proposed regulations are scheduled for publication in the Federal Register Friday, Feb. 16, but there were indications that publication might be delayed and that some changes would be made.

After publication, the public will have 30 days to comment before HEW proceeds toward final regulations. Many of the provisions would be effective immediately.

The new rules are largely the work of the Office of Management and Budget, which took a knife to HEW-drafted regulations nearly published late last year (DCCD Reports, Nov. 27 and Dec. 11).

They were written primarily by what one HEW source called "the California Mafia," a group which Caspar Weinberger, former OMB Director and now HEW Secretary, brought from his home state to OMB and which will likely go with him to HEW.

Their view—that regulations should narrow, not expand, the law—is reflected in the bare bones rules. They would eliminate almost all that is not clearly mandated in the Social Security law.

The regulations are slated for publication during the Congressional Lincoln-Washington birthday recess, but DCCD Reports learned that several Congressional leaders are preparing blasts at the proposals.

State welfare administrators, who had an official advance look at the rules last week, indicated that many of the changes are welcome and necessary, but others may be ad-

ministratively impossible to implement and some are of questionable legality. Some parts, they say, are unclear or imprecise.

The greatest impact would result from changes in the following areas: purpose of services, eligibility, mandatory and optional services, day care definitions and requirements, purchase of service and donated funds.

The following preliminary summary is intended to clarify these major areas and to serve as a guide for those who wish to submit comments or who are planning programs under the regulations. Further details will be contained in the next regular issue of *DCCD Reports*.

#### PURPOSE OF SERVICES

The new regulations stipulate that services may be provided only if they will lead to the goals of "self-support" or "self-sufficiency." These are defined as:

Self-support goal: "To achieve and maintain the feasible level of employment and economic self-sufficiency."

Self-sufficiency goal: "To achieve and maintain personal independence, self-determination and security, including for children the potential for eventual independent living."

Under current regulations, services may be provided to "maintain and strengthen family life, foster child development and achieve permanent and adequately compensated employment."

#### ELIGIBILITY

Past, present and potential applicants for, or recipients of, financial assistance may receive services as under current regulations, but under the new regulations these are defined much more strictly.

A past recipient, under the proposed rules, is an applicant for, or recipient of, financial assistance within the previous three months. There is a two-year permissible span under current regulations.

The new regulations would cut from five years to six months the definition of a future welfare applicant or recipient and would impose income and other compliance standards which are stiffer than those in existing regulations; that is, a recipient's income must not exceed by more than one-third of the state's financial assistance payment level, other family resources must not exceed the permissible limit and there must be a specific problem which could be corrected through the proposed services.

These requirements would eliminate group eligibility, which allows services to be provided to those in low-income neighborhoods without regard to income, and would eliminate the special need category (except for eligibles) which allows handicapped children to receive services without regard to income.

The regulations also impose strict rules on eligibility determination and require frequent and specified re-determination of eligibility by states.

#### MANDATORY-OPTIONAL SERVICES

Under the proposed regulations, a state is required to provide only three services to welfare recipients or applicants—family planning, foster care for children and protective services for children. These are specifically defined, but it is possible that day care for eligibles could be provided under the protective care definition.

Under current regulations, mandatory services are employment services, employment-related child care, foster care, family planning, protective services, health and legal services, educational services, homemaker services, child rearing and housing improvement.

Under the proposed regulations, day care becomes one of 10 optional services. It is a mandatory service under current rules.

Other optional services are educational services (available without cost from other community resources), employment services

(non-WIN), health-related services (mainly secured, not provided), homemaker services, home management and other functional educational services, housing improvement services and transportation services.

Currently, optional services are non-employment related child care, emergency assistance, education and training services and legal services.

Despite the switch of day care from mandatory to optional, most states are expected to continue to provide day care as a work-related expense.

#### DAY CARE

Unlike the current regulations, the proposed rules contain no mention of "child care." All references are to "day care." This term generally indicates a protective, low-cost service, rather than the developmental service associated with the term child care.

Day care services for children are defined as "care of a child for a portion of the day, but less than 24 hours, in his own home, in a family day care home, group day care home or day care center. Such care must be for the purpose of enabling the caretaker relatives to participate in employment, training or receipt of needed services, where no other member of the child's family is able to provide adequate care and supervision."

"In-home care must meet state agency standards, that as a minimum include requirements with respect to the responsible person's age, physical and emotional health, and capacity and available time to care properly for children; minimum and maximum hours to be allowed per 24-hour day for such care, maximum number of children that may be cared for in the home at any one time and proper feeding and health care of the children."

"Day care facilities used for the care of children must be licensed by the state or approved as meeting the standards for such licensing."

This definition eliminates current requirements that homemaker services for in-home child care meet state standards in accord with those recommended by the Child Welfare League and the Homemaker Association and that out-of-home care comply with the Federal Interagency Day Care Requirements.

The latter—if part of the final regulations—will need legal interpretation based on existing laws and Congressional intent.

Also needing HEW clarification is whether day care can be provided under circumstances other than the employment reasons in the definition above, such as the incapacity of an eligible mother to care for her child. Unlike current regulations, the new regulations do not require a parent to be involved in choosing child care and do not require that more than one kind of care be available.

#### PURCHASE OF SERVICE

The proposed regulations impose stiff rules on Federal matching for day care and other social services purchased by state welfare agencies from public and private agencies.

These include:

Contracts with outside agencies must be written in accordance with SRS requirements and must—for the first time—be subject to approval by SRS regional offices. This would be effective April 1.

Contracts must contain detailed documentation of purchased services.

Services may be purchased only if they are available without cost.

There must be a maintenance of state effort; that is, services may be purchased from another public agency only if it will mean an increase in expenditures by the recipient agency beyond the fiscal 1972 levels for the type of service and recipients covered in the agreement. This provision would be effective March 1.

Sources from which services are purchased must be licensed or otherwise meet state and Federal standards.

The new regulations make specific mention of proprietary agencies as eligible for purchase of service contracts. Although private, for-profit agencies and organizations are authorized under the current regulations, they are not specifically mentioned.

#### DONATED FUNDS

The regulations state that "donated private funds or in-kind contributions may not be considered as the state's share in claiming Federal reimbursement."

This provision is one of the most crucial for day care since private agencies, such as United Fund and United Way, contribute a significant portion of funds toward state match in many states. It could mean a cutback in the amount of Federal matching a state receives.

The regulation was included to comply with the intent of the Senate Finance Committee, which last year ordered the HEW Secretary to issue such regulations, to stop what it considered abuses of the law.

One HEW source indicated that a sufficient protest from the states and special interest groups could lead to change in this regulation. HEW Secretary Caspar Weinberger told the Finance Committee last month that HEW would consider the wishes of the Finance Committee and the states in this matter.

#### OTHER AREAS

Although there is no specific mention of community planning, as under current regulations, it appears that there is nothing in the regulations to prohibit welfare agencies from contracting with groups such as 4Cs (Community Controlled Child Care committees) for community planning.

States, however, may be reimbursed for expenditures for services not specifically listed in the regulations only if a state can prove such a service is necessary for the proper and efficient administration of programs and if the HEW Secretary approves the service.

It would be under these stipulations that 4-Cs could be funded.

It is unclear the full effect the regulations will have on child welfare services provided under Title IV B of the Act. Regulations for this are unchanged, but some of the new regulations appear to move toward a combining of Parts A and B.

There is a cutback in reimbursable health and medical services for children in day care centers.

Paternity requirements are not included. It is likely that these will await changes in the law expected to be made this year by Congress.

Revised regulations for the WIN program are also not included.

After the regulations are published, thirty days will be allowed for comment. Comments should be sent to the Administrator, SRS, Department of Health, Education, and Welfare, 330 Independence Ave. SW., Washington, D.C. 20201.

Copies of the *Federal Register* are available for 20 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. or from public libraries.

For comparison and analysis, existing regulations are available in the *Federal Register*, Vol. 34, No. 18, Tuesday, Jan. 23, 1969, Part II, available from the same sources.

#### TEN MARYLAND POW'S RETURNING HOME

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. LONG of Maryland. Mr. Speaker, we have shared with the families of

Americans held prisoners in Indochina some measure of their worry and grief. We are proud of the courage with which they have endured countless hardships and disappointments. Now, we rejoice with them at the freedom finally won for their husbands, sons, brothers, and fathers.

