

# ORDER FOR RECOGNITION OF SENATOR ROBERT C. BYRD ON MONDAY

Mr. ROBERT C. BYRD. I ask unanimous consent that following the remarks of the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) on Monday, his would-be cousin, Mr. ROBERT C. BYRD, the junior Senator from West Virginia, the neighboring State just over the mountains, be recognized for not to exceed 15 minutes.

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

# TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the remarks of the junior Senator from West Virginia on Monday next, there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

# ORDER FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 345, MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1973, ON MONDAY, FEBRUARY 26

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday next, at the conclusion of routine morning business, the Senate proceed to the consideration of House Joint Resolution 345, the continuing resolution.

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

## PROGRAM

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

The Senate will convene at 11:30 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) will be recognized for not to exceed 15 minutes, to be followed by his would-

be cousin, the junior Senator from West Virginia (Mr. ROBERT C. BYRD), for a period of not to exceed 15 minutes; to be followed by a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 3 minutes, at the conclusion of which the Senate will proceed to the consideration of House Joint Resolution 345, the continuing resolution.

I would anticipate that there would likely be a rollcall vote—or rollcall votes—in connection with that resolution, but as to whether or not the Senate will complete its consideration of that resolution on Monday, I cannot say. Senators may be alerted, however, I repeat, to the likelihood of rollcall votes on Monday.

Following the disposition of the continuing resolution on Monday or Tuesday—whenever it may be—the Senate will return to the consideration of those committee money resolutions which are on the calendar, but which were carried over today by unanimous consent, together with other committee money resolutions which are to be reported today from the Committee on Rules and Administration, they being the resolutions dealing with moneys for the Committee on Foreign Relations and the Committee on the Judiciary.

So that is about it, Mr. President. Again I say I expect rollcall votes on Monday, and I expect rollcall votes on Tuesday.

# ADJOURNMENT UNTIL MONDAY AT 11:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. on Monday next.

The motion was agreed to; and at 3:56 p.m. the Senate adjourned until Monday, February 26, 1973, at 11:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate February 22, 1973:

## DEPARTMENT OF JUSTICE

James N. Gabriel, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice Joseph L. Tauro.

James F. Companion, of West Virginia, to be U.S. attorney for the northern district of West Virginia for the term of 4 years, vice Paul C. Camilletti, resigning.

## IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of major general:

Kenneth J. Houghton James R. Jones  
Frank C. Lang Charles D. Mize  
Robert D. Bohn Norman W. Gourley  
Edward J. Miller

## CONFIRMATIONS

Executive nominations confirmed by the Senate February 22, 1973:

## SECURITIES AND EXCHANGE COMMISSION

The following-named persons to be members of the Securities and Exchange Commission for the terms indicated:

John R. Evans, of Utah, for the remainder of the term expiring June 5, 1973.

Philip A. Loomis, Jr., of California, for the remainder of the term expiring June 5, 1974.

G. Bradford Cook, of Illinois, for the term expiring June 5, 1977.

## U.S. COAST GUARD

Coast Guard nominations beginning Leon A. Murphy, to be captain, and ending Thomas L. O'Hara, Jr., to be captain, which nominations were received by the Senate and appeared in the Congressional Record on January 12, 1973; and

Coast Guard nominations beginning William D. Harvey, to be captain, and ending Stanley H. Zukowski, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 1973.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Oceanic and Atmospheric Administration nominations beginning David J. Goehler, to be lieutenant, and ending Jan W. McCabe, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 1973.

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

# EXTENSIONS OF REMARKS

## NICOLAUS COPERNICUS, GIANT OF HISTORY

## HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, February 21, 1973

Mr. KEMP. Mr. Speaker, this month we pause to pay tribute to two great leaders of our Nation, George Washington and Abraham Lincoln, but February also marks the birthday of another giant of history—Nicolaus Copernicus of Poland.

Fourteen hundred years before Copernicus' birth in 1473, the astronomer Ptolemy had formulated the theory that the

earth stood unmoving as the center of the universe. Nicolaus Copernicus boldly challenged this theory and through his studies provided the foundation for modern astronomy and our present day explorations of space.

Copernicus was born in Torun, Poland, on February 19, 1473 and studied mathematics, law, medicine, and astronomy at Cracow, Bologna and Padua. Early in his career, Copernicus noticed what he considered to be serious defects in the Ptolemaic astronomical system which he had been taught. Unlike those who had gone before him, Copernicus challenged 1,400 years of tradition and dared to formulate his own astronomical theory. In direct contradiction to Ptole-

my's teachings, Copernicus believed that the earth hurtles rapidly through space and that man does not see this motion because he travels with the earth.

In pointing out Ptolemy's error, Copernicus quoted an ancient poet to the effect that the shore and the port move away from the departing ship, or so it seems to the passenger on the deck of the vessel. The passenger is unaware of the ship's motion which is carrying him away and therefore comes to the conclusion that the land is receding from him.

In his book written in 1543, "Concerning the Revolutions of the Celestial Spheres," Copernicus demonstrated how the earth's motions could be used to explain the motions of other heavenly

bodies. This work laid the foundation for Sir Isaac Newton's principle of gravitation, Galileo's telescopic discoveries and Johannes Kepler's planetary laws. Behind today's travel to the moon and our preparations for future space exploration stands the work of Copernicus of Poland.

During the month of February, Americans of Polish descent and the scientific community are celebrating the 500th anniversary of Nicolaus Copernicus' birth. In my District of Western New York, the Polish community and its many friends have planned an impressive program of events at the State University College campus and other campuses and at area cultural and civic clubs. Schoolchildren have been invited to compete for prizes in an essay contest related to Copernicus' life and studies. This outstanding series of events honoring the great Polish scientist has been originated by the Copernicus 500th anniversary program committee of Buffalo, N.Y.

The Buffalo Courier Express recently published an excellent account of Buffalo's plans to pay tribute to Copernicus and I include the column at this time in my remarks:

[From the Buffalo (N.Y.) Courier-Express, Feb. 9, 1973]

#### BUFFALO HONORING COPERNICUS (By Anne McIlhenney Matthews)

Buffalo is particularly Copernicus minded this month and rightly and remarkably so.

For one thing, this is a proud city of people of Polish origin and Copernicus is somebody for them to strut about. Since it is the 500th anniversary of his birth, a hard-working committee planned well and in advance to mark this occasion with star-studded events. Headed by Dr. Francis T. Siemanski, a professor at Buffalo State College, 300 members worked to make this a fitting celebration for the great astronomer and mathematical genius.

Dr. Howard G. Sengbusch, professor of biology at Buffalo State assisted by the Rev. John Suplicki, pastor of Our Lady of Czestochowa Church, Cheektowaga scheduled the following speakers:

Feb. 12—Prof. James R. Orgren, planetarium director at Buffalo State, will present a program on "Copernicus Astronomy."

Feb. 19—Dr. Franklin C. MacKnight, science historian at Buffalo State will speak on "Intellectualism of Copernicus."

Feb. 26—Dr. Stillman Drake of the Institute for the History of Philosophy of Science and Technology at the University of Torun will speak on Copernicanism in Bruno, Kepler and Galileo."

The month-long celebration was opened on Feb. 2 with a formal reception held at the Edward H. Butler Library on the Buffalo State campus and was arranged by the Hospitality Committee chaired by Mrs. Emily Lubelska, president of the Polish Arts Club of Buffalo.

#### FEBRUARY 19 IS ANNIVERSARY

February 19 is the 500th anniversary of the birth of Nicolaus Copernicus, the Polish astronomer who developed the so-called Copernican System, a revolutionary concept contradicting 15 centuries of the general belief that the Earth was the center of the universe and that all heavenly bodies revolved around it.

Born in Torun, Poland, Nicholas Copernicus—or Mikolaj Kopernik—was a student of math and science at the University of Krakow and studied astronomy and canon law at the University of Bologna. In 1497, he returned to Poland where he was made canon of Frauenburg. That same year he entered

the medical school at Padua, Italy, leaving for a time to lecture on astronomy at Rome and to take a doctorate in canon law at Ferrara. In 1505 he went back to Poland where he remained for the rest of his life, spending the greater part of his time in religious duties administering to the sick and indigent.

During his lifetime, he was best known for a coinage-reform system which he presented to the Diet in 1522. However, he devoted an enormous amount of time to astronomy, particularly to the development of the Copernican System, which was summed up in a book "De Revolutionibus Orbium Coelestium" (Concerning the Revolutions of the Heavenly Bodies) which although completed in 1530, was not published until immediately before his death.

The two chief contributions of the Copernican System are:

1. The fact that the Earth and planets revolve in orbits around the sun.

2. That the Earth is spinning on its north-south axis from west to east at a rate of one rotation per day.

He laid the groundwork for the Copernican Age of scientific discovery as a result of which his birthday is being celebrated far and wide this year, particularly by Polish-American communities of Buffalo, Chicago and other large U.S. cities and all peoples of Polish ancestry.

#### STORY OF PUBLICATION

Buffalo has an important part in the Copernican story. And it is a rare-book mystery which readers may solve but which we may well meanwhile treasure as a civil asset of monumental proportions not only money-wise, but world-wide in importance. Here is the step-by-step account of why we have this and why everybody should go see it. It is "our heritage."

In 1540 a young visitor came to Frombork, Poland, to search out the Polish astronomer, Nicolaus Copernicus, and to learn more about the heliocentric theory of the universe that Copernicus was developing. He was George Joachim von Lauchene, professor of mathematics at the University of Wittenberg. He is best known as Rheticus.

Rheticus came to Frombork armed with five printed books to show the aging canon, Nicolaus Copernicus, what a new invention, the printing press could do to revolutionize communications. Copernicus was so impressed by these printed books that he consented to have his manuscript, "De Revolutionibus Orbium Coelestium" (On the Revolutions of the Heavenly Spheres), prepared for publication.

Rheticus spent the next two years studying with Copernicus and in his spare time he made a handwritten copy of the manuscript. He later journeyed back to Germany and gave it to the noted printer, Johannes Petreus, in Nuremberg, to have it set in type.

The manuscript was printed and bound in 1543. Little did Petreus realize what a monumental book he had published. It was "De Revolutionibus" that opened a new era in the history of astronomy. The book can be considered the foundation of modern science. Without the concepts developed in the book, it would have been impossible for such men as Kepler, Galileo and Newton to make their great contributions, for how could we explain universal gravitation, the revolutions of the planets, or for that matter, launch a rocket to the moon, if we persisted in believing the Earth to be the center of the universe?

#### BUFFALO HAS RARE COPY

How many copies of the Nuremberg edition were printed is not known but an exhaustive search by Harvard professor, Dr. Owen Geingerich, who recently addressed the Copernicus 500th Anniversary Program Committee at Buffalo State, has uncovered 170 existing copies—40 of which are in the United States.

Oddly enough, one of the original Nuremberg editions is located in the Buffalo Museum of Science rare book collection, and this is a puzzle worth unraveling. How did our museum acquire this rare book having a market value of well over \$25,000?

Preliminary investigations show that the book was acquired in the middle '30s by Dr. Albert Sy, a retired professor of biochemistry at the old University of Buffalo. On his retirement he opened a bookstore on Elmwood Avenue. His source is unknown. The book was purchased by Chauncey Hamlin and presented as a gift to the Science Museum about 1938. The amounts involved in these transactions are not known. It is doubtful, however, that the true value of the book was known at that time.

Dr. Geingerich made another observation while examining the Buffalo copy at the museum prior to his appearance at Buffalo State College on Feb. 3. The copy owned by the Kosciuszko Foundation in New York City and now in the Copernicus Exhibit in the IBM Building in that city, has several facsimile pages used to replace missing or damaged portions of that book. He identified the Buffalo Science Museum copy through a signature on the copied pages as the one used to reproduce the Kosciuszko facsimile.

A facsimile of the Copernicus autograph (handwritten copy) of "De Revolutionibus" is on exhibit during the month of February in the Edward H. Butler Library on the Buffalo State campus. The copy on exhibit is a gift to the Copernicus 500th Anniversary Program Committee by Dr. and Mrs. F. T. Siemankowski.

I am proud to say that many thousands of citizens of Polish heritage reside in my District in Erie County, N.Y. I know that they are as pleased as I have been to learn of the many other events which have been scheduled nationwide to honor Nicolaus Copernicus and to bring his accomplishments to the attention of the American people.

My distinguished colleague, the Honorable THADDEUS J. DULSKI, has introduced legislation, that I strongly support, which requests the President to designate the week of April 23 as "Nicolaus Copernicus Week," in addition, the Smithsonian Institution has scheduled events honoring Copernicus during the week of April 23 and on that same date, the U.S. Postal Service will issue a special Copernicus commemorative stamp.

The work of Nicolaus Copernicus has touched the lives of each one of us. Polish-Americans everywhere can be justly proud of their heritage and of the accomplishments of Nicolaus Copernicus, giant of history.

#### IRV KUPCINET MERITS DANTE AWARD

#### HON. FRANK ANNUNZIO OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, February 21, 1973

Mr. ANNUNZIO. Mr. Speaker, I take this opportunity to congratulate Mr. Irv Kupcinek, who will receive the second annual Dante Award of the Joint Civic Committee of Italian Americans on March 7 at a luncheon in his honor at the Sheraton-Chicago Hotel. Irv Kupcinek is a Chicago Sun-Times columnist whose "Kup's Show" over WMAQ-TV,



Channel 5, in Chicago has proved a consistent prize winner because of its excellence.

The Dante Award has been established to extend recognition annually to an individual in the mass media communication field who has made a positive contribution toward fostering good human relations.

Dante Alighieri, in his "Divine Comedy" said, "Men should never be timid about the truth." Irv Kupcinet is not one to simply sit and talk about injustice. With characteristic strength and enthusiasm, he has become a leader in good human relations in his work to aid and encourage the downtrodden.

Mr. Kupcinet has been a journalist for almost four decades and has spent more than three of them as a columnist. He has been a radio broadcaster for 25 years and a major figure in Chicago television since 1958.

Irv Kupcinet's newspaper career began in 1935 when he joined the Chicago Times, predecessor of the Sun-Times, as a sportswriter. He earned his B.A. in journalism from the University of North Dakota, where he also played football. A member of the 1935 All-Star squad, Kupcinet played pro ball with the Philadelphia Eagles, and later officiated in the National Football League for 10 years. In 1948 he became the "color" voice of Chicago Bears radio broadcasts.

"Kup's Column" began in 1943 when he switched from the sports beat. The column is widely syndicated and Irv Kupcinet has become a household word not only among entertainers and show business personalities but among statesmen here and abroad. More than 5,000 guests have joined him in "the lively art of conversation" on "Kup's Show."

Dante Alighieri, author of "The Divine Comedy," in whose name the Dante Award was established by the Joint Civic Committee of Italian Americans—an umbrella organization comprised of more than 40 civic organizations in the Chicago area—was a champion of truth in his time. Irv Kupcinet, with his ability to squarely and honestly face the issues of our day, has become a champion of truth in our time.

Again, I congratulate him on meriting this recognition and honor, and I extend my best wishes to Irv Kupcinet for abundant good health and continuing success in his endeavors in the years ahead.

#### THE DEVELOPMENT OF A EUTAW SPRINGS NATIONAL BATTLEFIELD

#### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, February 22, 1973

Mr. THURMOND. Mr. President, on February 1, 1973, the South Carolina General Assembly passed a concurrent resolution memorializing the Congress to enact legislation that will provide for the Eutaw Springs National Battlefield in honor of the patriots who gave their lives in the battle of Eutaw Springs and

in memory of all who, by their service and sacrifice, helped win our independence as a nation.

The Battle of Eutaw Springs, September 9, 1781, was one of the six battles of the Revolution in which a medal in honor of victory was awarded. Heroes of the Revolution who fought at Eutaw Springs include native sons from at least eight of the 13 Colonies, future Governors of Virginia, Maryland, and Kentucky, and future Congressmen from Georgia, South Carolina, North Carolina, Virginia, Maryland, and Kentucky.

Mr. President, as we prepare to celebrate the Bicentennial of the American Revolution, I think it would be only fitting for Congress to commemorate Eutaw Springs as a national battlefield.

On behalf of the junior Senator from South Carolina (Mr. HOLLINGS) and myself, I ask unanimous consent that the concurrent resolution be printed in the Extensions of Remarks.

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

#### A CONCURRENT RESOLUTION

Expressing support of the South Carolina General Assembly for the development of a Eutaw Springs National Battlefield and to memorialize the Congress of the United States to enact such legislation.