The sacrifices these prisoners have been called upon to make and those made by their families have been made with deep respect for America. The readjustments these men will make are delicate.

I am writing to the families of 10 Maryland men who are returning from Hanoi, to let them know that I am available for any assistance I can provide in resolving problems. I commend these 10 families from Maryland, and all POW families for their courage and wish them a speedy and joyous reunion with their kin:

Maj. Bernard L. Talley, Jr., son of Mr. and Mrs. Bernard L. Talley, Baltimore; Capt. Arthur T. Hoffson, brother of Mrs. Sandra Mullen, Suitland; Comdr. Hugh A. Stafford, son of Mrs. Arnold Daane, Cambridge; Comdr. James F. Bell, son of Mr. and Mrs. Francis Bell, LaVale; Sgt. Peter E. Drabic, son of Mr. and Mrs. Peter Drabic, Union Bridge; Specialist Carroll E. Flora, husband of Mrs. JoAnn Flora, Frederick; Maj. Arthur W. Burer, husband of Mrs. Nancy Burer, Rockville; Col. William D. Burroughs, son of Mrs. Clara P. Burroughs, Indian Head; Capt. Henry P. Fowler, son of Mrs. Madeleine H. Fowler, Chevy Chase; and Lt. Col. Carlyle S. Harris, son of Mr. and Mrs. Early J. Harris, Preston.

I also hope, Mr. Speaker, that we will not forget the more than 1,300 men still missing in Southeast Asia and the continued bravery of their families.

#### CONGRESSMAN RINALDO REPORTS FROM WASHINGTON: A PROFILE OF THE 12TH DISTRICT OF NEW JERSEY

#### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. RINALDO. Mr. Speaker, politicians, reporters and other analysts of election results are fond of referring to Union County as a "weathervane" county, whose political behavior reflects that of the State as a whole.

And in most major elections since I can remember, it has been true that "as Union County goes, so goes New Jersey."

This is not coincidental. Most students of politics agree that people of similar social background, educational attainment, and economic circumstance generally—though not always—tend to respond to major issues in similar ways and, consequently, tend to vote accordingly.

Socially and economically, Union County does in fact greatly resemble the State of New Jersey. This conclusion emerges unmistakably from a Bureau of the Census computerized analysis of 1970

census data for each congressional district in the State. It is a fascinating document, a valuable profile of our district, and a very useful basis for assessing the potential impact of legislation and other Federal action on the people I represent.

In summary, the study shows that the 12th Congressional District—all of Union County except Hillside, Linden, and Winfield—corresponds remarkably close with the State in nearly all major categories: employment patterns, income, housing, racial composition, education, age, family size, foreign stock, veteran status and population mobility.

The chief exception is this: the 12th District is 100 percent urban, while the State is 88.9 percent urban and 11.1 percent rural.

#### OLDER AND RICHER

To the extent there are other differences, they reveal that our part of the State has a slightly older population and housing supply and is marginally more affluent in terms of family and per capita income, educational attainment, the value of housing units, and household equipment.

Here are some of the details:

Of the 477,887 persons in the 12th District in April, 1970, 170,557—or 35.7 percent—were under 21, while 48,548—10.2 percent—were 65 or older. The comparable figures for the State were 37.8 percent under 21 and 9.8 percent over 64. For the district, 33.4 years was the median age—meaning half of the population was older and half younger—and for the State 30.5 years.

Women, predictably, exceeded men both in number and age, in the district and in the State alike. For New Jersey, it was 3,701,634 women to 3,466,530 men and in the district 249,282 women to 228,611 men. The median age of women and men, respectively, was 34.6 and 31.9 in the district, 31.8 and 29.1 in the State.

Significantly, however, in both district and State males outnumber females in all age groups below 18, which suggests that more men than women tend to leave the State.

The average size of district families was slightly smaller than for families Statewide, 3.51 persons per family in the former and 3.56 in the latter. And in the district, 90.1 percent of families were headed by a man while in the State the comparable figure was 89.0 percent.

#### AND MORE STABLE

New Jersey, a "corridor" State, has long been noted for its high rate of population mobility. But our district has become somewhat more stable than the State as a whole. While 42.4 percent of persons over 5 years old in New Jersey moved between 1965 and 1970, only 39.3 percent of district residents moved during that period.

If the United States, as the saying goes, is a "nation of immigrants," that description is even more applicable to New Jersey and the 12th District. The Census Bureau defines persons of foreign stock as either foreign-born or children of parents born abroad. In this important respect, the 12th District numbered 35.3 percent—better than one out of three—of its population as being of

foreign stock. For the State, the comparable figure was 30.1 percent.

Educationally, the 12th District has done somewhat better than the State. Of persons 25 or older, 58.7 percent of district residents were high school graduates, including 25.1 percent who completed some years of college. Statewide, 52.5 percent were graduated from high school and 20.7 percent attended college for at least a year. Median school years completed were 12.3 for the district and 12.1 for the State.

#### A LITTLE BETTER

Roughly the same proportions carried through in various categories of economic data. In the district, 61.5 percent of persons 16 and older were counted in the labor force, with 3.1 percent unemployed in April of 1970. In the State, the labor force totaled 60 percent and 3.8 percent were unemployed. Females constituted 38.5 percent of the district's labor force compared with 38 percent for the State. Unemployment among women was 4.2 percent in the district and 5 percent in the State.

Private employment vastly outnumbered public employment in both State and district. The occupational distribution was also similar in both: professional and technical workers accounted for 17.3 percent of district employment and 16.1 percent in the State, for managers and administrators, it was 9.5 percent and 8.8 percent respectively; sales workers, 8.4 percent and 7.7 percent, clerical workers, 21.2 percent and 20.2 percent, craftsmen, 12.9 percent and 13.7 percent, operatives, including transport, 17.5 percent and 18.5 percent; service workers, 8.6 percent and 9.8 percent, laborers, 3.4 percent and 3.8 percent, and for private household workers, 1.1 percent in the district, and 0.9 percent in the State.

Perhaps the best measure of affluence is income, and here too, though the figures are fairly close, the 12th District did better than the State. Median family income for the district was \$12,787 and for the State \$11,403, with the 12th District ranking third highest among the State's 15 districts. Also we had fewer low-income families and more high income families than the State overall.

#### BUT GENERALLY ALIKE

On a per capita income basis, every man, woman, and child averaged \$4,241 a year in the district, and \$3,665 in the State. In the 15 districts, the highest figure was \$4,683 and the lowest \$2,771.

Twelfth District houses were more valuable and rental units more expensive. Median value of owner-occupied housing was \$28,786 in the district and \$23,504 in the State. The median rental in the district was \$136 a month compared with \$127 in the State.

In terms of racial composition, the 12th District was again remarkably like the State. Whereas the black population was 10.7 percent of the State, blacks represented 11.5 percent of the district's population. Among the State's 15 districts, the range was extreme, from more than 50 percent in one district to less than 2 percent in another.

To the extent we can generalize, then, it would seem that the 12th District, most

of Union County, is truly a microcosm of the State—reflecting and sharing most of its prospects, its strengths, its needs—not in all specifics but in the sense that New Jersey is the 12th "writ large."

CHARLES S. MOTT

## HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. CHAMBERLAIN. Mr. Speaker, it is with sadness in my heart that I rise to express a few words in honor of the memory of a most distinguished American, Mr. Charles Stewart Mott, of Flint, Mich., who passed away yesterday morning, February 18.

For the first 8 years I served the House, Genesee County, including the city of Flint, was a part of Michigan's Sixth Congressional District. During this time I was privileged to become well acquainted with Mr. C. S. Mott. The warmth, candor, and easy simplicity of his personality, his calm, clear view of society's problems and needs, and his level optimism were always a source of inspiration.

One of our Nation's foremost automotive pioneers, Charles Stewart Mott lived a very long life, just 3 years short of a century. He was, in a sense, a symbol of that earlier age, when a young man could begin his career as a bookkeeper and by ability and diligence achieve in time high position and affluence. Mr. Mott did this, to an extraordinary degree. At the same time, all who knew him can attest to his example which counteracts the critical generalizations so often made about that earlier generation of business giants.

One of his unique characteristics that has been universally recognized is that Mr. Mott remained unspoiled by his wealth and great achievements. I remember clearly seeing this remarkable old gentleman, while in his eighties, driving his own Corvair around the city of Flint. The car, being one of the smallest and lowest priced then produced by General Motors, was dwarfed by his tall frame. He was always unassuming, pleasant, and above all, always encouraging to younger people.