Whereas, the Battle of Eutaw Springs, September 9, 1781, was one of the hardest fought battles of the American Revolution; and

Whereas, the Battle of Eutaw Springs was one of the six battles of the Revolution in which the Continental Congress awarded a medal in honor of the victory, the others being: Washington Before Boston, 1776; Saratoga, 1777; Stony Point, 1779; Paulus Hook, 1779; and Cowpens, 1781; and

Whereas, in 1972 the Congress of the United States passed legislation creating the Cowpens National Battlefield which was signed into law by President Richard M. Nixon; and

Whereas, the Battle of Eutaw Springs was the climax of Major General Nathanael Greene's brilliant campaign to free the South from British tyranny, the British retreated from the battlefield to Charleston the day after the battle; and

Whereas, the presentation of the Eutaw Springs Medal and Battle Flag to General Greene by Henry Laurens in behalf of the Continental Congress is one of the six panels of history on the bronze doors of the United States House of Representatives which were cast in 1902; and

Whereas, President John Adams stated that history would record that the importance of Eutaw Springs was equal to Yorktown; and

Whereas, both the American and British forces fought with great gallantry at Eutaw Springs, the British forces, which numbered some two thousand, suffered forty percent casualties, a percentage unequaled by them in any other major battle except Bunker Hill which was fifty-two percent. The American Forces which consisted of approximately twenty-four hundred suffered twenty percent in casualties; and

Whereas, the total number of casualties at Eutaw Springs exceeded the number at the Battle of Yorktown; and

Whereas, a close scrutiny of the American soldiers at Eutaw Springs will reveal that they were experienced, courageous and patriotic. Greene's Army consisted of continentals and militia. They were soldiers who fought with great gallantry, men who served their country with distinction in war and in peace; and

Whereas, many legendary heroes of the nation fought at Eutaw Springs including na-

tive sons from at least eight of the thirteen states, future Governors of Virginia, Maryland, and Kentucky, and future Congressmen from Georgia, South Carolina, Virginia, Maryland, and Kentucky; and

Whereas, among the numerous heroes of the battle were:

Rhode Island—Major General Nathanael Greene, the fighting Quaker, next to General George Washington the greatest General officer of the Revolution, counties in fourteen states honor his memory.

Delaware—Captain Kirkwood, the finest company commander of the war, a member of the "Blue Hens Chickens", Delaware's Continental Line.

Maryland—Lt. Colonel John Eager Howard, awarded a medal for Cowpens, a great soldier, later a Governor and United States Senator from Maryland, referred to in "Maryland, My Maryland", the Maryland State Song, counties in six states honor his memory, General Otho H. Williams, another great soldier of the Maryland Line; and General Greene's black orderly, a free man from Maryland who gave his life for his country in the battle. General Greene specifically cited him for his courage and gallantry.

Virginia—Lt. Colonel Henry Lee, Commander of Lee's Legion, awarded a medal for the Battle of Paulus Hook, New Jersey, later Governor of Virginia and Congressman, Father of General Robert E. Lee.

North Carolina—Members of the North Carolina Militia and the members of the North Carolina Continental Line under General Jethro Sumner served with great gallantry. Their number was greater than the troops of any other state. John B. Ashe, a major with General Sumner's Command later served in Congress from North Carolina.

South Carolina—The South Carolina Militia, the forces of General Francis Marion, General Thomas Sumter and General Andrew Pickens served and fought with great distinction in the battle. Sumter, "the Gamecock", was unable to be present, but many of his men fought under the famous Colonel Wade Hampton I, later a member of Congress from South Carolina and a General in the War 1812. Francis Marion, "the Swamp Fox", is a legend of the American people. Seventeen states have a county named in his honor, a number exceeded only by General Washington of the American military heroes and the Revolution. General Andrew Pickens, a native of Pennsylvania, later served as a member of Congress from South Carolina. Three states have a county that honors his memory. Colonel William Washington, a native of Virginia and recipient of a medal for Cowpens was conspicuous with his bravery. The flag of his troop, "The Eutaw Flag", is held in trust by the Washington Light Infantry of Charleston, South Carolina. "Carolina", the South Carolina State Song, by Henry Timrod mentions the heroes of Eutaw Springs.

Georgia—Colonel Samuel Hammond served in the Battle of Eutaw Springs and throughout the Revolution with distinction. After the Revolution he served as a General in the Georgia Militia and represented Georgia in Congress.

Missouri—Colonel Samuel Hammond while a member of Congress from Georgia was appointed by President Thomas Jefferson, the first civil and military officer for the upper Louisiana Territory, later called the Missouri Territory. Colonel Hammond in 1820 was elected the first president of the Territorial Council of Missouri.

Kentucky—Lt. John Adair, a member of Sumter's command, fought at Eutaw Springs, served in the South Carolina Legislature and moved to Kentucky as a young man. He became a member of Congress from Kentucky as United States Senator and a Major General in the War of 1812 who fought at the Battle of the Thames in Canada and commanded the Kentucky Volunteers in the Bat-

tle of New Orleans. In 1820 he was elected Governor of Kentucky.

France—Count Malmédy of France offered his services to the American cause. In the Battle of Eutaw Springs he commanded the North Carolina Militia.

Poland—Count Thadéus Kosciuszko, the Engineer for Green's army, was one of the great heroes of the Revolution. A Polish patriot he fought for the cause of American independence and when victory was achieved he returned to his native land to fight to free it from its conquerors. A county in Indiana commemorates his memory; and

Whereas, of the ten men who received medals from the Continental Congress for their leadership in battle, four fought at Eutaw Springs: General Nathaniel Greene, Colonel John Eager Howard, Colonel William Washington and Lt. Colonel Henry Lee; and

Whereas, forty-five counties in twenty states commemorate heroes of the Battle of Eutaw Springs, the states being: Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Mississippi, Missouri, New York, North Carolina, Ohio, Oregon, South Carolina, Tennessee, Texas, West Virginia and Maryland; and

Whereas, the gallant courage of the men who fought at Eutaw Springs is part of our noble heritage, part of the heart and sinew of our nation; and

Whereas, the South Carolina Bicentennial Commission of the American Revolution, has passed a resolution supporting the development of a Eutaw Springs National Battlefield; and

Whereas, most of the battlefield of Eutaw Springs is open country near the Santee River, only a small part having been flooded by Lake Marion, named in honor of the famous Swamp Fox, General Francis Marion. Now, therefore,

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

That the General Assembly of South Carolina does hereby express its support for federal legislation providing for a Eutaw Springs National Battlefield and it does respectfully request South Carolina's Congressional Delegation to work for the implementation of such legislation.

Be it further memorialized that the Congress of the United States enact legislation providing for the Eutaw Springs National Battlefield in honor of the patriots who gave their lives in the battle and in memory of all of those who by their service and sacrifice helped win our independence as a nation and our rights as a free people.

Be it further resolved that a copy of this resolution be sent to President Richard M. Nixon; Vice President Spiro Agnew; Speaker of the United States House of Representatives, Carl Albert; the members of the South Carolina Congressional Delegation; and the members of the National Advisory Council on Historic Preservation.

#### THE COST OF LIVING COUNCIL—AN EXAMPLE OF GROSS INEPTITUDE

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. WHALEN. Mr. Speaker, I am not given to taking the floor to criticize operations of the Federal Government. Fully realizing that humanity is fallible, I prefer to use personal meetings, the telephone, and other means of communication to resolve problems.

But I regret to say to my colleagues, Mr. Speaker, that I have gone the last

mile, not once but several times, with one agency once again, but to no avail as have my distinguished Ohio friends in the other body, Messrs. WILLIAM B. SAXBE and ROBERT TAFT, JR. We have been treated to another virtuoso display, indeed a veritable caricature, of callousness, disdain, ineptness, incompetence, and insult by the Cost of Living Council.

Last year, I contacted the Council in an effort to expedite a decision on a contract negotiated by National Cash Register Co. and a union. After an uncalled-for delay, I was advised of the decision and was told that it could be released. A few days following release, I was informed by the Council that the decision given me was not correct. Needless to say, this entire situation caused a great deal of confusion, and certainly represented the most inept handling of a routine matter.

In the present instance, I am utterly shocked at the treatment accorded, perhaps nontreatment is more precise, to representatives of the Good Samaritan Hospital, of Dayton, Ohio, and to myself, Mr. SAXBE, and Mr. TAFT in attempting to rectify the Cost of Living Council's disgraceful handling of this matter.

The hospital, almost 2 months ago, petitioned for exceptions to Cost of Living Council allowable cost and price limitations in behalf of a major construction project to replace much of the hospital's outdated facilities. No decision emanated from the Council and 1 month later, at the request of the hospital, I called the Council and requested a decision.

Three days later, on January 29, an order was issued but ineptitude ruled the day and the "decision" contributed more to the problem than its solution. The Council's letter of transmittal stated that the exceptions being sought had been granted. In fact, however, the exceptions sought were not granted. The order contained a specific limitation which only added to the difficulty at hand, with the deadline for the hospital in completing its arrangements bearing inexorably.

The Council magnanimously apologized for its mistake in the letter of transmittal, but that exceedingly gracious overture, the record shows, contributed not one iota to the substantive matter of acting on the appeal to the maladroitness "decision."

The Good Samaritan Hospital was to have closed the arrangements for its revenue bond issue, backed by the full faith and credit of the city of Dayton, yesterday. Hospital representatives were in Washington last week, pleading for the additional exception. Their efforts would have been as effective had they gone to the South Pole to implore the penguins there for assistance. They were provided no help whatever in expediting the consideration of the issue, the known deadline of yesterday notwithstanding. The gentlemen returned to Washington yesterday, merely adding to the length of this exercise in futility. In brief, they have been unsuccessful in finding anyone at the Cost of Living Council who would take responsibility for the decision on their case.

Further, those individuals able to make the decision, Mr. Jamie McLean

and Dr. John Dunlop, have flatly refused even to meet with Good Samaritan representatives.

Accordingly my constituents sought my help once again and learned that Members of Congress have no higher standing than citizens. To put it bluntly, Dr. Dunlop is unavailable to the legislative branch.

The action being sought by my constituents does not represent a new situation. Other hospitals under phase II have been granted this kind of exception. The point seems to be that it is being requested under phase III and therefore no one wishes to make a "policy decision."

So the Good Samaritan Hospital now may not be able to proceed with its clearly commendable purpose, that of creating needed medical facilities to improve the quality of health care in the Dayton area.

The actions of the Cost of Living Council are no less than despicable, Mr. Speaker, and the RECORD should show it.

#### THE SUPREME COURT DECISION ON ABORTION

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, February 22, 1973

Mr. HARTKE. Mr. President, recently I received a petition signed by 673 people from the State of Indiana. These people feel strongly about a subject of current importance, and I believe that my colleagues should learn of their views. I therefore request unanimous consent that the text of their petition be printed in the RECORD.

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

#### PETITION

From the Parents and students of Bishop Dwenger High School, Ft. Wayne, Indiana. (Parents also)

We, the undersigned do hereby agree with the following resolution:

Whereas, we the undersigned are deeply concerned in all matters that involve the lives and welfare of women, children, and the family as a whole; and

Whereas, we the undersigned feel that laws governing abortion are of tremendous importance to women and the family; and

Whereas the most authoritative scientific conclusion on when life begins, was the conclusion from the first International Conference on abortion in 1967. Approximately 60 major scientific authorities from the fields of medicine, ethics, law, and social sciences participated. Carefully chosen for their scientific knowledge and integrity, they presented a cross-section of race, religion, culture and geographic backgrounds. The medical group made up of geneticists, biochemists, physicians, professors, research scientists, etc., came to a near unanimous conclusion with one dissension.

1. "The majority of our group could find no point in time between the union of sperm and egg, or at least the blastocyst stage, and the birth of the infant at which point we could say that this was not a human life." (Blastocyst stage occurs approximately one week after fertilization, and would account for twinning)... the changes occurring be-



tween implantation, a six week embryo, a six month fetus, a one-week-old child, or a mature adult are merely stages of development and maturation.

Whereas, the question of abortion is basically a human question that concerns the entire civilized society in which we live. It is not just a Catholic, or Protestant, or Jewish issue. It is a question of who lives or dies; and

Whereas, when we lose respect for and eliminate the safeguards protecting human life at any state of development, we progressively lose respect for and eliminate the safeguards protecting human life at other stages of development, be it child, teenager or adult; and

Whereas, when our Forefathers wrote "We hold these truths to be self-evident; that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are Life, Liberty, and the pursuit of happiness", they were not only referring to the living but to future generations of Americans such as the unborn child—don't they have rights, too?

Therefore be it resolved that we, the undersigned are opposed to the recent decision of the Supreme Court of the United States on abortion and we are strongly in favor of and advise that the Congress of the United States pass an amendment to the Constitution to be ratified by  $\frac{3}{4}$  of the states overriding the recent decision of the Supreme Court.

All addresses are in Ft. Wayne.

#### WHAT ARE THE REAL AIMS OF THE RUSSIANS?

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DERWINSKI. Mr. Speaker, as the opening sessions of the European Security Conference continue, it is useful to examine the possible objectives of the Soviet Union for the Russians have clearly been anxious for such a conference.

Mr. Stefan Korbonski, who served in the Polish Army in World War II against the Nazis, was an underground resistance leader during the war while Poland was occupied by Hitler's forces, and since then has been a leading political activist and prominent figure in Polish groups in exile, probed deeply into the matter of Russia's aims in Europe in an extensive June 3, 1972, article in *Human Events*. With the East-West talks still in their opening stages, the article remains timely.

Under leave to extend my remarks in the RECORD, Mr. Korbonski's article follows:

WHAT ARE THE REAL AIMS OF THE RUSSIANS?

(By Stefan Korbonski) \*

Since the Soviet Union has nothing to fear from Western Europe and, on the contrary,

\*Mr. Korbonski is chairman of the Assembly of Captive European Nations. In 1939 he served as a lieutenant in the Polish army. He was taken prisoner by the Russian troops but escaped to Warsaw where he helped to organize the Polish underground movement. As chief of the underground state, he again was arrested by the Russians in 1945. After his release, he fled to the United States in 1947, fearing another arrest for his anti-Communist activity. He is the author of *Fighting Warsaw*, *Warsaw in Chains*, and *Warsaw in Exile*.

Western Europe is endangered by the superior Warsaw Pact forces, what is the real reason for the present Soviet "peace offensive," to use Leonid Brezhnev's phrase, expressed in its demand for a speedy convocation of a European Security Conference (ESC)?

According to the program formulated by Brezhnev in October 1971 during his visit to Paris, its chief aims would be to guarantee existing frontiers, forbid interfering in the internal affairs of other states and ban the use, or the threat of the use of force.

Is there any real danger that the West European nations might encroach on existing Soviet or satellite borders, interfere in the internal affairs of the Soviet bloc or use force or the threat of force against the Soviet Union and its satellites? The present status quo in Europe has lasted in Europe for 25 years without any attempt on the part of the Western states to introduce changes of this sort.

The absence of any reaction whatsoever by Western Europe to the suppression of the Hungarian Revolution in 1956 and the invasion of Czechoslovakia in 1968 clearly indicates that Soviet Russia is the undisputed ruler of Eastern Europe, recognized as such by the countries of Western Europe if not de jure, then de facto. What is more, Soviet Russia and Poland have concluded nonaggression treaties with West Germany, which secure the borders of the westernmost satellite, East Germany, as well as Poland's western frontiers.

In a word, the Soviet Union and its satellites are not threatened by Western Europe. What, then, are the real reasons for Soviet demands for a speedy convocation of the ESC?

The answer to this question suggests a comparison to a ballistic missile with three warheads, each of which is to strike a different target.

The first is Western Europe. An ESC successful from the point of view of Soviet plans would mean, first of all, the signing by the Soviet Union and its satellites of a collective non-aggression pact with the Western European countries, with the United States and Canada, in the role of "guarantors" of some sort. A natural consequence of this pact will be the Soviet proposal that both military blocs be dissolved; i.e., NATO and the Warsaw Pact, or in any event that armaments be reduced and the number of foreign troops in the territory of Europe decreased.

The Soviet Union will probably offer concessions in order to break the deadlock over the pull-out of American troops from Western Europe. Without much risk, it can afford to agree to a formula on troop withdrawal, pulling back several of its divisions in exchange for the withdrawal of one American division across the Atlantic, some 3,000 miles.

The Soviet divisions, pulled back only 300 miles, could return to the territory vacated within a few hours through an airborne invasion. As for motorized troops, it would take but a few days.

On the other hand, the possible return of American troops would be a most complicated matter, both from the technical and political standpoints, one that presents a great many difficulties.

The Soviet Union seems to assume that the process of American troop withdrawal, once begun, will be impossible to stop, with a properly "peaceful" Soviet policy, and sooner or later all the American forces will be withdrawn from Europe. This process will be greatly accelerated by American troop withdrawal from Viet Nam, which is to be completed in 1972. Then, the pressure of American circles which have been demanding the pull-out of American troops from Viet Nam will be turned to American forces stationed in Europe. And once these troops leave Europe, they will probably never return.

The American people are so tired and disheartened by the war in Viet Nam that it is difficult to imagine a situation in which they would agree to another expedition of their

troops across the Atlantic. This is what the Soviet Union is counting on—that even in the event of the return of its troops to East European countries, "at the request of their fraternal governments, to save socialism," which can easily be arranged, the United States will not send its troops to Western Europe once again. In effect, then, the ESC is to realize the well-known slogan: "Yankee go home!"

Another result of the gradual withdrawal of American forces from Western Europe will also be the gradual disintegration of NATO, which has its moral as well as military foundation in the American forces stationed in Europe. Their physical presence cannot be replaced by any treaty guarantees.

A Soviet attack on Western Europe and on the American forces stationed there would automatically place the United States in a state of war with the Soviet Union. However, despite the fact that, according to the provisions of existing treaties, an attack on a Western Europe empty of American forces would also make the United States a combatant, this would be only theoretical so long as American forces did not get into the fight. And this could prove to be doubtful, since it would involve sending troops back to Europe, a move that may not be permitted by a powerful American public opinion that most likely will be in an isolationist and anti-war mood after the end of the war in Viet Nam.

As for an American atomic attack in defense of the threatened European continent, the increasing feeling in Western Europe is that the philosophy of American governments, the difficult domestic situation and the isolationism growing as a result of the war in Viet Nam, render the United States psychologically incapable of striking the first atomic blow. There would be a chance for this if American forces were attacked in Europe together with the forces of Western European countries. After these troops pull out, no such American attack can be expected. These views, initially expressed by General Charles de Gaulle, are shared by an increasing number of people.

Under these conditions Western Europe left to its devices, cognizant of its weakness in comparison with the Soviet colossus which, besides everything else, has outflanked it by a successful maneuver in the north (bases in Finland) and in the south (Soviet fleet in the Mediterranean), will have no choice but to adopt a policy of submission toward the Soviet Union, accompanied by psychological demobilization and moral disarmament.

It is enough to look at the map. At present, militarily Western Europe may be considered an American bridgehead on the other side of the Atlantic to some extent, backed by the entire might of the United States, equal—if not superior—to Soviet military power.

After the American forces pull out, Western Europe will be only a peninsula over which will hang heavily—both militarily and politically—the immense bulk of the Euro-Asian continent controlled by Soviet Russia. Western Europe will have to bend under its very weight, and to succumb to Russia's political domination.

Thus, the first goal which lies behind the Soviet demands for an ESC will be realized. This goal is the "Finlandization," if not the "satellization" of Western Europe by peaceful means.

The second target is Eastern Europe. The lack of reaction on the part of the Western world to the suppression of the Hungarian Revolution in 1956 and the invasion of Czechoslovakia in 1968 has caused the countries of Eastern Europe to lose faith in help from the West that would restore their liberty and independence. They know that the true ruler of their countries is the Soviet Union, and not the local Communists it appoints.

The political groundwork for its domination was laid during the war at Teheran and

Yalta, where Eastern Europe was recognized to be a sphere of Soviet influence. Despite this, the nations of Eastern Europe are observing with great interest the rivalry between the two world powers with differing forms of government and ideology—the United States and Soviet Russia—and wish success to the United States with all their hearts.

To this day, even among the lowest social strata in Eastern Europe, there still persists an irrational, mystical faith in the United States, which no disillusion has been able to destroy up to now. In accordance with this belief, one day, not clearly defined, the United States, like the avenging Archangel Michael, will crush Satan—Soviet Russia. Besides, by keeping the Soviet Union in check in the international arena, the United States somewhat hampers its freedom of movement in the satellites, which fosters a certain evolution of conditions not only in these countries but even in the Soviet Union itself.

Finally, the countries of Eastern Europe consider themselves a part of Western culture and civilization, and desire increasingly close ties with the United States and Western Europe.

At any rate, they are not reconciled to their present fate, as revealed by sporadic, violent outbursts. It is enough to recall that in the largest satellite country, Poland, the following occurrences have taken place: The revolt in Poznan in the days of June 28–29, 1956, followed by street fights with the police and the army, in which about 300 people lost their lives (the official figure given was 53), and about 1,500 were wounded; student disturbances in eight university cities in March 1968, in which about 50,000 students demonstrated and clashed with the militia, later to be subjected to mass arrests, trials, convictions and expulsion from the universities; a week-long revolt of workers in Gdynia, Gdansk and Szczecin, as well as other coastal Baltic cities in December 1970, when several hundred persons lost their lives and were secretly buried by the militia in the night in unmarked places and collective graves, and several thousand were wounded (official figures: 45 dead, 1,165 wounded, of these 564 civilians, 531 functionaries of the militia and auxiliary militia, 70 officers and men).

The last outbreak was particularly dangerous for the Communist regime, since in the "nation of workers and peasants," the supposedly ruling class revolted; i.e., the shipyard and port workers. The immediate cause of the disturbances was the provocative increase of food prices on the eve of the Christmas holidays, but they did not have the characteristics of a hunger riot, since they immediately evolved into revolutionary action, during which political demands were made.

In any case, all action, regardless of why it began, takes on the character of political action if it ends in the burning of three buildings—the seats of the ruling party—and the toppling of the government.

The Soviet Union has no illusions about the true feelings of the people of Eastern Europe, and that is why one of the goals of the ECS is to secure official confirmation from the Western states that the decisions taken in the agreements concluded in Teheran and Yalta are still binding and that the West is still not interested in the fate of the people of Eastern Europe.

The conclusion of the agreements at the ESC proposed by the Soviet Union would amount to confirmation of the status quo by the Western states. It would strip the people of Eastern Europe of the last shreds of hope for changes for the better which might come from the West they idealize, since for a second time it would have turned its back on them.

In short, an ESC successful from the Soviet point of view would bury all liberation aspirations of the people of Eastern Europe. It would be followed by a drastic tightening

of the reins and the liquidation of the remnants of liberal gains.

The time would also come for a reckoning with the *Ceausescu Fronde*, which the Kremlin has been forced to tolerate up to now, but to which it has never become reconciled. Rumania, confronted with the political victory of the Soviets at the ESC, would have no choice but to capitulate, while Ceausescu would share the fate of Dubcek.

After Rumania, it would be Yugoslavia's turn. In the Soviet view, Yugoslavia is an agglomerate of six nations, joined in a personal union embodied in the ruling sovereign—Tito—but torn internally by various nationalisms and by separatism.

So long as Tito is alive, the Soviet Union, which has lost a number of political skirmishes with him, will preserve its restraint. However, after his death or resignation, by playing on the existing deep-seated divisions in the country, the Soviet Union will step up its efforts to split Yugoslavia and to liquidate its independence.

Finally, the last goal of an ESC successful for the Soviets will be the arrest and liquidation of Communist China's influence in East Europe. After receiving confirmation from the Western powers of its undisputed domination over Eastern Europe, the Soviet Union would no longer feel constrained and, by means of terror and police methods, would seek to liquidate pro-Chinese factions in the local Communist parties by all available means, and also to suppress the hopes that have been stirred in the hearts of the people of East Europe by the Sino-Soviet conflict.

The Soviet Union realizes full well the tremendous political possibilities of China in East Europe and the great potential East Europe holds for China. The Soviet Union knows that as much independence from Soviet Russia as possible for the countries of East Europe is in the interest of China (in this respect, Chinese interests coincide exactly with those of the United States). The more independent these countries are, the less the Soviet Union can count on their considerable economic and military potential, the more it must concern itself with its western flank, and the less freedom of movement it has on the eastern flank, i.e., its borders with China.

If, in connection with its growing conflict with the Soviet Union, China wished to bring about an increase in opposition to the Soviets, it could easily do so by pursuing a policy that would appeal not so much to the Communist parties and their leaders, as to the national and patriotic feelings of the population of East Europe, even though it is overwhelmingly anti-Communist. China would be capable of this, since, as experience demonstrates, in Communist states ideology always gives way to national interest.

Chinese policy in East Europe up to this time has been characterized by caution and the use of half-measures. (Albania, Rumania and Yugoslavia are exceptions. The first of these countries receives full political and material backing, while the second and third get only political backing, and rather moderate at that.)

During his meeting with Japanese Socialists on July 1, 1964, Mao Tse-tung condemned the Soviet annexations in East Europe, but did not demand, either at that time or later, the return to their rightful owners. Similarly, after the invasion of Czechoslovakia, China deprecated the Brezhnev doctrine, but did not call for the withdrawal of Soviet forces from that country.

In the same way, the pro-Chinese faction of the Polish Communist party also received only partial backing from the Chinese. After the escape of its leader, Kazimierz Mijal, to Albania with the help of the Albanian Embassy in Warsaw, acting on Chinese orders, he was given access to the radio station in Tirana. From there, he spoke to his followers in Poland—until December 1970 branding

Wladyslaw Gomulka, and after that date Edward Gierke, as "traitors to the working class, revisionists and Kremlin agents."

But Mijal was not invited to Peking, even though Radio Peking also broadcasts programs to Poland in the Polish language, despite the fact that from Peking he could have spoken with the additional support of Chinese authority. In this case the Chinese preferred to use Albania as their screen.

The Soviet Union is also aware that this cautious Chinese policy could be replaced by a more dynamic one, which might offer a threat to its domination in Europe.

Every political declaration of China, a nation 800-million strong, with about 4,000 miles of common border with the Soviet Union—what is more, a country that is in a state of "cold war" with the Soviet Union—now carries greater weight in East Europe than, for instance, did the one-time declarations by the United States, separated from the Soviet Union by 3,000 miles, in the period of the so-called "policy of liberation" of Secretary of State John Foster Dulles.

Chinese options run the gamut from a declaration that China does not recognize the present status quo in East Europe, but does recognize the right of the nations of this region to self-determination, all the way to demands for the withdrawal of Soviet forces and agents from East Europe and restoration of true freedom and independence to these countries.

A solemn proclamation of such policy by China, appealing not only to the Communist parties but also to the 100-million population of East Europe, despite the fact that it would be impossible to realize under present conditions, could bring East Europe to the boiling point and would lead to a tremendous increase in anti-Soviet feelings. This would have great practical implications for China, since the Soviet Union, considering the possibility of armed conflict with China, would have to take into account the atmosphere of rebellion in East Europe, which could break out into open revolt in the event of a possible Soviet entanglement in a war with China in Asia (a Soviet Viet Nam).

This atmosphere would be bound to have a moderating effect on the Soviet Union, forcing it either to grant far-reaching concessions to the East European countries, or to keep its own divisions there, since satellite forces could not be trusted. Both of these results would be in the interest of China.

Also, in case of an armed conflict with China, if the Soviet Union decided to dispatch satellite divisions to the Asian front, it would not be able to completely rely on them. The fear that these divisions might be sent to the Chinese front is becoming more prevalent in East Europe today.

The current opinion is that these divisions would be destroyed either by the Chinese, the climate, or by the Russians themselves, who are well aware of the anti-Soviet mood of, for instance, the Polish army. The memory of the Katyn forest, where the Soviets murdered 4,253 officers of the Polish army taken into Soviet captivity in 1939 and the disappearance without trace in the Soviet Union of another 10,000 officer-prisoners, the flower of the Polish intelligentsia, is still fresh in Polish minds.

Young Polish boys, escaped from Poland, have already appeared in Italy and Austria, giving as the reason for their escape the dread of service in the Polish army doomed to fight the Chinese in case of a Sino-Soviet conflict; like their grandfathers, who escaped to America in 1905 in order not to serve in the Russian army fighting the Japanese in Manchuria. History is repeating itself.

Under these conditions, a rapid liquidation of pro-Chinese factions in the Communist parties and the suppression of the people's hopes for a Sino-Soviet conflict—to be facilitated by the ESC—are of enormous importance for the Soviet Union. These hopes soared after President Nixon's visit to Peking,



since in the eyes of the people of East Europe, every American-Chinese rapprochement will be directed against the Soviets, regardless of what the United States says about this.

The third target is Communist China itself. According to Soviet plans, an ESC ending with the signing of a general non-aggression pact by the countries presently forming NATO and the Warsaw Pact would indicate to China that the Soviet Union had secured its western flank and could now remove its divisions from East Europe, shifting them to the Chinese border, and that in case of an armed conflict, China could not count on the opening of a second front in Europe.

On the contrary, because of the proverbial greed of capitalist countries, the Soviet Union will be able to count on the services of the huge industrial resources of Western Europe and perhaps even the United States in case of an armed conflict with China.

According to Communist doctrine, the capitalist countries are willing to "sell the rope for their own necks" for profit—then why not arms, which are to be used by one Communist state against another?

In a word, after the Soviet Union finally settles its European affairs and, to a certain extent, in view of U.S. and Canadian participation in the ESC, also its relations with America, it will gain a great deal of freedom of movement in Asia, extremely dangerous for China.

In connection with the above, the hidden edge of an ESC successful for the Soviet Union will be directed against China. It might even be appraised by the Chinese as Soviet preparation for a strike against China. In this respect the Soviet concept of the ESC is reminiscent of the Hitler-Stalin pact of August 1939. At that time Hitler, after he had decided to attack Poland, concluded an agreement with the Soviet Union, the heart of which was a non-aggression pact. Could it be that the Soviet Union is seeking a non-aggression pact with Western Europe because it is preparing to strike at China?

For all these reasons, an ESC—in the Soviet concept—would be a serious diplomatic blow to China and could have a pronouncedly negative effect on its relations with Western Europe and the United States. Consequently, it could bring results not intended by the American and European contracting parties, and become a real trap for them.

How can this be avoided? Only by the presentation of counterproposals, since the Soviet ones will not result in true security for Europe, but will only form its fiction.

True security can only be achieved by the liquidation of the causes that threaten it. One of these is the transformation of the countries of East Europe, independent before the war, into Soviet colonies. So long as these countries do not regain their freedom and independence, there can be no question of a lasting security and peace in Europe. Therefore, to secure a lasting peace in Europe, the matter of the restoration of self-determination to the nations made captive by the Soviet Union should be placed on the ESC agenda. If the Soviet Union does not agree to this, the ESC should not take place.

Surely it is not in the interest of the Western world to repeat the mistakes made in Teheran and Yalta and to establish in Europe, if not in the whole world, a *Pax Sovietica*.

#### LITHUANIAN INDEPENDENCE DAY

**HON. JOSEPH P. ADDABBO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. ADDABBO. Mr. Speaker, I am pleased to join with my colleagues in

the House of Representatives in recognizing the 55th anniversary of the establishment of the Republic of Lithuania.

Each year people of Lithuanian origin and descent throughout America commemorate this event while Members of Congress take time to comment on the history and tragic denial of freedom to the Lithuanian people since the illegal occupation of that state. There are many troubled areas in the world but the basic international crime of oppression is one which must not go unprotected.

The Lithuanian experience is important as we debate the issues at the forthcoming European Security Conference and as we use our best efforts to protect the right of self-determination so basic to freedom anywhere in the world. The Lithuanian people have not lost hope for a better society and we in the United States share their desire for freedom and the right to determine their own destiny.

#### SELECT COMMITTEE ON CRIME

**HON. BILL GUNTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. GUNTER. Mr. Speaker, I call your attention and that of my colleagues to the following editorial broadcast over WTVJ in Miami, Fla., in support of the extension of the Select Committee on Crime which is chaired by Congressman CLAUDE PEPPER. I would also like to add my personal recommendation that the Select Committee on Crime be elevated to full committee status.

The editorial broadcast follows:

"ONE CRIME WE DON'T NEED IN WASHINGTON"

Senator John Stennis is gunned down in front of his home in Washington. The Gallup Poll lists the American public's number one concern as crime.

Violence, fear, safety on the streets and in the home, is a continual concern no matter who you are or where you live.

The matter, naturally, is a concern of the Congress.

That is why the House of Representatives, back in 1969, established a special committee on crime. It is headed by Claude Pepper of Miami . . . an old hand on Capitol Hill . . . and a Congressman with vigor at the age of 72.

In its four years of work, the Pepper Committee has looked into organized crime, aerial hijacking, the nation's drug crisis and is now ready to embark on an intensive probe of street crime.

It is ready, that is, if Pepper's fellow Congressmen let him.

Select committees are temporary entities, normally funded for a two-year operation. Pepper needs at least one more year to wrap things up.

But there are forces trying to kill the committee when its current appropriation runs out a week from Wednesday.

The drug manufacturers lobby, for one, is not happy with the committee's recommendations on stiffer prescription drug controls.

Republican House leadership reportedly would just as soon see street crime revelations curtailed . . . the crime rate may not have dropped as the administration has claimed. The G.O.P. is not enthusiastic about continuing the committee's life.

There are some internal committee jurisdictional disputes with some Congressmen feeling that the Pepper Committee is stealing some of their territory and thunder.

Whether the committee gets a new lease on life may be decided next week.

Renick. We can find no good reason to kill the committee. One of its major accomplishments has been in the field of drug use in schools with a proposal that every school in the nation have a drug counselor on campus.

Now the committee is ready to turn its attention to the area of street crime . . . a subject well known to Senator Stennis and to millions of other Americans.

The committee is generating research and findings that will be helpful to law enforcement agencies, legislators and the public.

The crime now would be to scuttle the House Select Committee on Crime.

#### VOICE OF DEMOCRACY CONTEST

**HON. JULIA BUTLER HANSEN**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mrs. HANSEN of Washington. Mr. Speaker, the Washington State winner in the Voice of Democracy Contest sponsored annually by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary is Miss Janet Hunke, Route 15, Box 264, Olympia. She is the daughter of Mr. and Mrs. Richard Hunke.

Her winning entry and scholarship program follow:

#### VOICE OF DEMOCRACY PROGRAM

(By Janet Hunke)

Quoth Epictetus in our first century A.D. "No man is free who is not master of himself." And like Epictetus, I believe freedom begins at home, within myself. But what is this freedom? Even an ideal requires a structure. Within my "House of Freedom," Epictetus establishes my foundation—to be myself. I am responsible to act according to my own principles; not values predetermined. If I am to be myself, I need to determine my own goals. Most importantly I must be honest with myself, so that honesty establishes the foundation of further relationships. For freedom is a state of liberty rather than confinement. Freedom consists of being myself.