Indeed, encouraging and helping others became the great purpose of the later years of Mr. Mott's life. He gave generously of interest, effort, and money to innovative educational and cultural projects in the city of Flint and elsewhere. Those who benefited not merely from his wealth but equally from his concern, his imagination, and his level-headed vision number in the tens, if not the hundreds, of thousands. He was an active philanthropist in the literal and best sense of that word.

The good he has done will live on through the activities of the Mott Foundation which Mr. Mott founded some 47 years ago—in 1926. The foundation, which became his major interest, was devoted largely to education, health, and recreation programs in Flint. One of its

great accomplishments was the community school concept, leading to the full-time use of the schools with more adults in the city studying at night than young people during the day.

Charles Stewart Mott was a great human being and a great citizen of Michigan and America. I feel privileged to have known him as my friend.

There are many fine tributes to Mr. Mott's memory in our Nation's newspapers today and Mr. Speaker, I insert the following editorial from the Flint Journal which indicates the devotion and affection his fellow citizens of Flint, Mich., had for this great man:

MR. MOTT GAVE MORE THAN JUST WEALTH

The obvious tribute to a man of the stature of Charles Stewart Mott at the end of a long and useful life is to praise the fact that he was generous with his worldly riches.

He gave freely to fulfill his desire to help others to a richer life and with characteristic wisdom, he provided that his community will continue to benefit from his bounties for many years to come.

In these endeavors, his success is self evident.

But there was another aspect to his giving that more truly marked the depth and breadth of his character.

It is not so difficult for a very rich man to give away millions for causes he judges worthy. To give a share of himself along with those tangible goods is not so often accomplished, but that is what marked Mr. Mott's philanthropy.

Throughout his years of "helping Flint to help itself" through the many programs he made possible with the Mott Foundation, Mr. Mott maintained a genuine and abiding interest in each project. He never rose above caring about the details of the many programs his benevolence made possible.

No group was too small, no visitor too insignificant for Mr. Mott's time. No petition for aid was denied a courteous and thoughtful consideration.

When he said "No," as was sometimes necessary, petitioners seldom went away with bitterness. They went rather with a respect for the wise and logical guidelines he had set for his giving.

Neither Mott Program staff members nor any of the thousands of persons who took advantage of its classes and activities were greatly surprised to see him appear "just to see how things are going". When called upon, he seldom declined to say a few words and never did those words sound hurried or cursory.

It was the visitors from outside—who came annually by the thousands—who were surprised to see him. Observing community school activities, they would hear local people heap tributes on Mr. Mott.

For the visitors he was a legendary figure. The next minute he would be standing before them, chatting from his store of humorous stories on education and economics.

There are some who undoubtedly wondered why a man in Mr. Mott's position didn't gather his millions and a few chosen associates and retreat from the frustrations of a troubled world.

But Mr. Mott was not a retreating type.

He believed the only worth while life is one lived in harmony with others and in the service of others. Money could not change that feeling.

When asked about retirement, he had a ready answer:

"I am having the time of my life right now", and he would add with a grin, "It is much more fun spending money in these things than it is to make it".

Mr. Mott applied the same acumen, the same industry, and the same down to earth

principles he used in making his millions to the task of spending them.

His intention was not to make his contributions difficult to get, but, rather, to be sure that when they were given they would be used wisely.

Mr. Mott was mindful of the dangers of weakening the will of the individual or the community for self help by unwise charity. He recognized the possibility of the community developing a dependence on his generosity at the expense of losing its initiative.

He usually chose to work through established agencies, such as the schools, and with leaders chosen by the public rather than to try to impose his will upon the community. His philosophy was to "grease the wheels", to make it possible for the community to improve itself.

If the community would "ante up" for a new program, whether it be a modest one time campaign to meet a simple need or something of the magnitude of the Flint College and Cultural Development, Mr. Mott was often willing, "to fill the missing parts".

When there was a request for help, he would make a thorough investigation of the resources available outside his contributions, of the genuineness of the need and of the willingness of the sponsors to carry their share. Only when satisfied about those things would he give the initial shove to make the program possible.

Mr. Mott's philanthropy was notable for another value beyond the financial worth of his gifts. He was willing to grant the necessary leeway for persons with innovative ideas to test those ideas. He surrounded himself with people with ideas, and having ideas was the chief requisite for working on his team.

Almost any proposal for betterment of the community that sounded plausible (along with a few that at first didn't sound plausible) were put into what the Mott staff called a "pilot project."

Over the years, many of these innovations worked. The Flint Public Schools have been able to pioneer many worthwhile programs in education because they were first given Mott seed money.

Mr. Mott was happiest when a new idea proved a hit. His next step was "let's get it going and involve as many people as possible."

Mr. Mott earned a high place in the annals of the automobile pioneers who made such a gigantic contribution to our economy and our history. He earned a place in Flint's history as a public servant who did so much as Mayor to help Flint grow in an orderly way.

The College and Cultural Center, the Mott Foundation, the community school programs, the health facilities he made possible all stand as enduring monuments to Mr. Mott's special kind of caring. His memory will continue through the years because he shared so generously of his good fortune with his community and his country.

But that memory will be warmly cherished and kept green because he shared not his wealth alone, but gave of himself and did so with wisdom, humility, and humaneness.

NOBODY GETS RICH WITH \$1.68  
A DAY

## HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Ms. ABZUG. Mr. Speaker, facts that we should bear in mind as we debate budget proposals in the coming months,

are stated with force and clarity in a recent "Memo From COPE," a publication of the Committee on Political Education, AFL-CIO. The entire memo of February 5 follows:

**WELFARE: EVERYBODY'S WHIPPING BOY**

*Welfare . . . it's as unloved as athlete's foot. Office-holders know they're guaranteed prime press space by attacking it. Conservative groups and leaders make careers inveighing against it. In a government administering thousands of programs, welfare is probably the least popular and most misunderstood. It's everybody's whipping-boy.*

*The Greeks created no more myths about their gods than we have about welfare. Time and again we are told of the welfare client who arrives in a fancy car to pick up the check that comes from taxpayers' money, and goes home to his color television and vintage champagne. He is strong, able-bodied and employable, we are told . . . but he just doesn't want to work. He's a loafer.*

If the welfare client is female, we are drawn a horror picture of repeated illegitimate births for the sole purpose of increasing her welfare benefits. She's a loafer, too.

We are advised that welfare provides such opulent living its clients would be crazy to give it all up and go to work. We hear repeatedly that welfare clients are cheats and welfare programs are rampant with fraud.

We even are asked to believe that hordes of poor people scrutinize statistics that come out of federal and state agencies, locate states and communities where the highest welfare benefits are paid, and choose their spots accordingly.

We believe, too, that the majority of welfare recipients are blacks.

Perhaps the attitude of a great many Americans toward welfare was reflected in a campaign statement by President Nixon: "We are faced with the choice between the 'work ethic' that built this nation's character, and the new 'welfare ethic' that could cause that American character to weaken." The statement seems to encompass and reinforce most of the myths about welfare.

As the new Congress swings into action and may confront again, as it did last year, the welfare issue, it's a good time to look more closely at the facts, not the myths. Following are 10 key facts about welfare.

**Fact No. 1—**People wind up on welfare not because they are cheats, loafers or malingerers, but because they are poor. They are not just poor in money, but in everything. They've had poor education, poor health care, poor chances at decent employment, and poor prospects for anything better.

**Fact No. 2—**But even most of the poor are not on welfare. Some 15 million Americans receive some form of welfare benefits. There are more than 25 million officially below the poverty level of \$4,000 a year for a family of four. Another 30-50 million are just barely above it. And \$4,000 a year, as everyone knows, does not afford extravagance.

**Fact No. 3—**Of the 15 million receiving welfare, about eight million are children under 16 years of age. Anyone for "workfare" for children more than half a century after child labor laws were enacted?

**Fact No. 4—**Less than one percent—about 150,000—of welfare recipients are able-bodied employable males. Many of these are in their late-middle years. Most are uneducated. All are required by law to sign up for work or work training. A government study shows more than 80 percent want to work, rather than draw welfare, and among the fathers in this group one in three is enrolled in work training.