And now that my foundation is firmly laid I need to build walls. The walls of my Freedom House are composed of bricks of respect, respect for other people. This respect prevents me from encroaching on another builder's property. The activities within my house must not threaten the rest of the neighborhood. Consequently, I am treated with consideration, and I can appreciate another person's worth. Therefore, the foundation of my house enables me to be myself, and the walls make certain my actions don't trespass on the rights of others.

All that is needed now is a roof to complete my House of Freedom. I believe my ceiling should consist of knowledge. I must be well-informed to develop insight. I should determine fact from fallacy. Yet, understanding requires constant attention. Facts, truths, and principles must be continually renewed to prevent the reins of illusion from destroying my freedom. And the strength of awareness protects against the winds of ignorance. Yes, knowledge is weather-proof, and it's vital to the maintenance of my Freedom House.

To build a house today a contract is required. My contract includes the responsibility

ity to vote in order to express my opinions to the rest of the neighborhood. At times my neighborhood sponsors games that don't involve fair play. I'm obligated to investigate the rules of the game, and to remind the players of the importance of justice. If a member of the neighborhood discards his waste on the street, I have the responsibility to petition and restrict his actions. Some neighbors have greater or lesser wealth than myself, and I'm responsible to knock upon their doors and meet those who live inside. It's my obligation to remain informed as to the actions of my neighborhood, so that I can play an active part in its endeavors.

The day I lose care, and stop maintaining my House of Freedom, it will deteriorate, and I'll no longer have a home to live within. In the wise words of Woody Guthrie:

Freedom is the right to get together  
And to work for each other instead of against  
each other.

And that's why  
The Freedom Side  
Little by Little  
Little at a time  
Has always won every battle  
And will keep on winning—  
Will keep on living  
Because life is freedom  
And without either one you don't need the  
other.  
They're one and the same thing.

"My Responsibility to Freedom": THE 26TH ANNUAL VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM, 1972-73

The Voice of Democracy Scholarship Program sponsored by the VFW and its Ladies Auxiliary is conducted annually in our nation's secondary schools during the fall term. It is a national broadcast scriptwriting program which provides an opportunity for 10th, 11th and 12th grade students in our public, private and parochial schools to think, write and speak up for freedom and democracy.

"My Responsibility to Freedom", theme for the VFW's 26th annual Voice of Democracy Scholarship Program, focuses the attention of youth on the principle that freedom is a responsibility and not a license. It calls upon the youth of America to make a personal evaluation of their responsibility in preserving our freedom heritage.

Participating students prepare and transcribe on magnetic tape a three to five minute broadcast script addressing their remarks to the theme, "My Responsibility to Freedom." At each level of judging—school, community, District, State and National—winners are selected from the evaluation of the judges using three basic criteria. These criteria and the maximum point value assigned to each are: Content, 45; Originality, 35; and Delivery, 20.

Upwards of 500,000 students from over 7,000 secondary schools participated in this year's 26th annual Voice of Democracy Program.

Each state winner receives an all-expense paid trip to Washington, D.C., March 2-7, 1973, and competes for one of five national scholarship awards provided by the VFW. The first place winner receives a \$10,000 scholarship to the school of his or her choice; 2nd place, \$5,000; 3rd place, \$3,500; 4th place, \$2,500; and 5th place, \$1,500. In addition, the monetary value of scholarships and awards presented by the VFW and its Ladies Auxiliary to the winners at the Post, County, District and Department levels will be in excess of \$300,000 this year.

During the five days in Washington, D.C., the state winners have an opportunity to meet their United States Senators and Representatives, visit the shrines and monuments in our nation's capital and observe firsthand the workings of our federal government.

The Voice of Democracy Program was originated by the broadcasting industry and the United States Office of Education 26 years ago, and for over a quarter of a century now it has had the continuing support of the National and State Associations of Broadcasters and Secondary School Principals. Broadcasters and Educators alike have been enthusiastic in their endorsement of the Voice of Democracy Program and have contributed generously of their time and expertise in the programs' development.

## RACE RELATIONS IN THE ARMED FORCES

### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. CLAY. Mr. Speaker, racial tensions aboard the aircraft carriers *Kitty Hawk* and *Constellation* and at two naval installations are not the result of permissiveness by the Navy as some would have us believe. These incidents reflect the continuing problem of racial injustice in the armed services. While some efforts have been made to secure equality for black servicemen, I think the incidents aboard these naval vessels signal just how far short we are of our goal.

In addressing itself to this great injustice, the National Council of the Churches of Christ in the U.S.A. has adopted a resolution calling for a renewed effort to improve race relations in the armed services. I commend this resolution to my colleagues.

The resolution follows:

#### RESOLUTION ON RACIAL TENSIONS AND VIOLENCE IN THE ARMED FORCES

(Adopted by the General Assembly  
December 7, 1972)

Whereas, racial tensions aboard the aircraft carriers *Kitty Hawk* and *Constellation* and at two naval installations are alleged by some to be the result of "permissiveness" by the Navy rather than conditions of racial injustice and inequality of opportunity, and

Whereas, it is unreasonable to assume that any Unit of the Armed Forces can be militarily sound or remain strong under stress if its personnel must live and work in an atmosphere of prejudice, injustice and inequality of opportunity in such matters as assignment, training, promotions and housing, and

Whereas, historically, the military services have made some significant advances in the process of desegregation, and

Whereas, the National Council of the Churches of Christ in the U.S.A. has consistently called for and supported efforts by all branches of government to assure equal opportunity and full dignity for all citizens.

Therefore, be it resolved that the General Assembly of the National Council of Churches of Christ in the U.S.A.:

1. Commends those civilian and military leaders of the Armed Forces who have restated their commitment and redoubled their efforts to achieve racial justice in the Armed Forces, at this time, most notably Admiral Zumwalt of the Navy.

2. Urges the Department of Defense, the secretaries and military commanders of the separate services, and their subordinates at all levels in the Armed Forces to give the highest priority to the identification of every vestige of racism in the military community.

## THE LAST ALARM

### HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BURKE of Massachusetts. Mr. Speaker, at this time I feel compelled to call to the attention of my colleagues the tremendous job being done by our Nation's firefighters, in particular, Fireman Arthur L. Ceurvels, of Quincy, Mass., who perished tragically February 1 in the line of duty. These courageous men put their lives in peril at every alarm. The sudden passing of such a brave dedicated man as Arthur Ceurvels seems only to underscore the great debt we will eternally owe these selfless men. It is indeed sad that we only find time to honor our firemen when they have made the final sacrifice. But it is truly a tribute to men like Arthur Ceurvels that they seek no great praise for their work. Perhaps that is the mark of a true man, for Arthur Ceurvels was, like so many before him, truly deserving of description as "Boston's Finest." My condolences go out to Mrs. Ceurvels, her six children, and the rest of the Ceurvels' family, upon this sad occasion. The following newsclipping accurately describes the moving final salute given to Fireman Arthur Ceurvels:

#### FIREFIGHTER ARTHUR CEURVELS GIVEN FINAL SALUTE IN MASS

QUINCY.—The final salute was given and the last alarm tolled at 12:40 p.m. yesterday for Boston Firefighter Arthur L. Ceurvels, 48, of Quincy, as more than 3,000 firefighters stood at attention in a quarter-mile-long, three-man-deep row on Bryant Avenue, opposite the East Milton fire station, as the cortege slowly left St. Agatha's Church, East Milton, and traveled slowly to Blue Hill Cemetery in Braintree.

The Rt. Rev. Msgr. James Keating, chaplain of the Boston Fire Department, delivered the homily for the 26-year-veteran known as Archie.

Other priests who concelebrated the funeral mass were the Rev. Fr. James Lane, chaplain of the Boston Police Department; the Rev. Fr. Leo E. Nolan of St. Ann's Church, Dorchester; the Rev. Fr. Daniel P. Hegarty of Sacred Heart Church, Roslindale; the Rev. Fr. Daniel J. Mahoney of St. Francis de Sales Church, Charlestown; the Rev. Fr. John P. Coffey, pastor of St. Augustine's Church, South Boston; the Rev. Fr. John Kelly, S.J., of St. Joseph's Church, West End; the Rev. Fr. William D. Coughlin of St. Joseph's Church, Wakefield; the Rev. Fr. Jeremiah J. Cullinane of St. Thomas More Church, Braintree, chaplain of the Associated Firefighters of Massachusetts, and the Rev. Fr. William J. O'Connor and the Rev. Fr. Martin T. Cogavin of St. Agatha's Church. Both the main sanctuary and the lower chapel of the church were filled to capacity. About 300 other firefighters stood outside the church grounds.

St. Agatha's parochial school was closed because it was the feast day of St. Agatha.

Firefighters came from Detroit, Mich., Cleveland, Ohio, Buffalo and New York City, Providence and from New Hampshire.

Howard McClennan, president, and Daniel Delagarto, secretary-treasurer of the International Association of Firefighters, were there from Washington, D.C.

Attorney General Robert H. Quinn and Secretary of Public Safety Richard E. McLaughlin were present.

Also attending were Leo Laughlin, presi-



dent of the 100 Club; Newton Fire Chief and Fred Perkins, representing the Mass. Fire Chiefs Assn.; Holyoke Fire Chief William Mahoney, representing the New England Fire Chiefs Assn.; Joseph Snyder, state fire marshal, and Martin Curry of the state Building Trades Council.

Other dignitaries there were Edward Sullivan, deputy mayor of Boston, Sen. Joseph Timilty, D-Boston, Boston City Councillor Albert O'Neill and Quincy Mayor Walter J. Hannon.

Rep. Michael F. Flaherty, D-South Boston who filed legislation jointly with Firefighter Ceurvels, was also there.

Legislation pertaining to binding arbitration which was defeated last year by four votes was refiled this year and scheduled for a hearing in three weeks. Another bill which they jointly sponsored was an amendment to a pension bill which would provide an equal pension to the surviving minor children if the widow of a firefighter killed in the line of duty died.

Firefighter Ceurvels died Friday at Boston City Hospital. He was responding to an automobile fire at the corner of Broadway and H Streets, South Boston, when the ladder truck skidded and struck an abutment on Southampton Street, throwing him from the jump seat. The truck jackknifed and rolled over him.

Firefighter Ceurvels was instrumental in unionizing the Boston Fire Department some 20 years ago and had served as vice president and president of Local 718 of the International Association of Firefighters. At the time of his death he was president of the Associated Firefighters of Massachusetts, a post he had held for the past three years.

He is survived by his wife, Mrs. Ann L. (Hurley) Ceurvels; four sons, Arthur L. Ceurvels, Jr., Richard Ceurvels, Joseph Ceurvels, and Gerald Ceurvels, two daughters, Miss Diane L. Ceurvels, and Catherine Ceurvels.

He is also survived by his mother, Mrs. Anne (Ross) Ceurvels of Groton; five brothers Joseph Ceurvels of Walpole, a Boston firefighter; Oscar Ceurvels of Dedham, Roy Ceurvels of Abington and Robert Ceurvels of Burlington, also a Boston firefighter; and two sisters, Mrs. Dorothy McIsaac and Mrs. Muriel McMillan, both of Groton.

#### THE 55TH ANNIVERSARY OF ESTONIAN INDEPENDENCE

### HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973

Mr. HUBER. Mr. Speaker, Saturday, February 24, marks the 55th anniversary of Estonia's independence. Estonia is one of the three small Baltic nations that sits unwillingly under the Soviet yoke. As in the case of Lithuania and Latvia, Estonia has been under Russian rule, except for the brief period between World War I and World War II. As with the other Baltic nations, Estonia has suffered from two Soviet and one Nazi German occupation. The United States still does not recognize the validity of the Soviet occupation of Estonia, and a legislation furnishes diplomatic representation for Estonia in Washington, D.C.

Estonia, during its brief period of independence, enjoyed a unique constitution. The drafting committee for this constitution is said to have relief upon the models of Switzerland, France, and

the United States for its fundamental principles. These principles, of course, do not fit the mold of the "dictatorship of the proletariat" principles as understood by the disciples of Marxism and Leninism that presently rule Estonia.

When the Red Army rolled into Estonia in 1940, it is estimated that some 60,000 Estonians were arrested and exiled to distant parts of Siberia. And this was only part of the reign of terror that ensued. From June of 1941 through October of 1944, Estonia existed as a virtual province of Nazi Germany. When the Red Army returned in 1944, whole areas of Estonia were cleared to make for settlers from other parts of the Soviet Union. This became a pattern of Sovietization of the country as the Communist Party of the U.S.S.R. sought by this means to dilute and weaken Estonian national spirit.

However, the evidence indicates, as in the case of the other Baltic nations, that national pride, and a yearning for freedom still exists in Estonia. We, in the Free world, must nourish their hope for freedom and justice and not forget them.

#### LITHUANIAN INDEPENDENCE

### HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. GUDE. Mr. Speaker, I welcome this opportunity to join with my colleagues in commemorating the 55th anniversary of the Declaration of Independence of Lithuania. At this time may we extend our warmest expression of friendship and support to the freedom-loving people of this country, which remains under illegal occupation by the Soviet Union.

Having officially declared its independence on February 16, 1918, Lithuania was promptly invaded by the Russian Red Army in 1919, yet successfully cleared its land of the invaders and enjoyed two decades of self-government between the two World Wars. However, 1940 brought further invasion and full occupation by the Soviet Union. Along with Estonia and Latvia, Lithuania was soon acclaimed a Soviet Republic.

Over these past 30 years, the Soviets have continued their illegal annexation and occupation, denying the citizens of Lithuania very basic human rights and freedom of expression. Religious persecution in Lithuania is particularly severe, where the Catholic Church has suffered various forms of discrimination.

May we take this occasion to salute the Lithuanian people in their resolve to fight for human rights and self-determination. Today the Soviets cannot suppress their aspirations for freedom, and all free nations of the world join in support of their cause. The United States has never recognized the incorporation of the Baltic States into the Soviet Union and continues this policy.

#### THE OLYMPICS MUST BE SAVED

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. KEMP. Mr. Speaker, the tragedy surrounding the Munich Olympics gave rise to a great deal of speculation about the inevitable demise of the Olympics. Now that the emotion of the moment has passed, concerned people can more reasonably offer their opinions on the kind of Olympic games that might best serve the tradition of sport in the years to come.

In light of the support which has arisen in the wake of the most recent Olympic ordeal, I cannot believe that the Olympics are nearing extinction. Much thought has been given to the future of the Olympics by many people, but none has demonstrated greater commitment to their continuation, with greater seriousness, than Payton Jordan, track and field coach at Stanford University, a close friend of mine and my former coach at Occidental College in Los Angeles.

Payton Jordan has committed his life to the pursuit of excellence in sport, and none can speak with greater wisdom and authority on the future of sport than he. Presently the vice president of the International Track and Field Coaches Association, he has served as head coach of the 1968 U.S.A. Olympic track and field team to Mexico City and as assistant coach of the U.S.A. Olympic track and field team to Tokyo in 1964. His 32 years as a track and field coach mark him as one of the deans in the field of sport.

Those sincerely concerned about the future of the Olympics would do well to heed his words. His wisdom and his devotion are beyond question.

He has recently written an article entitled, "The Olympics Must Be Saved," which forthrightly addresses itself to the Olympic crisis. I recommend it highly and include it at this point in the RECORD:

#### OLYMPICS MUST BE SAVED

(By Payton Jordan with Stanley Wilson)

It all started over 2,000 years ago as a national festival of the Greeks, probably connected with rites paid to a deity. After being discontinued for a considerable period, they were re-established in the Ninth Century, B.C. by Iphitus, king of Elis, and Lycurgus, who were commanded by the Delphic oracle to revive the festival as a remedy for pestilence with which Greece was then afflicted. At first the festival was confined to a single day, and consisted of a simple match of runners in the stadium, which was about 200 meters long.

As the celebration grew, they were open to persons of all ranks and occupations. The only conditions were that the contestants should prove a pure Hellenic descent and of good moral character. Of highest importance, the participants took a solemn oath to contend fairly. Thus the Olympics were born.

After the Seventh Olympiad, Daicles the Messenian received for his victory in the stadium a wreath from the sacred olive tree at Olympia. This simple reward, with the honor of being proclaimed victor, was considered sufficient for everlasting glory.

A few years ago, I stood at the confluence of the Cladius and Ruphia rivers, the site

of the ruins of the ancient Olympia. It was a spiritual, ethereal moment during which I fully understood the evolution of man, his role in athletics, and his relationship to all of mankind.

Through years of being a participant and a coach, I have been a small part of that evolution—I shared a piece of this world with my fellows. We shared the emotions of losses, pitfalls, embarrassment, and anguish. But through it all, we learned a treasured lesson: a great loss makes a better winner, and it is a brave man who can accept the emotional wrenching of losing. But it didn't stop there. Rather than casting fault and striking out at everything and everyone around us, we prepared for another, a better day.

Now, however, the Olympic tradition and heritage face a crisis that transcends the original intent. Blood, not glory, stains the grounds of Munich. It is blood that has become a universal nightmare. It is blood that has cast a grotesque and ominous shadow around the world.

For the first time in Olympic history, the victory stand was draped in black and the flags of 122 competing countries flew at half mast mourning the 11 Israeli dead.

The immediate responses heard around the world were not to prepare for another, a better day. They cried out against the complexities of nationalism, fanaticism, intrigue, and bureaucratic ineptness.

But the cries against the Black September terrorists overshadow controversies that began virtually from the moment the first of the 10,000 athletes, coaches, trainers, and officials arrived for the Games. Ironically, Germany's object was designed to demonstrate the changes that had occurred between the Nazi Germany of 1936 and the gracious host of 1972.

Munich Lord Mayor Dr. Hans Hocken Vogel expressed the German's labor of love on the opening day:

"Our intention is not only to build modern installations in a pleasant, parklike setting and provide faultless organization . . . Munich's actual goal is to hold a festival of peace in the spirit of the Olympic idea, characterized by understanding, reconciliation, and brotherhood among all peoples. . . . But it wasn't to be.

From the beginning there was strife. A number of American blacks, operating as a nameless-leaderless group, and eighteen African nations hinted they would walk out over the entry of Rhodesia. Political bickering, the imposition of gags on athletes, and charges of human rights permeated the pleasant Alpine community of Kempten.

It was claimed that the quality of some of the officiating denied competitors an honest chance; political prejudice overcame impartiality in judging; the loss by the United States basketball team to the Russians came under severe attack; Rick DeMont, 16-year-old American swimmer, was deprived of his gold medal in the 400 meters free-style after failing a drugs test, a medication he said was necessary to combat asthma; brilliant Mark Spitz enplaned home to America before the Games concluded because he is a Jew and was in fear of his life.

A feeling emerged that some countries are willing to drop out of the nationalistic race which they claim the Olympic Games have become, with political systems, rather than athletes competing.

Dr. Roger Bannister, Chairman of the Sports Council of Great Britain, was succinct in his analysis of the tending change in the role of the Olympics:

"This is inconsistent with human dignity and the concept of freedom and enjoyment which first gave rise to sport. . . ."

Avery Brundage, the 84-year-old retiring president of the International Olympic Committee, declared after the Israeli massacre: "The Games must go on."

A multitude of athletes and coaches agrees

that the Games must continue, but the disparity in procedures is wide.

"Medals aren't everything," said Clifford Buck, president of the U.S. Olympic Committee, "but I confess that I thought we'd do better. When we get home, we will have a meeting to evaluate our performance."

An Olympic participant after the games was heard to remark, "We were a big bust. We must go to Congress and have the entire U.S. Olympic Committee reconstructed."

Others in the sports field have suggested the ultimate, that the Games be dissolved.

We feel, however, that there are other answers that will return the Games to their intended purpose, will provide dignity and honor for individual athletes, will eliminate nationalistic polarization, and will furnish a once-in-a-lifetime experience for spectators.

The conclusions were arrived at because for the first time it was my privilege to view the Games as a spectator and evaluator, not as a critic or a participant. Rather, it was the view of one who sees the values of the Olympic movement. These values are not isolated, but encompass all nations, their participants, and their citizens. For the world community, the Olympics must be saved.

In the first instance, we view with abhorrence the violence that occurred at the Games. However, it is the madness of society, not the madness of this particular Olympics. It was the act of a maverick fringe that would turn the wholesome people of the world against each other.

In just sixteen days, we saw the good and the bad mirrored before the eyes of the world. But we do not necessarily believe that imperfections should prevent forward progress. Rather, now is the time to stand back in the meadow and look at the forest rather than the trees. Learning, rather than rhetoric, must come from unwholesome and despicable experiences. The Olympics still have so much more to offer humanity than anything yet devised by man. This is separate from religious beliefs, but the two have a kinship. We would be guilty of a grave error if we lost sight of our Maker, who guards us and gives us strength. The ancient Greeks paid tribute to their deity as they competed. We believe that today's Olympic competitor cannot participate without paying similar homage.

With this interrelationship of the spiritual and the physical, combined with common endeavor, this should be a moment in history when we not only can save the spirit of the Olympics but improve upon them and make them of even greater importance and significance for the participants and the citizens of the world.

What are the steps that would lead to this rejuvenation of the true Olympian purpose? In the first instance, nationalism must be minimized. We concede that certain athletes always will represent certain countries. However, resentment often occurs when a particular country dominates and its national anthem is repeated until its notes become an irritant rather than a tribute. We would suggest that an official Olympic fanfare be played as the appropriate medals are placed over the victors' heads. This would represent the ultimate moment of honoring a champion who has competed against his peers rather than against a representative of a specific nation. It would represent the glory of man against man instead of glorifying nationalistic interests. If nations wished to honor individual efforts within the context of nationalism, appropriate ceremonies could take place within the specific nations' Olympic compounds or when the team members return to their respective homelands.

This method of honoring man against man would point up the basic tenet of sports: responsibility of an athlete to himself, to his team-mates, and to his country. Failing to recognize and shoulder responsibility

too long has been a failure of society. Man and athlete must be given the opportunity to achieve according to his own genius. Man and athlete each faces one or more moments of responsibility; however, that moment must be preceded by training, respect for authority, guidance, and self or imposed discipline. When applied to an athlete, discipline provides a reinforcement that permits the competitor to reach heights that once were foreign to him.

The elimination of scoring points and listing medals won by nations would enhance appreciably this head-to-head competition and reward. This element most probably would be extremely difficult to control. However, an appeal must be made to all who are represented at the Olympics—athletes, coaches, spectators, and especially the press. It is a large order, we concede; however, in the interest of fairness there is simplistic logic. For example, Finland has a population of approximately five million persons, only a handful more than the largest cities in the world. Should athletes from Finland be required to compete in every event and be expected to compile points comparable to the United States or Russia? We would rather the Finns, and others similar to them, be honored for their participation and excellence, however small in numbers they might be. We feel strongly that individual honor would do much toward eliminating the political implications of the games. We must recognize that winning is that pinnacle for which we strive as individuals and nations; however, we must educate ourselves and others that striving is as important as winning, and participation has equal meaning and value. This would require a rebirth of the symbol of oneness of athletic purpose rather than a fragmentation of people, ideals, an opening of old wounds, or creation of new hurts and misunderstandings.

We have seen clearly that officiating suffers from a basic ineffectiveness. It is our considered judgment that the host nation should assume the entire responsibility of judging events. We believe that it would aid in avoiding sectional evaluation for national or political reasons. The responsibility to be fair and detached would be of greater magnitude if it were placed squarely on the shoulders of the host nation. We submit that this suggestion is open to argument; however, we are reaching for solutions that will place competition on a positive, objective footing.

The foregoing are individual considerations that could be expanded to other appropriate areas. But what are the answers to those who cry that the Games have burgeoned to the point that they no longer are able to accomplish their original intent?

Our studied recommendation is that the time is ripe for a change in the basic format of the Olympic organization. The present size and numbers of participants are much too large and cumbersome for feasible, efficient operation. The preparation and presentation of the Games as they now are conducted are exorbitantly expensive and either discourage or prevent some countries from sending participants to the Games. If nothing else, the smaller, less affluent nations cannot afford to fund and sponsor the Games and enjoy the privilege of hosting the event.

To make it possible that all peoples of the world can share in the thrills, drama, sporting excellence, and ideals of the Olympiad, we propose that the present form be discarded and restructured into four major blocks:

1. Track and field, swimming, and aquatics;
2. Boating, sailing, canoeing, rough water boating, shell boat racing;
3. Combative and skill events, including gymnastics, boxing, wrestling, fencing,



marksmanship, weight lifting, equestrian, and other related sports;

4. Team events such as soccer, basketball, field hockey, and volleyball. There may be more compatible groupings; this is merely a sample.

We also recommend that each block be held in a specific year with four year cycles, thus preserving the historic four year interval. Therefore, if track and field events were held in the first year, they would be conducted again in the fifth year of the cycle.

It would be advantageous in many respects. Each block of activities could be held in a different country. Thus, virtually any country in the world would have the opportunity and funds to sponsor an Olympic Spectacle. A yearly, block-type Games would permit spectators an opportunity to view the contests of their choice. It would telescope the Games into a focal point and all spectators could enjoy each event. As it now is conducted, it is physically impossible for a spectator to view more than a limited number of events.

Additionally, this procedure would eliminate massive numbers of administrative officials, athletes, coaches, press coverage, and growing lists of dignitaries. This abundance of participants has tended to create congestion and ill will that frequently has placed a damper on the true spirit of the Olympics. Conversely, it would enhance the true Olympian spirit and the leadership that is needed by the International Olympic Committee.

Further, it would provide greater autonomy and leadership for the individual blocks or event units. With few exceptions, the Games have been conducted in large, financially-powerful nations that had the resources to construct multi-million dollar stadiums and complexes. All too often these athletic facilities have become white elephants, seldom used in their entirety once the Games were concluded.

Restructuring the Games in cycles of smaller scale would allow citizens of less affluency to share with the world family their culture, their heritage, and point to their progress and contribution to mankind.

This is our proposal because the Games must be saved. Perhaps it is just an ideal, but without ideals and dreams, what do we have left?

#### LITHUANIAN INDEPENDENCE

### HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. ARENDS. Mr. Speaker, on behalf of all Americans of Lithuanian origin and descent, I would like to pay special tribute to the celebration on February 16 of the 55th anniversary of the establishment of the Republic of Lithuania in 1918.

We, as Americans, are a free people. One of our most cherished beliefs is the fundamental right of every people to self-determination. Historically, we have translated that belief into a firm commitment to allow small nations to remain free from the tyrannies of larger and more powerful neighbors.

In response to this 55th anniversary of Lithuanian independence, let us assure the oppressed people of Lithuania—and their descendants in this country—that we have not forgotten them, or the heart-

aches and suffering which they have endured since they were subjugated to the Communist rule of Moscow. We salute the proud people of Lithuania and the remarkable spiritual and ethnic strength which sustains them to this day.

Because we cherish so dearly our own freedom as Americans, let us all pray for strengthening the hope which the people of Lithuania hold for an ultimate return to freedom.

#### TRIBUTE TO FORMER CONGRESSMAN MILES C. ALLGOOD, OF MENTONE, ALA.

### HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BEVILL. Mr. Speaker, occasionally we in America are blessed with the services of men, who by their vision, hard work, and love of country, leave a valuable legacy for future generations. Such a man is Miles C. Allgood, of Mentone, Ala., who served in the U.S. House of Representatives from 1922 until 1934.

It is my distinct pleasure to report to you that Miles is celebrating his 95th birthday today and sends his regards to everyone here.

Often, Mr. Speaker, we tend to forget the work of dedicated public servants. I think it is good for us to stop from time to time and say thank you to these individuals.

I would like to have placed in the CONGRESSIONAL RECORD a statement prepared by Congressman Allgood depicting a few of the highlights of his career.

The statement follows:

#### RECOLLECTIONS

(By Miles C. Allgood)

MENTONE, ALA.—I will be ninety-five years of age on February 22, 1973 and have lived to be the oldest Representative in Congress from the State of Alabama. I have had an interesting and eventful life.

I taught school at the age of eighteen. I broke the record at State Normal College (now Florence State University) by completing a thirty six months course in Advanced Teacher Training in fifteen months. I am the oldest graduate of that fine University.

As chairman of the Irrigation and Reclamation Committee, I sponsored and helped secure legislation to develop the hydro-electric power on the mighty Tennessee, the turbulent Colorado, and the great Columbia Rivers. These great rivers generate enormous amounts of power and electricity. They also irrigate and make productive more than two million acres of desert land.

When President Franklin Roosevelt was elected, I visited him in Warm Springs, Georgia. During the interview he stated, "I see you have been a State Farm Agent and Commissioner of Agriculture of Alabama. The economic condition of the farmers, especially Southern farmers is bad. I want to do something to help them. With your experience, you should be able to tell me something to do."

I told him that Muscle Shoals, Alabama on the Tennessee River was built as a war project in World War I to furnish munitions in time of war and electricity and fertilizer in time of peace. I told him that we had been at peace for fifteen years and not a kilowatt of electricity or a sack of fertilizer

had been produced. His secretary took this information down in shorthand.

The following January I received a long distance call from New York. I was advised by the President that he wanted me to go with him on a special train to Alabama to see the property that I had told him about, and asked me to give him the names of the Congressmen who were interested in that development.

I rode with him in his private car to inspect Muscle Shoals. The main result of that visit was the passage of the Tennessee Valley Authority Bill which has brought general prosperity throughout the Tennessee Valley.

In 1930, the Irrigation and Reclamation Committee was invited by the Chamber of Commerce of the State of Washington and the Chambers of Commerce of some other Northwestern States to visit their areas.

The development of the Columbia River had been before Congress for a quarter of a century. One plan was to build a dam at Grand Coulee Falls. The other plan advocated by Representative Smith of Idaho, was to dig a canal for sixty miles from lakes in Idaho to bring water for desert lands in the State of Washington.

Our Committee spoke at Grand Coulee to some twelve to fifteen thousand people. I was the last to speak. None of the Congressmen had recommended either of the plans. We were on the bank of the Columbia and I threw my hand out toward the river and said, "Here is the place to build a dam to furnish water to irrigate a million acres and to produce enormous quantities of hydro-electric power." I relieved awild, shouting ovation.

We returned to Washington and secured the first appropriation to build the Grand Coulee Dam which now irrigates over a million acres of land.

The Hoover Dam on the Colorado River had been built for many years but was not used until I became chairman of the Irrigation and Reclamation Committee and secured the passage of the Hoover Dam Bill. It required a third of a century to complete the development of these great rivers. This development has brought the vast improvement of natural resources amounting to millions of dollars annually, and brought wealth to millions of people. These projects will continue to be a benefit and a blessing to mankind as long as these waters flow on to the sea.

#### MAUREEN CARROLL, JOSEPH COSENTINO, PRESIDENTIAL CLASSROOM FOR YOUNG AMERICANS

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, it is fashionable in some quarters to criticize young Americans in general. Perhaps some are worthy of this criticism, but for every bad apple there are hundreds of wonderful decent youngsters who are a living example of what is right with America.

In this latter category, I would like to single out Maureen Carroll, 17, a senior at St. Aloysius School in Jersey City, and Joseph Cosentino, also 17, a senior at Memorial High School, West New York, N.J., who are in Washington this week learning about government firsthand as part of the program Presidential Classroom for Young Americans. I met Maureen and Joe in my office yesterday and I must say they impressed me as being

bright and able young people with a serious attitude toward their schoolwork and their communities. I would like to point them out to all my colleagues in this House as typifying the best of our young people. Their work in school and their desire to seek higher education to prepare themselves for life's challenges reflect favorably upon their parents, Mr. and Mrs. James V. Carroll, of Jersey City, and Mrs. Joseph Cosentino, of West New York, and their school principals, Sister Rita Walsh and Mr. John C. Cendo. I am proud of them and I would like to share my pride with all Members of this House and all who read the RECORD.

#### PREVENTION OF CRUELTY TO ANIMALS LEGISLATION

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. WALDIE. Mr. Speaker, today I am reintroducing legislation which would prohibit Federal financial assistance to State or local educational agencies which permit primary or secondary students within their jurisdiction to conduct experiments with live animals.

I hope that my fellow Members will lend their support to this legislation and that action will be taken to prevent the cruel treatment of animals.

The text of the bill follows:

H.R. 4685

A bill to discourage experimentation on animals by elementary and secondary school children

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. DECLARATION OF POLICY. (a) It is hereby declared to be the public policy of the United States that the needless suffering or killing of animals at the hands of or for use by elementary and secondary school children for surgical, scientific, quasi-scientific, medical and quasi-medical experimentations on such animals in the name of science, is brutalizing to these children and should be discouraged.

(b) The Congress finds that there exists other sufficient means by which young school children can be stimulated to pursue scientific and medical interests. And further, the Congress finds that the above public policy is in conformity with the established public policy to prohibit inhumane treatment to and the needless suffering and death of animals within the jurisdiction of the United States.

SEC. 2. DEFINITIONS. For the purpose of this Act, "animal" shall mean any live vertebrate animal or dead vertebrate animal which has been killed and collected for such experimentation.

SEC. 3. ENCOURAGEMENT OF ALTERNATIVE METHODS TO LIVE EXPERIMENTATION. (a) Consequently, the Secretary of Health, Education and Welfare shall encourage the use of illustrations, models, manuals, films and other alternative methods to live experimentation in the furtherance of stimulating medical and scientific interest in elementary and secondary schools.

(b) The Secretary shall take such necessary steps and expend such funds as necessary in the furtherance of the policy of this Act.

SEC. 4. The prohibition of Federal finan-

CXIX—329—Part 4

cial assistance for State or local educational agencies which permit primary or secondary students within their jurisdiction to conduct experiments with live animals.

No Federal assistance may be provided after the date of the enactment of this Act to any State or local educational agency which the Secretary of Health, Education, and Welfare determines permits students enrolled in primary and secondary schools under its jurisdiction to experiment with live animals or encourage students to perform such experiments. The Secretary of HEW shall, by regulation, prescribe procedures for review of his determinations under the preceding sentence and such other procedures as he considers necessary to carry out the purposes of this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated for the fiscal year in which this title is enacted and for the next four fiscal years thereafter such sums as may be necessary to carry out this title, but the sums appropriated for any such year shall not exceed \$100,000.