**Fact No. 5—**Apart from children and the relative handful of potential employables, on welfare are more than two million aged, more than one million totally and permanently disabled or blind, three million mothers. All of these are in programs roughly supported

50-50 by state and federal funds. Another group of less than one million is aided by state and local non-federally supported programs. These are single adults and childless couples, most of whom work full time but are paid less than they would be on welfare. These are the working poor.

**Fact No. 6—**No one is getting rich on welfare. It allows, at best, bare-bone living. In no state does the average welfare payment bring a family up to poverty level. Maximum payments for a family of four range from the \$700 a year in Mississippi to \$3600-plus in New York, New Jersey, Massachusetts and Connecticut. Thirty-nine states pay less than their own established standard of need.

So instead of the high living often portrayed among welfare recipients, the facts boil down to an average nationally of \$1.68 per recipient per day with a range in the states from 48 cents to \$2.58 per person per day. Out of this comes food, clothing, housing and other essential cost items. A survey of welfare mothers showed that if they received higher benefits, half would spend it mostly on food, 28 percent on clothing and shoes, most of the others on rent or a combination of essentials.

(Figures are based on the major federal-state matching program called Aid to Families With Dependent Children, which covers the largest percentage of welfare recipients.)

**Fact No. 7—**Cheating and fraud in welfare are minimal. There is, of course, some cheating and dishonesty among welfare clients. Try to imagine any program involving 15 million persons that is entirely free of fraud. But the Department of Health, Education and Welfare estimates there is cheating among fewer than one percent of welfare cases. Add to this another 2-3 percent on the rolls due to misunderstanding or technical-bureaucratic error, and there is an upper range of 4-5 percent receiving benefits who are either completely or partially ineligible. It is likely that this range of cheating, plus error, exists in income tax payments of citizens and in many other areas of activity.

No one argues that any cheating should be permitted when discovered, but the public idea of massive fraud in welfare is wrong.

As for invading hordes of welfare clients moving from state to state to achieve higher benefits, facts don't support this myth. In New York, which pays the highest benefits, less than two percent of new recipients have lived in the state less than two years; more than 85 percent of all recipients have lived there more than five years. The facts show that poor people, like the rest of us, move around mainly to find better job opportunities.

**Fact No. 8—**Welfare mothers are not churning out illegitimate children. Nearly 70 percent of all children in welfare families are legitimate, according to the Social and Rehabilitation Service of HEW. Thirty percent of welfare families with any children have only one child; 25 percent have two; 18 percent have three. The remainder have four or more.

Economically, anyway, the myth is nonsense, since the average payment per additional child nationally is only \$35 a month, hardly an incentive toward mass production.

**Fact No. 9—**More than 48 percent of welfare families are white; about 43 percent are black. Most of the remaining are American Indians, Orientals and other racial minorities. The reasons for the high percentage of blacks are self-evident; More than 34 percent of the black population in the U.S. have incomes below the poverty level, compared to 13 percent of the white population.

**Fact No. 10—**There is no evidence to sustain the belief that welfare is necessarily habit-forming, that is that "once on welfare, always on welfare." Half the families on welfare have been on the rolls 20 months or less; two-thirds have been on the rolls less

than three years. Fewer than one in five have received welfare for five years or more. One in 16 has been on 10 years or more. About 65 percent of welfare cases at any given time are on for the first time; about one-third are repeaters.

These, then, are some of the major facts about welfare. Sad to relate, there is no fresh revelation among them. They have been printed in many places, many times. Yet, the myths about welfare, and the objections to it, persist.

A major objection, raised both by those who want to reduce it and even many of those who want to improve it, is its cost. It is true, welfare costs money—about \$12 billion a year in the major programs jointly financed on about a 50-50 basis by the states and federal government. Another \$100 million a year is borne by states and communities in general assistance programs not aided by Washington.

The federal share of the cost represents about 2½ percent of an over-all budget of \$270 billion that President Nixon is shooting for next year.

So welfare really costs less than 2½ cents of every dollar paid into federal taxes. Indeed, closing just a few major tax loopholes for corporations and wealthy individuals alone could bring in enough additional federal revenue to cover present welfare outlays.

Buried in the emotions surrounding and misunderstandings of, welfare are some other important matters that should not be ignored:

**AFDC,** the major welfare program, was conceived to provide help for dependent children. As Bert Seidman, director of the AFL-CIO Social Security Department noted in a recent speech, "Our whole approach to welfare reform ought to be, therefore: What is best for these millions of disadvantaged and underprivileged children?" He called "disadvantaged" and "underprivileged" fancy words "to describe kids who are hungry and ill-clothed and living in rat-infested tenements surrounded by filth, despair, degradation and often disease."

Instead, Seidman said, "their plight is ignored and all the attention is placed on the alleged sins of the adults . . . but whatever may or may not be the sins of their parents, the guiltless children share heavily in the punishment."

It is too simple to say, as some do, "send the mothers to work." In the first place, surveys show many would like to work. But where are the jobs, and if there were jobs what do you do with the children? Who will be there when they get home from school? If they are pre-school, where are the day care centers to look after them properly? The President vetoed day care legislation a couple of years back.

If there were sufficient jobs and adequate day care facilities, what are the ethical implications of a must-work program for welfare mothers? Some welfare opponents have split personalities. In one breath they oppose day care legislation on the grounds it would weaken the family structure; in the next breath they extol "workfare" and the "work ethic." You can't have it both ways.

Experience with non-federal must-work programs for welfare clients in several states has been a jolt, with one of the key roadblocks to any success being "the documented reluctance of employers" to hire welfare recipients, according to a congressional study.

Welfare probably will be a matter of heated controversy for years to come, and it is likely to remain massively misunderstood. The shape of any true reform was described by Seidman this way:

"In summary, any genuine welfare reform must, first and foremost, emphasize the children's welfare. It should rely primarily on non-welfare programs to develop and assure suitable jobs at decent wages supplemented

by improved social insurance, health security and other programs aimed at eliminating poverty.

"With this multi-faceted approach, welfare, whatever it is called, could become a residual program providing a decent level of living to people who can't work at all or ought not to be required to work if they wish to devote themselves to their children's care. Under these circumstances, welfare would be far less costly and the 'work ethic' would be irrelevant to welfare. The nation might even turn once again to helping instead of punishing the poor."

### SAVE THE WOLVES

## HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. WHITEHURST. Mr. Speaker, one of the great newspapers in the Old Dominion, the Bristol Virginia-Tennessean has eloquently expressed itself editorially on the need to preserve the natural balance of nature, and the fact that the predator is an important part of maintaining that balance. I include the editorial at this point in the RECORD:

[From the Bristol Virginia-Tennessean, Dec. 28, 1972]

### SAVE THE WOLVES

We have often praised in this space the untiring efforts of Virginia's Second District Congressman William Whitehurst for responsible animal protection legislation.

During the last session of Congress, he had considerable success in a number of areas but in one especially critical area—conservation of rapidly disappearing timber wolves—he was stymied by the often tediously slow legislative process.

Thus, we are happy to report that Congressman Whitehurst has announced a plan to reintroduce in the 93rd Congress which convenes next month his bill calling for nationwide protection of the timber wolf. Last year the bill made it as far as the House Merchant Marine and Fisheries Committee.

Coupled with this, Mr. Whitehurst will introduce a resolution calling for an agreement with Canada for international conservation measures. Obviously, for conservation of the timber wolf and so many other exquisite animals facing extinction, it is essential that Canada and America reach identical agreements.

Additionally, Congressman Whitehurst has given his support to an Interior Department moratorium on the killing of eastern timber wolves. His approval is vital because, in a relatively short time, Rep. Whitehurst has emerged as the most knowledgeable, compassionate, realistic, and courageous spokesman in Congress in behalf of sane animal protection causes.

So, it is not surprising that while he supports the moratorium on the killing of eastern timber wolves, he has also voiced strong objection to a proposed wolf management policy approved by the Fish and Wildlife Service.

We absolutely agree with Congressman Whitehurst that it is inconceivable that the Fish and Wildlife Service could approve a plan calling for the killing of wolves when the animal is on the endangered species list.

Indeed, as Rep. Whitehurst points out, the wolf population is less than 1,000 according to the Interior Department—hardly enough to merit a management killing program.

But Congressman Whitehurst, for so long a lonely voice in Washington, is pleading for help from those interested in conservation

of wild animals. To save the wolf, the baby seals, the polar bears, and so many others, he is going to have to elicit support next year from those of us all over the country who share his concern.

We have no choice, really, because we simply have no right to destroy the eastern timber wolf or any other species of animal. We've already driven too many precious animals from the earth and the earth is now ours alone.

### AN OPPORTUNITY FOR PEACEMAKING

## HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. MILFORD. Mr. Speaker, recently the Reverend Fred W. Cassell delivered a message at the St. Andrew Presbyterian Church in Denton, Tex., on the announcement of peace in Vietnam, and the hope for continuing peace.

This sermon was well-received in Denton, and I believe it would be of interest to our colleagues. I include it at this point in the RECORD:

### AN OPPORTUNITY FOR PEACEMAKING

(A sermon by the Reverend Fred W. Cassell)

For twelve years we were involved in the war in Vietnam.

During half—or more than half—of the life time of half of our nation's population, we have been preoccupied with the conflict in Indo-China.

As of six o'clock last night, that war came to an end.

We have all said: "Thank God it's over," and we do thank God."

Now, we move on, and that is what seems most important to me. What the world makes of the future is a far more significant subject for our consideration than a reprise of the botch we've made of the past.

A great deal has been made this week of the fact that the one man who would have rejoiced as much as, and perhaps more than, any one else to see the formal end of the war, died just 24 hours before the official announcement was made.

I would like to think that the late President knows that the war is over. I don't mean simply that I'd like to know that President Nixon said to him several weeks ago:

"Lyndon, we've finally reached a settlement we can all live with, and in a couple of weeks we'll have it all worked out."

But really, I'd like to think he knows that the papers have been penned bringing that long, bloody conflict to a close.

But as I say, what really matters now is what happens from here on.

Jesus said: "Blessed are the peacemakers, for they shall be called sons of God."

As significant a role in ending the war as Henry Kissinger played, or President Nixon, or Secretary William Rogers, or Le Duc Tho, or any others who struggled and sweated to bring about the negotiated settlement, these leaders are not the real "peacemakers" of whom Jesus spoke.

And, heaven help me, I'm not belittling the monumental and historic work done by all those who had a hand in it.

I am simply saying that there is a significant difference between being a "war ender", and being a "peace maker".

The war has ended. Thank God! Now, let's make peace. That's the task that faces the world.

That's the task that always confronts the signers of a cease fire. After every war, the job is reconciliation.

When a disastrous fire has finally been put out after man-killing work, I'd hate to think that all that would be said was: "Well, Harry, it's out; let's go home to bed," while the elements which could bring about an equally devastating fire were left unattended, awaiting only some careless match to be thrown, or spontaneous combustion to take place.

The time for fire prevention is immediately after a devastating fire.

And the time for peace making is now, immediately following the cessation of a devastating war.

Unfortunately, our past track record is not too good at taking the opportunities of making real peace once a war has ended.

We have had great opportunities in the past.

After World War I, the democracies of the world could have done anything they desired to shape the future of the world, so sweeping was their victory in that "War to end all wars".

Listen to a part of what President Woodrow Wilson said to Congress in his announcement of the Armistice in 1918:

"We know that the object of the war is attained; the object upon which all free men had set their hearts; and attained with a sweeping completeness which even now we do not realize. Armed imperialism such as the men conceived who were but yesterday the masters of Germany is at an end, its illicit ambitions engulfed in black disaster. Who will now seek to revive it? The arbitrary power of the military caste of Germany which once could secretly and of its own single choice disturb the peace of the world is discredited and destroyed. And more than that—much more than that—has been accomplished."

The war was ended, and the unparalleled opportunity to bring about a lasting peace was in our hands.

But within less than a quarter of a century the world was engulfed in a greater and more wide-spread conflict.

In the early years of that second great war, Dr. Harry Emerson Fosdick, the Minister of New York City's Riverside Church, outlined some of our failures which had helped to allow the rise to power of dictators and helped to bring about that war. He said:

My friends, a radical change in the world order has been long overdue. Our military and economic imperialisms, our subjugation of native peoples, our insane tariff barriers, our unjust division of the world's resources, have long cried out for change. We the democracies might have done it peacefully, but alas! we failed. Now the dictators come. They are to me as terrible as they are to you, but be sure of this in the retrospect of history they will not be a total loss."

He was saying that God can use evil men to shake a world awake to its responsibilities for justice, and mercy and brotherhood.

But the lessons of history are hard for the world to learn.

Just how difficult those lessons are, and how completely we have failed to learn them, is illustrated by these brief words from Winston Churchill's monumental History of the Second World War. The theme of the final volume of that great work: "Triumph and Tragedy", he wrote as being:

"How the great democracies Triumphed, and so were able to resume the follies which had so nearly cost them their life".

Now, another war has ended, and another opportunity has been given to us. We need earnestly to seek peace; to foster the conditions of good will, and to eliminate the causes of hostility.

If we do, we may deserve the title "peacemaker".

If we don't, history may very well record the calamitous consequences of our failure in some future bloody conflict.

There are innumerable reasons why wars

break out. The most common reason of the past was territorial expansion. When a country's population outgrew its territorial limits, it began looking around for other lands to conquer; lands which its people could occupy, or lands which could supply its people with the natural resources needed for their lives: oil, rubber, tin, and land for the growing of grain.

Another significant cause of war has been the desire of some people to dominate the lives of others. It is desire for power; the desire to expand one's own freedom by limiting someone else's freedom.

And still another reason for war—a reason more prevalent in today's world of inter-relatedness and shrinking size—is the disease, the unrest, of the "have nots" in a world where are those who so obviously "have".

These are days when we must somehow see the plight of every man as our own plight, or suffer the consequences.

Governor Calvin Rampton of Utah, speaking at the Commencement exercises at Westminster College in Salt Lake City last May, touched on that theme. He said:

"Two-thirds of the world's people are poor and hungry, and they live in countries where a frightening increase in population is far outstripping available resources and lagging economic growth, already insufficient and strained to the utmost. Anyone who feels that in the next twenty years we Americans can continue to sit in our air-conditioned homes, watching color television, getting fat from eating too much, polluting the environment through overconsumption, and feeding our cats and dogs more than a great many starving humans have to live on, and still maintain our national security—not to mention our sense of moral uprightness—in such an unstable and anomalous world situation, has not thought the matter through. There is no way we can withdraw from the world or escape our responsibilities in regard to the world's people."

That says, it seems to me, that we better recognize our responsibilities to help solve the basic human needs of other people in the world, or suffer dire consequences in the future.

The poor, the downtrodden, the oppressed, the voiceless, the now-powerless peoples of the world, are not going to remain poor and passive and powerless.

They are not going to stay voiceless and non-violent forever.

They are going to want a better life.

They are going to want the good things of the earth.

They are going to want their share of the world's resources.

And the hard fact is that if they don't get that good life peacefully, if they don't get that share of the world's resources voluntarily, the day will come in the future when they shall try to get those things forcefully.

I shared with some of the women of the Church recently, the vast differential between our standard of living and that of most of the world's population.

For instance, the average annual per capita income varies dramatically in the world.

In America, our annual per capita income is \$3520.

In Canada, it is \$2240.

In Australia, it is \$1840.

In the countries of Europe it averages \$1140.

In Mexico, it is \$470.

In Asia, it is \$425.

In South America, it is \$405.

And in Africa, it is \$160.

There are 7 countries in Asia where the annual per capita income is less than \$100.

In South America there are 13 countries with incomes of under \$100.

And in Africa, 19 countries have per capita incomes of less than \$100 a year.

What that means—to live like 2½ billion

people of the world live—was illustrated dramatically by Robert Heilbroner in a book, "The Great Ascent".

He illustrated what it would mean to reduce an average suburban American family to the level of most of the rest of the world.

He said:

"We begin by invading the house of our imaginary American family to strip it of its furniture. Every thing goes: beds, chairs, tables, television set, lamps. We will leave the family with a few old blankets, a kitchen table, a wood chair. Along with the bureaus go the clothes. Each member of the family may keep in his "wardrobe" his oldest suit or dress, a shirt or blouse. We will permit a pair of shoes to the head of the family, but none for the wife or children.

"We move into the kitchen. The appliances have already been taken out, so we turn to the cupboards and larder. The box of matches may stay, a small bag of flour, some sugar and salt. A few moldy potatoes, already in the garbage can, must be hastily rescued, for they will provide much of tonight's meal. We will leave a handful of onions, and a dish of dried beans. All the rest we take away: the meat, the fresh vegetables, the canned goods, the crackers, the candy.