SEC. 6. EFFECTIVE DATE. The provisions of this Act shall become effective one year after the date of its enactment.

#### ABDNOR SPEAKS OUT ON WHEAT CERTIFICATES AND THE "BREAD TAX"

**HON. JAMES ABDNOR**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. ABDNOR. Mr. Speaker, the milling and baking industry has launched an effort to transfer about \$400 million of their costs to the Federal Treasury. This effort comes on the heels of past and continuing appeals under phase II and III to increase the price of bread to consumers. Their requests to increase bread prices have reached only limited success for two reasons, first, the smaller bakeries are exempt from controls; second, larger bakeries must be exempted from profit margins before they could put a price increase into effect and this exemption has not been granted.

The milling and baking industry has formulated a self-interest group called the "Wheat Users Committee." The committee's main objective is in trying an end run around phase III controls.

Their objective is to change the domestic wheat certificate part of farm programs for all costs to come from the U.S. Treasury. This would relieve them of a 75-cent per bushel fee on each bushel of wheat purchased for human consumption. This fee referred to by the Wheat Users Committee as a "bread tax" is then treated as part of their product cost and passed directly to the baker or other purchasers of flour, and subsequently on to the consumer.

The method of collection is nothing new as a certificate for domestically consumed wheat began developing in 1963. Congress in an effort to maintain U.S. producer income and still be competitive in world markets developed a two price system for wheat. Wheat at that time carried a price support or Government loan value of \$2 per bushel. Price support by Congress was then divided into two parts: A price support loan of \$1.25 per

bushel and a certificate of 75 cents to be paid to wheat producers for their share of the domestic market.

Cash wheat prices then settled at or near the new loan level of \$1.25 per bushel; a 75-cent per bushel drop. The price to U.S. consumers did not change as their total cost still remained at \$2 per bushel. A \$1.25 market price and 75 cent certificate. The program change did not then directly affect the consumer and producer. Indirectly the new two-price system was of great significance. You will remember that in the late sixties we had huge surpluses of grain with storage payments running about \$1 million a day directly from the U.S. Treasury. By reducing the cash market price this made wheat competitive in nonfood use markets within the United States and in all world markets.

The system worked effectively to reduce surplus stocks. It also gave the U.S. producer an opportunity to earn a higher income in the marketplace so he could live at a financially comparative level with the nonagricultural population of the United States and still compete with producers of other countries where the cost of production and the standard of living are much lower.

In the 1965 Farm Act and the Agriculture Act of 1970 Congress changed the total certificate value to a sliding scale known as a "parity formula." The basic 75-cent certificate was not changed, it still came from the marketplace, but the total value went up to reflect increased cost of production supplies and the cost of living. The increased certificate value over 75 cents came from the Treasury. This left U.S. consumer costs the same, and still allowed U.S. wheat producers to compete with producers in countries with lower standards of living.

It should be pointed out here that the two-price system reflects a higher return per bushel on only about one out of three bushels produced in the current year and about one out of four next year as production is expanded.

The program has been generally successful. We have reduced huge surpluses of wheat while still maintaining a highly efficient agriculture. Adequate supplies of wheat have been maintained at all times for U.S. domestic consumption while still responding to increased world demand.

I find it personally difficult to criticize the program even in the face of consumer reactions directed in this instance by the milling and baking people. I realize fully the concern of consumers over rising costs. I realize the immediate concern of bakers. I also realize, most personally, the need of growers.

It is for this reason I oppose legislation to change the domestic wheat certificate formula in the last year of the Agriculture Act of 1970 especially since hearings have already been scheduled in possible replacement legislation.

The Senate Committee on Agriculture and Forestry has scheduled hearings to begin February 27, continuing on February 28, March 1 and 2, 8 and 9. The House Committee on Agriculture has not scheduled hearings yet but an announcement on hearings is expected any day.



Farmers, consumers, millers, and bakers will have the opportunity to testify. In a timely and logical manner the committee and Congress can decide the total farm program issue on its merits of total national interest.

# **LAIRD'S "OUTSTANDING RECORD" AS SECRETARY OF DEFENSE**

**HON. WILLIAM A. STEIGER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, of the many fine tributes paid to Mel Laird, I am sure he was most gratified by a recent article in the Milwaukee Journal. John W. Kole, of the Journal's Washington Bureau, echoed the sentiments of many of Mel's former colleagues in the House when he said:

Laird probably will be remembered as the man who presided over the nation's defenses when America's longest military involvement finally was ended, when a widely criticized draft system was ended after more than three decades, and when military forces were cut by a third—from 3.5 million to 2.3 million.

In fact, of the 10 men who have served as defense secretary since the position was created in 1947, Laird may well have the most outstanding record of all.

## **The text of the article follows:**

**LAIRD WAS A SKILLFUL POLITICIAN AS  
SECRETARY OF DEFENSE**

(By John W. Kole)

WASHINGTON, D.C.—When Henry Kissinger, President Nixon's international negotiator, left for Paris 13 days ago to initial the long awaited settlement to the Vietnam War, he had a parting tribute for Defense Secretary Melvin R. Laird.

"If it hadn't been for your work," Kissinger told Laird, "I would not be leaving this morning to initial this agreement."

In an interview that afternoon, Laird described with great relief his plans to take three months off as his four years in one of the world's toughest jobs drew to an end.

The Vietnam settlement was the capstone of Laird's four years.

## **OUTSTANDING RECORD**

Laird probably will be remembered as the man who presided over the nation's defenses when America's longest military involvement finally was ended, when a widely criticized draft system was ended after more than three decades and when military forces were cut by a third—from 3.5 million to 2.3 million.

In fact, of the 10 men who have served as defense secretary since the position was created in 1947, Laird may well have the most outstanding record of all.

Robert S. McNamara, who served from 1961 until he left in frustration and bitterness in early 1968, probably was a more brilliant innovator, with a grand design for exercising civilian control with computers and systems analysts.

But McNamara's record is clouded by the escalation in Vietnam.

## **MANY JOB OFFERS**

Now 50, Laird has called the job that he gave up last week to former Welfare Secretary Elliot Richardson "a political graveyard." He says he will not make up his mind for at least 90 days on the offers made to him by the business world, the academic com-

munity and Nixon himself, who wants him to stay in government.

Also, Laird is a political man and may not be able to resist a re-entry into the old arena.

For 22 years, including 6 in the Wisconsin Senate and 16 in the U.S. House, Laird was one of the most skillful politicians operating anywhere.

Testifying to Laird's political astuteness was the fact that little more than two months after he took over the Pentagon, his 7th District seat was won by a Democrat, David R. Obey, who has since won by margins exceeding even those of Laird.

Many Wisconsin Republican leaders believe he is their strongest potential candidate against Gov. Lucey next year, and they are making strenuous efforts to commit Laird to the race.

Laird's political instincts told him that the war was a political disaster and, from 1969 on, he worked to persuade Nixon that it must be ended as soon as possible.

This often put him at odds with the military chiefs under him, and sometimes with Nixon himself, who insisted that an honorable peace was the only one that would last.

Laird's longstanding friendship with Nixon brought hostility from the White House palace guard.

## **OPPOSED CAMBODIA**

He did not always win his case with Nixon. In May, 1970, for example, Nixon ordered the invasion of Cambodia over Laird's advice to the contrary.

As usual, Laird's political judgment was superb. The Cambodian invasion was followed by some of the severest antiwar protests of Nixon's first term.

"I thought the South Vietnamese could do it without American troops," Laird said of the Cambodian invasion in an interview last week. "But the president took the advice of the Joint Chief (of Staff) who said that American involvement was more likely to insure success."

Although Laird has not said so publicly and declined to comment on the point during the interview, there have been reports that he opposed the heavy bombing that Nixon ordered on North Vietnam last May and again in December.

Throughout President Lyndon Johnson's escalation of the conflict, Laird advocated a reduced manpower commitment by the United States and extensive use of American air and sea power.

This was the policy that he recommended to Nixon, along with preparing the South Vietnamese to defend themselves.

## **SUSPICIOUS OF USSR**

Laird long has harbored a deep suspicion of the Soviet Union. Throughout his congressional career he was inclined to warn of what he darkly described as the "threat from world communism." This was akin to Nixon's anti-Communist philosophy while he was a senator and vice president in the early 1950s.

Laird carried his suspicion of Russia into the Pentagon with him. His first big splash on national television was in arguing for a missile defense system before a hostile Senate foreign relations subcommittee.

"With the large tonnage the Soviets have they are going for our missiles and they are going for a first strike capability," Laird told the subcommittee. "There is no question about that."

Laird's judgment of the nuclear balance of terror was contradicted by experts in the U.S. Central Intelligence Agency. Laird's mother, Mrs. Helen Laird of Marshfield, was a bit shocked.

"Melvin, you're scaring people," she told him.

Laird and his supporters insist that this hard line approach on the antiballistic missile (ABM) and other weapons systems was necessary to achieve the arms limitation

agreement signed by the United States and the Soviet Union last spring. But there are many dissenters.

Last week, for example, Herbert Scoville Jr., former deputy director of the CIA and former assistant director of the Arms Control and Disarmament Agency, contended that "Laird... has acted to destroy the credibility of our deterrent."

## **ATTACKED BY M'GOVERN**

Last Monday, when Nixon sent his fiscal 1974 budget to Congress, he asked \$81.1 billion for defense, an increase of \$4.6 billion, and projected a similar increase for fiscal 1975.

Both Nixon and Laird point out that national defense now takes about 30% of the federal budget, compared with 47% for Social Security, education, health, veterans and welfare programs. Those two figures are just the reverse of figures for 1968.

Last summer, Laird reinforced his image as the most political defense secretary when he engaged actively in a campaign to discredit Sen. George McGovern's plan to reduce American military expenditures by \$30 billion by fiscal 1975.

Contending that it would mean the "white flag of surrender," Laird constantly ripped into the program in congressional appearances, press conferences and speeches throughout the country.

Laird's critics were stunned by his assertion that the arms control agreement with Russia would mean higher, instead of lower, defense outlays.

## **WEAPONS COSTS UP**

But Laird had an answer for these critics, too. He said increased expenditures for weapons, construction, research and development were due to inflation.

Laird worked hard as defense secretary to institute new procedures that would bring escalating costs of weapons contracts under some control. However, there is no clear evidence that they will work.

## **GOLDWATER DISAPPOINTED**

Sen. Barry Goldwater (R-Ariz.), a close friend of Laird, indicated that he was disappointed that the secretary had not overcome the problem of increased weapons costs. Goldwater criticized the development of three different fleets of planes for the close support of ground troops.

In the view of many defense experts, Laird allowed many of his military commanders the weapons that they wanted so he could push through his manpower cutbacks.

Whatever the criticism, Laird is proud of his record and thinks it will stand up when historians review it in future years. However, the job has been excruciatingly tough.

"You don't go through many nights without getting up in the middle of the night," he said. "With the Vietnam situation, with the time being just reversed from Washington, this has been a 24 hour a day job."

Over the next several weeks, as Laird and his wife, Barbara, relax in Wisconsin and on an island off the coast of Florida, they will ponder their future. Some believe that Laird could try for the Republican presidential nomination in 1976.

But Laird rejects this speculation: "The presidency and the secretary of defense are two jobs that I would rule out right now."

## **THE MOOD OF PEACE**

**HON. FLOYD SPENCE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. SPENCE. Mr. Speaker, many of us have observed that the most vocal critics

of our involvement in the war in Southeast Asia have been somewhat less than ecstatic over our disengagement from that conflict and the return of our prisoners. In fact, as a leading broadcaster wrote me a few days ago, watching them leads one to conclude "that the arrival of peace disappointed them more than the war itself."

One of our most learned and respected journalists, Vermont Royster, editor of the Wall Street Journal, chose this situation as the subject of a recent editorial which he entitled "The Mood of Peace." It appeared in the Journal of January 31, 1973. I commend Mr. Royster's timely remarks to my colleagues and to every American citizen:

THINKING THINGS OVER: THE MOOD OF PEACE  
(By Vermont Royster)

So it is over. Or let us hope so. The American fighting in that long, tragic war in Vietnam.

The bombing has stopped. Our soldiers are on their way home from the battleground. Our prisoners of war are being released. For a little time, anyway, the guns of war are silenced.

And yet the rejoicing has been muted. More strangely, in some places among some people, even grudging.

We have heard the rejoicing among those who but for the cease-fire would have seen their sons going off to Vietnam, among those who these long years have waited for husbands and fathers to come home from prison camps; theirs the pent-up tears of relief and joy. But less rejoicing, curiously, from many who clamored loudest for the war to end on any terms whatever.

After President Nixon spoke to us that evening telling us that at long last a peace agreement had been reached, I flipped my television dial from network to network. I thought to find somewhere a commentator who would cry "Hallelujah!" If there was such, I somehow missed him.

On one network the newsmen were so stunned they seemed unable to come up with that instant analysis for which they are so famous although they had known the whole day long the substance of what the President would say. On another, the gloom was so thick you could cut it with a knife; long drawn faces suggesting they did not know now what terrible things portended after the peace. So it, went; the calling up of the difficulties, the doubts, the problems unresolved, as if the future looked darker than the day before.

Then I listened to the questions fired at Henry Kissinger in that remarkable press conference. When he had finished his hour's detailed accounting of what had been accomplished and what had not, some questioners seemed almost desperately searching for Catch 22. That is, some place where Mr. Kissinger or the President had blundered, some weak spot in the agreement to bolster prophecies that it would all fall apart.

Next, to the newspaper editorials and commentators. Here I did find more variety among those I was able to read, a more widespread mingling of relief and gratitude.

The Washington Post hailed the peace as a "time for giving thanks," and though a critic of President Nixon gave him generous credit for that day of thanksgiving. In Tulsa, in Birmingham, in Minneapolis, in Los Angeles the peace was welcomed even among newspapers thinking the war itself a tragedy. Some, like the Boston Globe, were moved to thank the President for his "perseverance in getting us out."

But neither thankfulness nor gratitude was the universal welcome to the peace. The New York Times, a critic of the President, was a critic still; it offered an editorial of praise for Henry Kissinger, none for Mr.

Nixon, as if the one were independent of the other.

For the St. Louis Post-Dispatch the moment of peace was marred by recalling "Mr. Nixon's shameful act," his "monstrous deed" of bombing North Vietnam, whether or not it contributed to Hanoi's final agreement. That paper found no merit in the chance South Vietnam may now have of preserving its independence; "the honorable course would have been to let the Vietnamese alone; saving that, to have withdrawn years ago."

Meanwhile, the hosannas from the Fulbrights and the McGoverns over the arrival of peace were—well, let us say restrained. They were among those wanting the war ended long ago, unilaterally, at whatever price. That in the end the settlement was a little better than that, achieving some concessions from Hanoi we never thought we'd get, all that seems to have brought no joy to their hearts.

Elsewhere I listened for but heard of no gathering of the once noisy war-protesters having their joyous, swinging celebrations that the peace they sought has come at last. They seem to have slipped quietly away with the mood of those suddenly bereft of a cause.

It's sad to say, but the impression is left—unjustly. I fervently hope—that there are those who would be happier with a shattered peace than a peace that lasts. A peace that lasts would have to be credited to Richard Nixon, to the slow, patient, tough policy of those past four years. A peace that crumbles would put him once again in the dock for pillorying.

A peace that crumbles would also show the perception of those who, rising above such simple emotions as relief, warn us now of the hidden dangers in this provision or that in the agreement, who remind us that all of Indochina is still unstable, that Saigon is weak, that Hanoi is determined, that all is fragile. A failed peace would prove them prescient.

Anyway, a strange mood indeed, I suppose some of it inevitable. World War I ended with the illusion that the world had been made safe for democracy. Even World War II, ending with a bang, could spur riotous celebration, for that time surely with all our enemies confounded, it seemed a peace that could last. This time the ten, long, weary years of war dribble to an end and there are no illusions left.

This time, too, there is the difference that the whole nation was not involved in the suffering of war. Those who died in Vietnam seemed chosen by a capricious fate; at home most of the nation went its way in undisturbed prosperity. The horrors of war were there but abstract, fleeting pictures on a TV tube. For most Americans their lives this week are no different from last week.

Yet for all that, some of the reaction was strange indeed. Not merely subdued, as befits the occasion. Not merely one of caution against euphoria. From some of what I read and heard I might have supposed—had I not known otherwise—that the peace that comes was thought as bad as the war that was.

As for myself, I too know that this is a peace without victory. I know well that it is a fragile peace. But after four wars in my lifetime I know that every peace is fragile and yet a little peace is better than none. So I, for one, rejoice. And for this little peace say, "Thanks be to God."

## RETURN OF KANSAS POW'S

### HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. SHRIVER. Mr. Speaker, all Americans have rejoiced over the return to

U.S. soil of the first prisoners of war from Vietnam. We share the joy of these heroes and their families, and hope they will experience a speedy return to a normal way of life. We now look forward to the exchange of the balance of those men who are prisoners in Vietnam as prescribed by the peace agreement. In addition, we must continue to insist upon a complete accounting of those who remain missing in action.