"Now we have stripped the house: the bathroom has been dismantled, the running water shut off, the electric wires taken out. Next we take away the house. The family can move to the toolshed. It is crowded, but much better than the situation in Hong Kong, where it is not uncommon for a family of four or more to live in a bedspace, that is, on a bunk bed and the space it occupies—sometimes in two or three tiers—their only privacy provided by curtains."

"But we have only begun. All the other houses in the neighborhood have also been removed; our suburb has become a shantytown. Still, our family is fortunate to have a shelter; 250,000 in Calcutta have none at all and simply live on the streets. Our family is now about on a par with the city of Cali in Colombia, where, an official of the World Bank writes:

"On one hillside alone, the slum population is estimated at 40,000—without water, sanitation, or electric light. And not all the poor of Cali are as fortunate as that. Others have built their shacks near the city on land which lies beneath the flood mark. To those people the immediate environment is the open sewer of the city, a sewer which flows through their huts when the river rises."

"And still we have not reduced our American family to the level at which life is lived in the greatest part of the globe.

"Communication must go next. No more newspapers, magazines, books, not that they are missed, since we must take away our family's literacy as well. Instead in our shantytown we will allow one radio. In India the national average of radio ownership is one per 250 people, but since the majority of radios are owned by city dwellers, our allowance is fairly generous.

"Now government services must go. No more postmen, no more firemen. There is a school, but it is three miles away and consists of two classrooms. They are not too overcrowded since only half the children in the neighborhood go to school.

"There are, of course, no hospitals or doctors nearby. The nearest clinic is ten miles away and is tended by a midwife. It can be reached by bicycle, provided that the family has a bicycle, which is unlikely. Or one can go by bus—not always inside, but there is usually room on top.

"Finally, money. We will allow our family a cash hoard of five dollars. This will prevent our breadwinner from experiencing the tragedy of an Iranian peasant who went blind because he could not raise the \$3.94 which he mistakenly thought he needed to secure admission to a hospital where he could have been cured."

What does that mean?

It means that we are privileged.

By the sheer accident of birth—and that's all it really is for most of us—none of us chose to be born free, white and American—any of us could have been born a peasant in India, or a savage in Africa—by the sheer accident of birth. We have it made!

And we had better learn a lesson from history. The lesson is that we better share our resources with others—if not for the best of reasons—because they are our brothers—then for the worst of reasons, for the simple sake of self-preservation. It will be in our own best interests in the future if we share with them now.

We spent 200 billion dollars in a war in Vietnam, because we felt it was necessary. What would 200 billion dollars spent over the next decade mean in raising the level of the world's standard of living?

But it is unlikely that we will do that since we have failed to have the same commitment to peace that we have to war.

And what would an expenditure of that kind of money mean in helping to assure a lasting peace?

Henry Wadsworth Longfellow once wrote:

"Were half the power that fills the world with terror,

Were half the wealth bestowed on camps and courts,

Given to redeem the human mind from error,

There were no need of arsenals and forts."

I think this is included in what Jesus meant when he commended the making of peace to us.

"Blessed are the peacemakers, for they shall be called sons of God."

"Blessed are those who work to create the conditions which foster harmony and unity and good will, and who work to eliminate the causes of violence, and destruction, and war."

That is our task.

On December 10, 1964, the Nobel Prize for Peace was awarded to Dr. Martin Luther King, Jr., for his leadership in the non-violent movement for freedom and justice for minority peoples.

A part of his acceptance speech bears repeating today:

"I accept this award today with an abiding faith in America, and an audacious faith in mankind. I refuse to accept the idea that man is mere flotsam and jetsam in the river of life which surrounds him. I refuse to accept the view that mankind is so tragically bound to the starless midnight of racism and war that the bright daylight of peace and brotherhood can never become a reality."

That is a great vision.

That is the future to which Christ called us when he said:

"Blessed are the peacemakers, for they shall be called sons of God."

The opportunity again is ours.

The question, which history shall answer, is: "What did we do with it?"

#### PRAYER OF INTERCESSION

I invite you in these moments of silence to remember: the sick, the distressed, the troubled, the family of Lyndon B. Johnson in these days of mourning, the leaders of the world in these days of flux—And now I invite you to join me in a prayer of peace.

Lord, God, we are most grateful at this moment than we can adequately express. We pause to give thanks for the cease fire achieved, for the ending of hostilities, for the promise of peace. This is certainly a time of thanksgiving when our hearts are overwhelmed by the realization that the peace we have prayed for so earnestly and hoped for so long has finally become a reality.

Our joy is tempered by a sense of sorrow and a spirit of penitence for our involve-

ment in this conflict that brought so much devastation, so much suffering, and pain and death, that cost so much in lives as well as resources. We pray that this shall never happen again.

We remember before you the families of of all those killed in this war; grant them consolation in their grief. We remember before you all those who were wounded in this war and who must bear the scars of war forever with them; particularly we remember those who must live with disabilities incurred; grant them courage and strength.

Help us to see in them dramatic evidence of man's inhumanity to his fellow man, and thereby to dedicate ourselves to renewed efforts that war shall be no more. To that and, our Father in Heaven, help us to pledge ourselves. Help us to wage peace as energetically as we have waged war. Help us as a nation now to go about the business of binding up the wounds of war, and healing the differences that have divided us, and putting back together the broken pieces of society.

O God, our help in ages past,

Our hope for years ahead,

Hear our thankful prayer for peace;

and let our nation's future life by you be led.

In the strong name of your Son, the Prince of Peace, we pray, who taught his disciples to pray:

"Our Father, who art in heaven, hallowed be Thy name; Thy Kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors. And lead us not into temptation, but deliver us from evil, for Thine is the Kingdom, and the Power and the Glory, forever." Amen.

#### MIKOLAJ KOPERNIK

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. DERWINSKI. Mr. Speaker, I previously called the attention of the Members of the House to developments relating to nationwide observances of the 500th anniversary of the birth of Mikolaj Kopernik.

Today, February 19, is the exact date of his birth, and I will relate to the House a brief description of his background and accomplishments.

Mikolaj Kopernik, known to the world by his latinized name of Nicholaus Copernicus, was born in Torun, Poland, on Feb. 19, 1473, the son of a wealthy merchant. He spent his childhood in Torun attending St. John's parochial school.

From 1491 to 1495 Kopernik studied mathematics, astronomy, theology, and medicine at the University of Krakow, in Poland. For further study he enrolled as a student of canon law at Bologna University, Italy, but did not give up his scientific studies.

In the year 1500 Kopernik went to Rome where he lectured on mathematics and astronomy. He later studied medicine at the University of Padua, and at the same time obtained a doctor's degree in canon law at Ferrara, Italy.

From 1503 to 1510 Kopernik worked on the outline of his theory of the construction of the universe. He conducted his observations, using instruments of his own construction, from the tower found

within the cathedral compound of Frombork, Poland.

It was the ambition of his life to write a work on astronomy which would give a true picture of the universe. The work was finished about the year 1530 and was published at the beginning of 1543. It was called "De Revolutionibus Orbium Coelestium, Libri Sex"—"On the Revolutions of the Celestial Spheres, Six Books."

According to legend passed down through the years, it is said that Kopernik received the first printed copy of his work on May 24, 1543, the day of his death.

It was not easy to confirm and establish the Kopernikan theory that the earth and other planets revolved around the sun. The Kopernikan theory was accepted by the majority of astronomers in the second half of the 16th century, and won universal recognition in the 18th century.

Mr. Speaker, under the spirited leadership of the Polish-American Congress and the active cooperation of Polish-American civic groups as well as academic leaders throughout the country, the quinquacentennial of the birth of Mikolaj Kopernik, one of the greatest scientists of all times, will be studied throughout the year with a thorough historical perspective. I am especially pleased that the Postal Service has seen fit to recognize the great contribution to the knowledge of mankind made by Mikolaj Kopernik by authorizing the issuance of a special stamp.

#### ARTWORK OF DESPAIR

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. RANGEL. Mr. Speaker, the recently announced intention of the Nixon administration to dismantle the Office of Economic Opportunity and to cut off funding for its Community Action agencies should, I suppose, be interpreted as one brush stroke in a much larger painting. Since Mr. Nixon took office over 4 years ago, one stroke after another has been dashed off until, today, our picture is nearly complete. For the poor and helpless of America, the design is, indeed, bleak.

Under the guise of haughty rhetoric, the Nixon administration has proposed a Federal budget which clearly undermines and destroys the expectations and aspirations of America's underprivileged citizens.

Surely the most cruel effect of the budget proposed by Mr. Nixon is the destruction of the OEO programs that have brought help and hope to millions of the Nation's poor.

Clearly, Mr. Nixon's efforts can be called still life.

I submit for your attention and the attention of my colleagues a Washington Post editorial of February 13, 1973, entitled "The OEO: Dismantling Hope."

#### THE OEO: DISMANTLING HOPE

The Office of Economic Opportunity is going to be dismantled because the administration thinks that by and large it has been a failure. An acting director, Mr. Howard Phillips, has been appointed and this is how he expresses his (and presumably the administration's) point of view: "I think in many ways OEO has had a negative impact . . . When we spend public dollars, we have to decide not merely whether they're being spent effectively, but whether there are some ways in which they've been harmful. And to the extent that we have promoted the welfare ethic out of OEO . . . then I think OEO has done a great disservice to this country." So the office is to be spread around the federal government and its most important parts, the community action agencies around the country, are to be pretty much set adrift. There are a number of people around who think this policy is neither wise nor humane and we are among them.

So, evidently, is the OEO's own Office of Operations which seems to have taken a different view in the "Utilization Test Survey" of 591 community action agencies released just last month. After looking at whether the agencies had been doing their jobs in mobilizing resources for the poor and helping the poor to achieve self-sufficiency, the report stated that the administration's emphasis had produced "closer working relationships between CAAs and state and local governments, which offer genuine help in making the decentralization of government succeed during the next few years." The report also asserted that "even at this early stage in the project [the utilization survey], the picture clearly shows that the administration's redirection of Community Action was on target."

The report underlines the first reason for thinking the administration's new policy is wrong. Americans are an impatient people and often want instantaneous results from large and complex governmental endeavors with little or no tolerance for shakedown periods and experimentation. Premature judgments of failure are often the result. But as the OEO evaluation of the CAAs demonstrates, time was working on the side of the program and after eight years, seemed to be making steady progress toward achieving its goals. Yet, although the agency was indeed moving toward enlarging the self-sufficiency of the poor and obtaining institutional change to benefit the poor, Mr. Phillips thinks the programs have tended to "erode the kind of normal majoritarian democratic safeguards that are incident to the electoral process" and that it is wrong to "treat the poor as a class apart with interests separate and distinct from those of society as a whole."

To our way of thinking, Mr. Phillips has got it just backward. Long before OEO came along, the poor were a class apart because they were poor and powerless and because our "normal majoritarian democratic safeguards" left them that way. OEO programs, and particularly the community action program were designed to help remedy that. The programs were designed to give the poor some stake in their own destiny, and in the society, and to enlarge significantly their ability to help themselves. And that, despite Mr. Phillips' assertion that the programs have promoted the welfare ethic, is just what OEO's own evaluation says they were beginning to do well.

Anyone who has the slightest familiarity with the program knows that one of its major benefits has been what it has done for people. It has uncovered—from the ranks of the poor themselves—several new layers of leadership in communities around the country. It has given people the opportunity to develop skills that help them participate in the management of their own communities

and of their own lives. It has given thousands a new sense of their own dignity and worth and some stake in the society. There clearly have been excesses, mistakes and false starts. But the gains in terms of human growth and the institutional achievements documented in the OEO study destroy both the factual and the philosophical underpinnings of Mr. Phillips' arguments.

In his cheerfully assumed task, he will be dismantling a powerful vehicle for human hope.

## NEWS MEDIA AND THE FREEDOM OF INFORMATION ACT

### HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee exercises continuous oversight of the way in which Federal agencies are administering the Freedom of Information Act (5 U.S.C. 552). In the last Congress we held extensive hearings on their record over the first 5 years of the operation of the act and the Government Operations Committee issued House Report 92-1419 based on these hearings.

This report was highly critical of the way the executive bureaucracy has ignored or distorted the intent of Congress in assuring the public's "right to know" about the activities of their Government and made a series of administrative and legislative recommendations to strengthen the Freedom of Information Act and to improve its operations.

Mr. Speaker, I call to the attention of our colleagues an excellent article summarizing many of the most important aspects of the operation of the act, written by Mr. Stephen E. Nordlinger and appearing in the February 11, 1973 issue of the Baltimore Sun. His article makes a number of key points about the practical effects of the act and its many shortcomings. The text of the article follows:

#### MEDIA NOT AIDED BY INFORMATION ACT

(By Stephen E. Nordlinger)

WASHINGTON.—"This legislation springs from one of our most essential principles: A democracy works best when the people have all the information that the security of the nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest."

With these words, spoken on Independence Day, 1966, President Johnson signed into law the Freedom of Information Act.

This measure, born of a 10-year campaign led by the American Society of Newspaper Editors, was to assure public access to government documents, not especially of the great decisions, but of day-to-day materials concerning, for example, airport accidents or product testing or inspections.

Once secreted in filing cabinets in Washington's myriad agencies and jealously guarded by bureaucrats, these papers were to be opened to the public. This was the principle fought for by the newspaper editors' organization.

In practice, however, the act has taken an unexpected twist.

The great beneficiaries have been the nation's corporations and other commercial and resources to pursue their quests despite the private interests, with the time and financial resistance of the agencies, which unanimously fought the law from the start until it was finally enacted.

The news media, the main conduits of information from the government to the public, have found the law of considerably less value.

While there are no accurate figures for requests granted, formal refusals serve as an index of the relative use of the act, authorities say.

According to statistics compiled by the Library of Congress, covering the first four years of the law's operation starting on July 4, 1967, when it took effect a year after the signing, corporations and private law firms were initially refused information under the act 640 times, representing nearly 69 per cent of the usage.

Ninety requests filed by representatives of the media or only about 10 percent of the total of 922 were refused. Public interest groups were turned down 85 times.

As it has turned out, some of the big court cases under the act carry such names as Bristol Myers Company vs. Federal Trade Commission, Grumman Aircraft Engineering Corporation Vs. Renegotiation Board, and Sterling Drug, Inc. Vs. Federal Trade Commission.

#### LOOSELY DRAWN PROVISIONS

The entrenched bureaucrats with a proprietary interest in keeping their records confidential have sought refuge in the loosely drawn provisions that allow exceptions to the overall purpose of the law, which places the burden on the government to justify refusal of disclosures.

Nine categories of information are exempt from required disclosure. They include such areas as national security, trade secrets and internal government memoranda. Initial rejections can be appealed within an agency and then to the federal courts.

As a stick in the closet available to wield against a recalcitrant official, the law has probably benefited a number of reporters unrecorded in the Library of Congress survey.

But the protracted delays perpetrated by the bureaucracy have defeated a major purpose of the law in the opinion of those on both sides—the seekers and the possessors of government information.

#### DELAYS REPORTED

Government agencies, which complain vociferously about the manpower that must be diverted to ferreting out information, have taken on the average of more than a month to respond to a request for public records and a response to an appeal has taken an additional 50 days. Some of the cases taken to court have required more than two years to resolve.

Journalists faced with deadlines could not tolerate this unyielding performance. The fees charged to gather and reproduce the documents the Department of Agriculture planned to charge \$91,000 for some material on pesticide—and the wide range of procedures adopted by the 93 agencies under the law have also come to frustrate reporters in search of information.

Some of the original framers of the measure and its main supporters foresee now, however, a changing attitude among the bureaucrats, tentative but clear, as the result of increased pressure being applied from several directions.

In Congress, the House Subcommittee on Foreign Operations and Government Information, headed by Representative William S. Moorhead (D., Pa.), is asking each agency to report what steps it has taken since extensive hearings last March to meet its responsibilities under the law.

The committee wants the agencies to adopt a "positive statement" affirming their com-

mitment to the act, to streamline their records systems, to minimize and unify their fee schedules, to institute training seminars in Washington and regional offices on the law and to prepare a pamphlet to familiarize the public with the act.

Mr. Moorhead, the chief champion of the law in Congress, intends to introduce in the next few days a bill designed to speed up agency actions on requests for public records, requiring an answer within 10 days, an answer to an appeal within 20 days and an answer to a court suit in the same number of days.