It is a privilege to join in welcoming home four of our men who are native Kansans or who now reside in the Sunflower State.

Capt. John G. Dunn, U.S. Army, a native of Hutchinson which is in my congressional district, was in the first group of prisoners released. Captain Dunn was held prisoner by the Vietcong since March 18, 1968. He was greeted at Fort Knox, Ky., last week by his wife, Linda, and his parents, Mr. and Mrs. Harry Dunn of Hutchinson. Today is Captain Dunn's 30th birthday, and we take this opportunity to extend a happy birthday to him on what must be his most memorable birthday celebration.

I also would like to pay tribute to Maj. Charles G. Boyd, a native of Iowa, U.S. Air Force, who has made his home in Wichita with his wife, Millicent. Major Boyd was a prisoner of North Vietnam from April 22, 1966.

We welcome the return of Lt. Col. William H. Means, Jr., U.S. Air Force, of Topeka, who was a prisoner in North Vietnam since July 20, 1966, and Lt. Comdr. Joseph C. Plumb, U.S. Navy, of Mission, who was a prisoner in North Vietnam since May 19, 1967.

Under the leave to extend my remarks in the RECORD, I include an excellent editorial from the Hutchinson News which expresses the feelings and wishes of those of us from the Kansas Fourth District over the return of Captain Dunn. I also include a wire service report on a thoughtful gesture by Major Boyd upon his return from captivity:

[From the Hutchinson (Kans.) News]

#### CAPT. DUNN ARRIVES

Johnny came marching off the big Prisoner of War plane Monday.

Capt. John Dunn of Hutchinson.

His arrival in America was a beautiful moment for his parents here, Mr. and Mrs. Harry Dunn, who never gave up hope during the long and torturous ordeal of having a son at the mercy of an enemy.

There were some dark days.

Dunn, an Army advisor to the South Vietnamese, was captured March 18, 1968, meaning he lived nearly five years as a prisoner of war. Hopes for release have risen and fallen with each new diplomatic twist, and each new heart beat of a war that defied pattern and substance.

With the last-minute snag Sunday night, there was even a doubt that Capt. Dunn would be home in time to celebrate his 30th birthday, which is the 22nd of this month.

But the dream came true.

Hutchinson's message to John Dunn is welcome home, happy birthday, and God speed in your return to a normal life.

[From the Wichita (Kans.) Beacon]

#### WICHITA POW COURIER FOR LEFT-BEHIND

MERRIAM, KANS.—Mrs. Susan Mastin received an unexpected Valentine's Day present, a dozen red roses from her husband, a prisoner of war at a camp near Hanoi.



The flowers were relayed to Mrs. Mastin from Air Force Maj. Charles G. Boyd, of Wichita, who was in the first group of prisoners released.

"I have talked to Ron (Mastin) the day before I left," a card from Boyd read. "All is fine and he is in good health. He asked me to send you a dozen red roses. Don't cry."

Air Force Capt. Mastin was shot down over North Vietnam in January 1967.

"A lot of women expect flowers on Valentine's Day," Mrs. Mastin said, "but what a surprise."

She said the last word she received from him was a letter at Christmas.

DAVID LAWRENCE

## HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. REID. Mr. Speaker, last week we lost one of our Nation's most highly respected newspaperman, David Lawrence.

David Lawrence was among the most decent, warm, and kind men I have known in the news profession. We worked together on the New York Herald Tribune, from which his column was syndicated, and where I was privileged to learn and respect his expertise while honored to gain his friendship.

His career spanned three generations and witnessed the administrations of 11 U.S. Presidents. An enterprising and tireless young reporter, he grew into a professional newsmen and then business executive as he founded and edited U.S. News & World Report, while still making time to write a regular column.

Whatever his views and regardless of whether or not one agreed with him, he was warmly regarded by all as an honest man and a kind and generous friend. His death is a loss to everyone who knew him, and Mrs. Reid joins me in extending our condolences to his three children.

I insert in the RECORD the editorial from the New York Times on Mr. Lawrence:

DAVID LAWRENCE

Throughout a career that spanned more than sixty years and ended only with his death, David Lawrence was one of the nation's most highly respected and warmly regarded newspapermen, and it is as such that he would want to be remembered.

An enterprising and energetic reporter when young, he became a world-famous commentator and influential magazine editor, but his zest for the day's news never dimmed. He hated to take a vacation; at home as well as at the office he was never far from the friendly clackety-clack of a teletype machine.

As some young liberals do, David Lawrence grew deeply conservative with the passing years. But readers of every viewpoint found that though they might disagree with him, they could always respect him for his intellectual seriousness, lucid prose, vigorous advocacy and total honesty.

Within his own profession, Mr. Lawrence was warmly regarded for many unpublicized acts of kindness and for his deep personal consideration for his colleagues. It was characteristic of him that he sold U.S. News & World Report, his magazine, and Bureau of National Affairs, his specialized news service, to his employees. As a publisher, he had a

businessman's acumen but it is as a fellow craftsman that he will be recalled with honor and affection by his colleagues in the profession he loved so well and served so long.

## CANCER IMMUNOLOGY IN MAN

### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. CLAY. Mr. Speaker, May 2, 1972, marked the official opening of the Cancer Immunology Laboratories at Washington University in St. Louis, Mo.

A team of leading scientists is now at work in the laboratories with the general goal of finding the precise biochemical nature of specific immunologic responses for various forms of cancer. Pinpointing the nature of these responses could lead to important clinical applications. This new frontier in basic research is being funded by the largest unrestricted grant ever made by the tobacco industry to a university.

The fall issue of the Washington University magazine featured the Cancer Immunology Laboratories and the important research they are conducting.

I commend this enlightening article to my colleagues:

## CANCER IMMUNOLOGY IN MAN

Cancer Immunology in Man is the inscription on a plaque near the entrance to a new laboratory on the fourth floor of the Washington University Medical School's West Building. Those four words stand right out to most laymen to whom immunology connotes being "immunized" against infections such as measles or polio. Cancer has been frequently described as one's own cells multiplying in an uncontrolled way. Therefore, what does immunity have to do with cancer?

On May 2, Dr. Paul Lacy, head of the University's pathology department, gave some details in answer to that question. He addressed officers of seven tobacco firms and a tobacco growers association who attended a dedication program for the laboratory (Dr. Lacy and Dr. Lauren Ackerman, Washington University professor of surgical pathology, who is one of the world's foremost cancer experts, had sought and received a \$2,000,000 unrestricted basic research grant from the tobacco industry<sup>1</sup> to put the laboratory in operation). Dr. Lacy pointed out to the group that cancer very often is not detected in a patient until the tumor has spread and the prognosis is poor.

"Today, we have a new way of looking at the problem—and that is through immunology." He explained that scientists were aware some twenty years ago that cancer cells in laboratory animals had substances on their surfaces which were different from the same class of substances on the membranes of normal cells. What was intriguing about the substances was that they could act as antigens. The tumor antigens appeared as "non-self" entities to the animal's immune system and triggered a specific immune attack against the cancer cell. In recent years,

<sup>1</sup> Firms which are funding the Cancer Immunology Laboratories are: R. J. Reynolds Tobacco Co.; Brown and Williamson Tobacco Corp.; Philip Morris Inc.; Lorillard, a division of Loews Theatres Inc.; Liggett and Myers, Inc.; Larus and Brother Co., Inc.; United States Tobacco Co., and Tobacco Associates, Inc.

similar antigens have been identified on the membranes of human cancer cells. It was these observations that opened the field of cancer immunology in man. What makes the field one of the most active in medical research today is the possibility that there is a specific antigen associated with a specific type of cancer cell. One of the great hopes is that the existence of such a specificity might bring about much earlier diagnosis of cancer than is now possible. A blood test, for example, that could identify an antigen associated only with cancer of the colon, or an antigen associated only with cancer of the lung, would provide evidence of the disease at a very early stage. Development of such a test, Dr. Lacy stresses, is a major goal of the new laboratory.

Directing efforts in the laboratory toward a clearer understanding of human cancer antigens are Dr. Thomas Tillack and Dr. Juan Rosal, who hold faculty appointments in the University's pathology department and alternate as physicians in the Barnes Hospital surgical pathology service. During the past year their research has progressed at an encouraging rate and they have submitted articles on their findings to scientific journals. Dr. Tillack explained that their work so far has dealt mainly with refinement of their biochemical techniques in isolating and identifying human cancer antigens. He pointed out that these antigens had not been studied until the mid-1960's.

In fact, the basic theory behind current research in human cancer immunology wasn't postulated until 1959, when Dr. Lewis Thomas, presently dean of Yale University's Medical School, suggested that in addition to being a defense against outside microorganisms, the immunological system has another basic function: "to preserve uniformity of cell type." He speculated that the body's rejection of grafts of foreign tissue might turn out to be one facet of an immunological mechanism which is constantly eliminating abnormal cells as they arise in the body. By this reasoning, cancer that proliferates to the point of threatening a particular organ is simply the result of a failure of the body's immunological system. In the early 1960's, Nobel Laureate Dr. F. M. Burnet of the University of Melbourne did research which supported Dr. Thomas' theory and evolved the first, clear model to encompass an expanded immune system role, which he termed "immunological surveillance."

Dr. Tillack cites two recent clinical studies that lend support to the idea of an immunological surveillance system as a defense in rejecting tumor cells. It was reported in 1969 that kidney transplant patients, who were given drugs to suppress immunological reactions, eventually developed cancer at a significantly higher rate than in normal individuals. A second study, reported at about the same time, also showed a significantly higher incidence of cancer in patients born with defective immunological systems. Dr. Tillack added that recent data from basic laboratory experiments by Ingegerd and Karl Hellström of the University of Washington have been the cornerstone of immunological research in helping to substantiate the surveillance model.

A basic line of defense in this surveillance is thought to be the immunological reaction mediated by cells called lymphocytes. These cells bind to an antigen on a foreign cell and destroy it. The Hellströms reported in the late 1960's that lymphocytes destroyed cancer cells in tissue culture from cancer patients; the lymphocytes did not attack normal cells. Why, then, didn't the lymphocytes prevent the cancer from spreading in those patients? "No one knows the answer to that question, although there are a number of possibilities," said Dr. Tillack. One theory is that cancer patients have agents on the surface of the cancer cells which prevent an immunological reaction from taking place. These substances

have been called blocking factors by the Hellströms, who have produced very early and tentative data on the blocking phenomenon.

At present, the main focus of research is simply to achieve a better understanding of the antigens themselves. Many laboratories, including the Washington University Cancer Immunology Laboratory, have produced evidence that these antigens do indeed exist on the surface of cancer cells. These observations have profound implications for both clinical medicine and the field of immunology.

Most of us are acutely aware that doctors depend largely on how well patients themselves recognize symptoms and how promptly they report them; frequently, cancer is detected too late for effective treatment. The prognosis for many cancers would be much better if the presence of cancer cells could be detected in the patient before the cells had multiplied to a mass large enough to cause symptoms. If a colon cancer antigen test, for example, was positive and X-ray techniques still failed to show any cancerous lesion in the colon, a physician could then examine the patient at frequent intervals to detect cancer at the earliest possible point. Admittedly, such monitoring would place an added strain on the medical care delivery system; but it certainly would be a better alternative than for the patient and doctor to face a widespread cancer.

Before a reliable test can be developed, however, antigen research must be checked and re-checked at the basic laboratory level. These problems can be illustrated by what has happened following an important discovery in 1965 by Dr. Philip Gold and Dr. S. O. Freedman of McGill University. They isolated an antigen associated with cancer of the colon, which they called carcinoembryonic antigen (abbreviated as CEA) because it also appears temporarily in the digestive organs of the human fetus. In his first report on a test to detect CEA in the blood samples of both normal and cancer patients, Dr. Gold found that nearly 100 per cent of the cancer patients had CEA and all normal patients did not. In the past two years, however, more extensive studies by Dr. Gold and other researchers have shown test results with only 40 to 70 per cent positive CEA readings in patients with cancer of the colon.

In any case, it still appears that normal individuals practically never have positive CEA tests. Many research groups are currently evaluating CEA tests throughout this country and much work is ahead; but at this point the CEA test does hold promise as a potential diagnostic tool, which might be used along with standard examinations. The ultimate success of any test, Dr. Tillack emphasized, will be dependent on refinements in both testing techniques and in being sure just what antigen is being measured. "Until we really know more about an antigen's specificity and chemical makeup, there will continue to be inconsistent laboratory results regarding pilot tests," Dr. Tillack added.

Doctors Tillack and Rosal have developed a new method for isolating CEA from the membranes of colon cancer cells. The method, which extracts much higher quantities of antigen, is also being used to isolate antigens from various other cancer tissues, including cancers of the lung, breast, and kidney. So far their results have been encouraging. They have identified lung and breast cancer antigens which appear to be very similar to CEA. If future analyses are successful in pinpointing a tumor antigen that is specific for one type of cancer, the Washington University laboratory will attempt to develop a blood screening test for it.

The question arises that if and when highly specific and purified cancer antigens are identified and produced, could one safely stimulate an immune response in humans to

a type or various types of cancer? While there have been a few encouraging developments, Dr. Tillack stressed that the present level of understanding of the body's immune reaction to tumors is still too insufficient to justify the use of immunotherapy in patients.

While it is true that immunological cells are now more clearly understood today than they were a few years ago, a brief outline of the main features of the immune system indicates just how complex it is: One class of cells in the system, the lymphocytes, consists of at least two types which are called B cells (derived from bone marrow) and T cells (derived from the thymus gland). T cells sometimes attack any foreign agents, and B cells produce protein antibodies that react against specific foreign substances. It isn't clear how these two types of lymphocytes function. Elucidation of the action of the other major types of immunological cells—histocytes and macrophages—is also still incomplete.

The second class of immunological reactions consists of antibodies released into the blood by lymphocytes and plasma cells. These antibodies bind with antigens on a foreign agent, a process which may lead directly to destruction of the agent.

Faced with this formidable set of variables, a number of scientists are nevertheless working on techniques to stimulate an anti-cancer response in humans. One individual who has the latter clinical possibility as a long-range goal is Dr. Richard Lynch of the pathology department, who also does research in the Cancer Immunology Laboratory. Dr. Lynch's work began in the laboratory of Dr. Herman Eisen, chairman of the University's department of microbiology.

Dr. Eisen, who is a nationally renowned immunology researcher, has worked for years studying antibody molecules with the aim of understanding the molecular basis for their exquisite specificity. In 1970, Dr. Sititaya Sirisinha of Bangkok, Thailand, working with Dr. Eisen, showed that mice could be induced to make antibodies directed against proteins produced by tumors in mice called myelomas. The cells in these tumors are cancerous plasma cells, and they synthesize large quantities of antibody molecules. The antibodies which are present in normal mice are made by thousands of different plasma cells and, consequently, there are thousands of different antibodies in mouse serum. The cells in a myeloma tumor are derived from a single cell, so all the cells in a myeloma tumor make exactly the same antibody molecule.

In order to get enough of the antibody protein they wished to study, Dr. Lynch and Dr. Eisen took a myeloma tumor and transferred it into hundreds of genetically identical mice. When the tumors had grown to a large size, each mouse had a large amount of the same myeloma protein in its blood. It was then possible to isolate large quantities of the antibody protein from pools of the mouse serum.

The stage was then set to see what would happen if other mice that were immunized with the purified myeloma antibody were then challenged with a lethal number of the myeloma cells. When this experiment was done, 91 per cent of the immunized mice failed to develop tumors and are still tumor-free a year later. Non-immunized mice challenged with the same number of myeloma cells all developed tumors which proved fatal in four weeks. The immune protection was found to be tumor specific. In other words, mice immunized with the antibody protein from myeloma tumor "X" were tendered resistant to a different tumor, myeloma "Y."

This was the first demonstration that myeloma proteins could be made to function as tumor specific antigens. "Now we can attempt to describe and understand what cellular and

molecular events are occurring inside an animal which rejects an otherwise lethal number of cancer cells," Dr. Lynch said. "We have a pure biological model to work with. We will have to find at what threshold this immunity will break down if the animal is challenged with higher and higher doses of cancer cells. There are many other questions, such as whether there are ways of chemically modifying the antigen to enable the immunization to be stronger and the animal able to withstand greater challenges of cancer cells."

He pointed out that to get answers to these questions may possibly take years of exacting analyses. "If—and it's a big if—we get to the point where we can reverse the growth of tumors already established in mice through a combination of therapy and immunization, we might fairly ask the question whether it might be attempted in human patients with myeloma. This is over-simplifying the research and is definitely a long-shot. Right now, our work with mice is still far from being a fair comparison with human myeloma," Dr. Lynch concluded.

Dr. Joseph Davie, who will use samples of Dr. Lynch's pure myeloma cultures in one phase of his research in the Cancer Immunology Laboratory, is interested in the possibility of producing mutations in these myeloma cells. The availability of mutant cells would provide the opportunity to measure directly the chemical events that take place when an antigen combines with an antibody. At present these events can be measured only indirectly. This is because the researcher in immunology is dealing with thousands of chemically different antibodies—even if antibody molecules are generated by injecting a single, specific antigen into one laboratory mouse. The problem is simplified in the myeloma tumors, which produce only a single type of antibody.