In the federal courts, especially in Washington where many cases have been brought, judges have carved out fairly tight limits on the use of exemptions except in national security cases and to a lesser extent in those dealing with investigatory materials. In defending agency decisions, the Justice Department has fared less well in freedom of information cases than in other areas of litigation, so far losing a majority of the decisions in the 150 or so cases brought.

The number of cases is also showing a sharp rise, primarily from public interest law firms. A year ago there were 46 cases outstanding in courts; now there are 67, a 60 per cent increase.

Journalists are also showing an awakened interest in the law. The National Press Club last month joined with the Center for the Study of Responsive Law, sponsored by Ralph Nader, the consumer activist, in establishing the Press Information Center, headed by Ronald L. Plessner, who in the past brought some of the public interest cases under the information law for Mr. Nader.

Two weeks ago, the new center filed its first suit on behalf of a reporter for the National Broadcasting Company, Carl L. Stern, who has been seeking information since 1970 on alleged FBI counter-intelligence activities against the New Left.

Up until now, only two newspapers, the Nashville Tennessean and the Philadelphia Inquirer, have pursued their requests through the courts. In both cases, the papers sought the name of appraisers doing assessments for the Federal Housing Administration.

In the face of this pressure, the agencies appear to be falling in line to some extent. According to authorities who have noted some of the initial statements sought by Mr. Moorhead, the Department of Transportation and the Department of Housing and Urban Development have conducted seminars to acquaint their legal staffs with the law, and a 25-minute instructional tape has been prepared by the Food and Drug Administration.

The fee for the reproducing records is coming down from 10 cents to 40 cents a page from \$1 in some cases, with an average of \$4 charged for searching for materials.

The Freedom of Information Committee, under Robert Saloschin, established at the Justice Department at the end of 1969 at a low point in the administration of the program, is trying to overcome some of the doubts of the agencies concerning such issues as invasion of privacy and the setting of bad precedents by disclosure of some materials.

Despite these improvements, however, such strong proponents of the law as William G. Phillips, the staff director of the Moorhead committee, and L. James Kronfeld, the staff counsel, remain somewhat skeptical after years in which only lip service has been paid to the law, which does not apply to Congress or the judiciary.

"The agencies think that they have a legal problem, and not an informational problem," said Mr. Kronfeld. "Everything is channeled through the general counsel's office."

Both Mr. Phillips and Mr. Kronfeld named the Agriculture Department, with its 28 separate agencies and the Internal Revenue Service as the worst offenders.

Three years ago, lawyers for Mr. Nader asked the Agriculture Department for reports on the safety of handling some pesticides. The request was refused on ground that the records sought were not clearly identified. The lawyers asked for the department's indexes to obtain proper identification. They were told that the indexes were private internal memoranda exempted from the act. Finally, after a successful court case, the department said it would cost \$91,840 to prepare the registration files for public viewing.

Philip Long and his wife, Susan, of Seattle, in 1970 faced an audit of their tax returns and asked the IRS for statistical reports on audits and internal materials on operating procedures involving audits. The request was refused.

#### "HANDS WERE TIED"

The officials "kept saying their hands were tied by the rules," Mr. Long says. "But they wouldn't let us see what rules they were talking about."

In the process of dealing with the Longs'

request, the Treasury Department found some quarterly statistical report on audits in its public library. They were removed from the shelves no longer to be disclosed.

After repeated futile trips to Washington and regional offices of the IRS, the Longs sued under the Freedom of Information Act and won. Some significant insights into the government's auditing procedures are now available to the public.

#### NO. 1?

### HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 19, 1973

Ms. ABZUG. Mr. Speaker, which country in the world ranks 25th in life expectancy?

Which country ranks 14th in infant mortality?

Which country ranks 14th in literacy?

Which country ranks eighth in doctor-patient ratio?

The answer to each of these four questions is, I am sad to say, the United States of America. The information for the first three is taken from the World Data Handbook, "Issues in United States Foreign Policy," a publication of the U.S. Department of State; the statistic for the fourth comes from the United Nations Statistical Yearbook.

Mr. Speaker and my colleagues, when we consider the Nixon budget proposals, which increase military spending while slashing almost all of our domestic social programs, let us keep these questions—and their answers—in mind.

## HOUSE OF REPRESENTATIVES—Tuesday, February 20, 1973

The House met at 12 o'clock noon.

Rev. Adolfas Stasys, assistant pastor, Holy Cross Church, Chicago, Ill., offered the following prayer:

Creator, in Your plan for creation You found a place for Lithuania, where Lithuanians for ages lived in peace, fostered education and culture, and cherished their land. Unfriendly eastern and western neighbors sought often to enslave and annihilate it.

Today we commemorate the 55-year anniversary of Lithuania's independence.

Dear God, Lithuania is again enslaved by Communist Russia. Lithuanians in their land are without rights: without free speech, free press, free elections. Religion is ruthlessly persecuted.

Lithuania is grateful to the administration of the United States for not recognizing the occupation, and to Congress for its support of the cause of Lithuania's freedom.

Christ, move the conscience of the world leaders to be guided by right and justice, hasten Lithuania's hour of freedom, bless the United States of America, bless Lithuania.

Christ, Ruler of the World, You are our hope. Amen.

#### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 66. Joint resolution to authorize the erection of a monument to the dead of the 1st Infantry Division, U.S. Forces in Vietnam.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES—UNITED STATES OF AMERICA AGAINST GRAND JURY INVESTIGATION

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., February 6, 1973.

HON. CARL ALBERT,  
The Speaker, House of Representatives.

DEAR SIR: On this date, I have been served with a subpoena duces tecum by a representative of the U.S. Department of Justice, that was issued and signed by the Chief United States District Judge for the U.S. District Court for the Western District of Pennsylvania. This subpoena is in connection with the United States of America vs. Grand Jury Investigation.

The subpoena commands me to appear in the said U.S. District Court for the Western District of Pennsylvania in Pittsburgh, Pennsylvania, on the 13th day of March 1973 and requests certain House records of employees of a former Member, Congressman J. Irving Whalley (12th Congressional District, Pennsylvania) that are outlined in the subpoena itself, which is attached hereto.

House Resolution 12 of January 3, 1973, and the rules and practices of the House of Representatives indicate that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,  
Clerk, House of Representatives.

The SPEAKER. The Clerk will read the subpoena.

The Clerk read as follows:

[U.S. District Court for the Western District of Pennsylvania]

SUBPENA TO PRODUCE DOCUMENT OR OBJECT  
United States of America v. Grand Jury Investigation.

To W. Pat Jennings or authorized representative, Clerk of the House, U.S. House of Representatives, Washington, D.C.

You are hereby commanded to appear in the United States District Court for the Western District of Pennsylvania at 708 U.S. Post Office and Courthouse in the city of Pittsburgh on the 13th day of March, 1973 at 10 o'clock A.M. to testify in the case of United States Grand Jury Investigation and bring with you the records listed on the attached sheet:

Bring with you the following records:

1. All pay records including clerk-hire allowance forms, payroll authorization forms, payroll cards, payroll confirmation sheets and any other records indicating the mailing address of U.S. Treasury Checks of the following former employees of Congressman J. Irving Whalley: Julia W. Kogut, Gilda L. Lesko, John F. Ziants, Judith Seese, Ronald K. Ence, D. Harold Troxell and James Phillips, for their employment period up to February, 1973.

2. All pay records including but not limited to buff and blue colored cards indicating the mailing address of U.S. Treasury Checks of the following employees of Congressman J. Irving Whalley: Leonard Howard, Jr., Daniel Helsel, Marjorie S. Glessner, Gene M. Hamilton and Thomas L. Rhoads.

This subpoena is issued upon application of the United States of America. February 5, 1973.

J. J. Graham, Attorney for U.S. Department of Justice, Washington, D.C.

RABE F. MARSH,  
Chief U.S. District Judge.

Mr. O'NEILL. Mr. Speaker, I offer a privileged resolution (H. Res. 221) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 221

Whereas in the Grand Jury Investigation pending in the United States District court for the Western District of Pennsylvania, a subpoena duces tecum was issued by the said court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear as a witness before the grand jury of the said court at 10 o'clock antemeridian on the 13th day of March, 1973, and to bring with him certain papers and documents in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of the House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or pos-