Dr. Davie and his associates are working on methods of selecting a small number of mutant cells from among large numbers of myeloma cells. These mutants will produce antibody molecules which are defective in binding to antigens. The overwhelming odds are that such mutations will involve only those minute regions of the antibody molecule where the binding takes place. The assumption is that the fine chemical differences that might be detected in these large, complex molecules would be limited to the binding region. With the development of such a technique, scientists would have a tool to investigate various immunological problems.

Very basic research such as Dr. Davie's work could have unforeseen benefits to those working closer to the clinical level. To establish better lines of communication between basic and clinical research is one of the many goals of the federal government's new national cancer program. As part of the program, aid will be given to help establish centers to coordinate treatment, research, and training in the field of cancer at various institutions. Washington University is planning such a center. Dr. Philip Majerus, professor of medicine, is serving as planning coordinator for exploratory studies (funded by the National Institutes of Health).

However "distinct" approaches in seeking answers to cancer may seem on the surface, it is likely that cancer research could benefit from efforts at more interdisciplinary cooperation. Dr. Burnet, whose work was the foundation for current immunology theories, wrote in 1967:

No matter what field one cultivates in the broad domain of the medical sciences, one soon finds tracks leading in many directions. For all of us the central theme is human biology, and whether we look at the pathology of the cell or worry about the origin and fate of immunocytes, we soon find common ground.



## VIEWPOINT STILL STANDS

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DERWINSKI. Mr. Speaker, there has been a growing interest in the United States relations with the Soviet Union, especially in commercial transactions. I believe that a few of the myths that may be developing in United States-Soviet relations ought to be carefully studied. Therefore, I was especially interested in an article in the *Aurora*, Ill., *Beacon-News* of January 29, 1973, by the distinguished international correspondent of the *Copley Press*, Dumitru Danielopol, which is a very timely and, I believe, accurate analysis of the current Soviet economic situation.

The article follows:

VIEWPOINT STILL STANDS AFTER 9  
LONG YEARS

(By Dumitru Danielopol)

WASHINGTON.—In an article published in the *San Diego, Calif., Union* on Jan. 29, 1964—my first endeavor in American journalism—I wrote:

"The Soviet regime as it exists today can continue only with the help of the free world through long term credits. But such credits to a bankrupt system are folly and can only undermine the West's own economic strength."

That was nine years ago. Even then, if one ignored Kremlin propaganda and looked at the ineptitudes of the Soviet system, it wasn't difficult to predict that only the West could keep the Soviet bureaucracy alive.

Figures released by Radio Free Europe, based on western sources, show that between 1964 and 1972 the U.S.S.R. borrowed from the free world some \$6.3 billions. The terms varied from 2-15 years.

Five hundred million was spent for grain purchased in the U.S.A. in 1972.

Another credit of over \$4 billion from some U.S. firms is pending. This would bring the total to more than \$10 billion. Most of the credits come from the U.S.A., the rest from Britain, West Germany, France and Italy. RFE admits its figures are not complete.

The figures might not be exorbitant in normal commerce, but the Soviet system has reached an impasse.

"The administrative apparatus is corrupt through and through and has lost its effectiveness... the apparatus can achieve almost nothing," says an underground or "Samizdat" newspaper. "The economic system urgently needs modernization and revitalization... but ossified state capitalism has no intention of giving science its proper place in the social system."

Soviet industrial products do not find a ready market in the sophisticated western countries.

As the London "Soviet-Analyst" puts it: "The Communist regime has transformed Russia into an industrialized country which can produce nothing that anybody wants to buy."

Forecasters say that the Soviet Union will have to continue to import food-stuffs from the West for years to come. They will get them either on credit or will sell some more of the treasured gold, the reserves of which are not limitless.

What dims the economic picture even more is the fact that Soviet oil production is decreasing while national consumption increases. It is estimated that by 1980 the

U.S.S.R. will have to import some 110 million tons annually, representing—at current prices—a deficit in the balance of payments of some \$960 million. By that time her clientele in comecon will be clamoring for 70 million tons crude annually.

How are they going to pay?

The Kremlin's great hope is focused in the success of the exploitation of the much vaunted Tyumen gas reserves of Siberia.

Owing to the shortage of energy throughout the Western world capitalists are stimulated to take interest in the Siberian fields.

An agreement signed last year gives one U.S. consortium authority to spend over \$4 billion in installations, equipment and tankers. It will build a 2,000 mile pipeline to Murmansk to transport 56 million cubic feet of gas a day over a period of 25 years. Another U.S.-Japanese group is negotiating a huge Siberian natural gas deal that would transport gas to Japan and the West coast of the U.S.A. The initial investment on this project is estimated at \$4 billion.

Both projects, however, will take many years to complete. The harsh climatic and logistic conditions are tough enough, but the top-heavy and cumbersome Soviet system itself is even tougher.

Aren't we throwing good money after bad?

## PAY TRIBUTE TO MASSACHUSETTS CITIZENS

## HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with sadness that I note the passing recently of three residents of Massachusetts whose many years of life matched the quantity of their contributions to their fellow human beings.

By tragic coincidence, they died within a week of each other, and, by happier coincidence, they were all outstanding citizens of their communities, of Massachusetts, and of the Nation.

I would therefore like to pay tribute to Frank Haley of Medfield, Mrs. Grace A. Buck of North Easton, and Waldo F. McNaught of Bedford. And while extending my deepest sympathies to their families, I would comment that the lives of these three people could serve as the ultimate inspiration to all of us.

I include herewith newspaper accounts of their careers as carried in the *Boston Globe*:

W. F. McNAUGHT, WAS VETERANS DIRECTOR;  
84

Waldo F. McNaught, 84, a retired director in the New England region of the Veterans Administration, died yesterday at his home, 9 Hillside av., Bedford.

He was born in Pennsylvania and first joined the Veterans Administration in 1909 in New York.

Mr. McNaught was transferred to the Boston office in 1948 and when he retired in 1959, after 50 years service, he was director of hospital operations for both the New England and New York areas.

He also maintained a home at Deerfield, N.H., where he spent a considerable amount of time during the past few years.

He and his wife, the former Edith E. Boyer, celebrated their 60th wedding anniversary Jan. 20.

Besides his wife, he leaves two sons, Waldo

E. of Birmingham, Mich., and John P. McNaught of Saddle River, N.J.; six daughters, Mrs. Marion J. Hattenhouse of College Park, Md., Martha J. McNaught of Hudson, N.H., Mrs. Margaret F. Jones of Agawam, Mrs. Alice B. Kieley of Bedford, Joan E. McNaught of Bedford and Mrs. Caroline Holloway of Texas; 20 grandchildren and 14 great grandchildren.

A funeral Mass will be celebrated at 9 a.m. tomorrow at St. Michael's Church, Bedford.

GRACE A. BUCK, 101, LEAVES

80 GREAT-GRANDCHILDREN

NORTH EASTON.—Services will be held at 2:30 p.m. today at the New Jerusalem Church in Mansfield for Mrs. Grace A. (Packard) Buck, 101, of 71 Rockland St., North Easton, this community's oldest resident. She died at home Saturday.

She was born in Easton and taught in the public schools there several years before the turn of the century.

Mrs. Buck was one of the organizers of the Easton Community Sunday School. She was a member of the Women's Alliance of the New Jerusalem Church.

She leaves six sons, Horace G. of Londonderry, N.H.; Willis G., Donald F. and Charles L., all of Easton; Carroll P. of Los Angeles, and Russell L. Buck of Marion; seven daughters, Mrs. James Mullen, Mrs. John Martin, Mrs. Ralph Buck, and Florence and Anna Buck, all of North Easton; Mrs. John Boyle of Cleveland, and Mrs. Richard Parker of Los Angeles; a sister Ethel Packard of North Easton; 32 grandchildren, 80 great-grandchildren and 11 great-great-grandchildren.

FRANK HALEY, WAS MEDFIELD SELECTMAN; 82

MEDFIELD.—Services will be held at 2 p.m. today in the Roberts Funeral Home, 15 Miller St., for Frank G. Haley, 82 of 23 Green St., a former postmaster and selectman here. He died Monday in Leonard Morse Hospital, Natick.

He was born in Westwood and lived most of his life here, attending the Medfield schools.

Until his retirement nine years ago he was a self-employed broker and accountant. He served as a selectman from 1927 to 1953. He also was on the town welfare and health boards.

Mr. Haley was a charter member of the Norfolk County Selectmen's Assn. and a member of the Rocky Woods Reservation and the Medfield Historical Society.

He was a veteran of World War I, serving in the Yankee Division. He also served with Gen. John J. Pershing on the Mexican border in 1916-17.

He leaves a sister, Mrs. William Murison of Medfield, and several nephews and nieces. Burial will be in Vine Lake Cemetery.

## REVENUE SHARING SUBVERTED

## HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BLATNIK. Mr. Speaker, those of us who have been skeptical of the administration's general revenue sharing program have, until recently, had little hard evidence to back up our doubts and suspicions.

Now, less than a half-year into the program, we had a survey made by a subcommittee of the Senate Intergovernmental Relations Committee, recently

covered in the press by Columnist Joseph Kraft—Washington Post, February 15, 1973.

The survey points out that revenue sharing, in contrast to categorical grants, has been used to benefit the haves, while the have-nots become have-even-lesses.

Revenue sharing funds were intended by Congress to supplement local government funding needs, not supplant moneys for proven, effective categorical grant programs.

But it is now clear that revenue sharing has been subverted by the administration, and the intent of Congress twisted. The 1974 budget proposal casts aside programs which have proved their worth over the years, and denies communities the funds they want and desperately need.

There may still be room for revenue sharing in some areas; but I think the Congress would do well, before succumbing to special revenue sharing, to take a hard look at the Senate survey and at Mr. Kraft's article; and at our own intentions in enacting general revenue sharing.

Congress, the last hope now of cities and small communities as well as of the poor, must not allow our authority to create and fund programs to be whittled away without due deliberation.

The article follows:

#### WHO SHARES IN REVENUE SHARING?

(By Joseph Kraft)

The chief source of federal dollars for the cities is now President Nixon's program for revenue sharing. But what do the cities do with the money they receive from Washington through that program?

Well, the best evidence shows that they don't spend it on services to the poor. On the contrary, the indications are that the money which the cities receive from revenue sharing is going for services and tax cuts favorable to middle income groups.

The best evidence is a survey made by the Senate subcommittee on Intergovernmental Relations which is headed by the Maine Democrat, Edmund Muskie. The survey asked several hundred cities how they planned to use revenue sharing monies.

The findings of the survey are necessarily imperfect. Some major cities, including New York, did not reply at first. Others gave only skimpy details. Still others have not yet decided what they are going to do with revenue sharing funds.

Still the evidence in city after city is overwhelming. In all sections of the country, cities are using revenue sharing funds to ease tax burdens or improve such services as police and fire departments.

A good example is the city of Los Angeles. According to Mayor Sam Yorty, the city will receive \$35.4 million in revenue sharing funds this year as against \$21.8 million for model cities, which is the next largest grant.

The final disposition of the funds has not yet been made, but Mayor Yorty's recommendations are indicative. According to the latest available figures the mayor wants \$14.9 million to be applied to the city's deficit so as to head off a tax increase. He wants \$10 million applied to a reserve fund to be used against any increase in property taxes. The rest of the money would go for building a technical center to service city automotive equipment; a new increase in the fund for paying workman's compensation; and for supplies and equipment for a couple of downtown parks.

Chicago is not all that different. In his reply to the Muskie questionnaire, Mayor Richard Daley wrote:

"The city received approximately 50 per cent of its 1972 entitlement in December . . . This \$31 million was used in the area of public safety. Specifically, personnel costs in the police, fire and health departments were charged directly to the trust fund established to account for this grant."

In the East, the cases of Providence and Boston are illustrative. The Providence reply to the Muskie questionnaire asserted that revenue sharing funds would go to public safety, environmental protection, public transportation, recreation, financial administration and capital expenditure, in that order. The Boston reply said revenue funds would be used "to hold the line on property taxes."

As a final example, there is New Orleans, where information on revenue spending plans comes from a recent speech by Mayor Moon Landrieu. Landrieu is one of the most progressive mayors in America, and he owes his election in large measure to black votes. Even so, he does not feel able to use revenue sharing funds for projects chiefly connected with helping poor blacks.

He has recommended that \$19 million of the \$30 million the city receives from revenue sharing this year go to capital improvements which will increase the city's tourist income. Among the improvements are downtown parks, a cultural center and a parking garage.

I have no quarrel with the use of funds by cities to lower taxes, improve police services and build parking garages, but I don't think we should kid ourselves about what is happening.

Revenue sharing, like so much else in President Nixon's program, is a good way to help those who are already not so badly off. It is no way to help the poor. If the idea is to help those most in need, then the federal government will have to earmark funds in a very specific way.

#### MY RESPONSIBILITY TO FREEDOM

### HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. ROY. Mr. Speaker, every year through the efforts of the Veterans of Foreign Wars of the United States and its ladies auxiliary, thousands of young Americans throughout the United States participate in meaningful, educational experience through the Voice of Democracy Contest and national scholarships are awarded. This year 5,677 Kansas students participated in this contest. I am happy to report that the winner of the Kansas contest was 18-year-old Guy Joseph Hargreaves from Junction City, Kans., which is in my district.

Guy Hargreaves is an outstanding young American and has won many awards and achievements in his school and State and is in Who's Who Among American High School Students.

Therefore, I am pleased and proud to call to the attention of my colleagues Mr. Hargreaves' winning speech:

#### MY RESPONSIBILITY TO FREEDOM

This is our country—Americans and ours is a rare privilege for we have the oppor-

tunity to live in a free country guided by the Constitution of the United States of America. Our Constitution is the rock or the foundation of the United States. It is the window through which the world appraises us. Just think every opinion you voice, every church service you attend, and every vote you cast is the result of this great document.

Right now, as you sit where you are, you have the right to lean to your neighbor and express your opinion on any topic. As with any privilege, however, there is a responsibility. One cannot, in exercising his own rights, infringe upon those of another. Oliver Wendell Holmes put it, "freedom of speech does not give one the right to shout, 'Fire!' in a crowded theater."

We must agree that America needs a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, and a determined insistence that laws be enforced, courts respected and due process followed. We must take the laws into our hearts rather than into our hands if we are to survive as a civilized nation.

The inspired minds of the people created the fascinating piece of work, our constitution. Blood and sacrifice made this document possible. Brave men shouldered their responsibilities by fighting and dying to make freedom a reality. John F. Kennedy told a group of students at the White House, "The American constitution is an extraordinary document . . . certainly the most extraordinary written constitution in the history of the world. But it has required men to make it work, and it still does today."

Let us not let indifference or racial prejudice snuff out the light of the temple of liberty. In the BIBLE it says that God created man, not white man, not black man, but men, with no race distinctions. In accordance with the BIBLE, the Constitution guarantees all men the right to life, liberty, and the pursuit of happiness, again regardless of race, creed, or color. It is our responsibility to see those who demand rights—receive their rights if they accept their responsibilities.

We must act! We must understand and work for our government. We must study and continue to voice our opinions and cease to be apathetic in our views toward government, for it is my responsibility to freedom to let my opinions be known through my vote and if I desire to change the government to try to do so, but through the system in which it exists today. I should take the time or trouble to build up my country. For most of all, I would like to be able to say—"My country is better because of me."

We must be steadfast in our responsibility lest we should lose the most precious values known to man. These are, in essence, the right to work out one's own destiny, under God, in a society where the individual is of primary importance.

The sum total of my responsibility to freedom is set down in these words: I believe in the United States of America as a government of the people, by the people, for the people, whose powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice and humanity for which American patriots sacrifice their lives and fortunes.

I therefore believe it is my duty to my country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Daniel Webster said, "God grants liberty only to those who love it and are always ready to guard and defend it."

This is why we must stand tall Americans—for we have the responsibility to maintain freedom.



# IMPOUNDMENT TOTALS CONFIRMED—\$12 BILLION TO DATE THIS FISCAL YEAR

**HON. JOE L. EVINS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. EVINS of Tennessee. Mr. Speaker, as you may recall, following the refusal of the Office of Management and Budget to release details of its extensive impoundment of funds earlier this year, I instructed my staff to compile such a list as a matter of public information, contacting departments and agencies directly.

The partial listing which we compiled indicated that more than \$12 billion was impounded as of January 15, 1973.

In the current issue of the Progressive Magazine, author Arthur S. Miller points out that

In confirmation hearings in January . . . Casper Weinberger, Secretary-designate of Health, Education and Welfare said impoundments approximated \$12 billion.

This essentially confirms the accuracy of our compilation which OMB challenged at the time.

The article by Mr. Miller also makes the telling point that simply because some limited impoundments have occurred over a period of years, this makes them no more constitutional or legal than the defective reapportionment of legislative seats that was finally corrected in recent years.

The heart of the impoundment issue is despotism or democracy.

Because of the interest of my colleagues and the American people in this most important subject of impoundment, I place the article from the Progressive in the RECORD herewith.

The perceptive article follows:

[From the Progressive Magazine, March 1973]

THE NEW CONSTITUTIONAL CRISIS

(By Arthur S. Miller)

(NOTE.—Arthur S. Miller, professor of constitutional law at George Washington University, is a consultant to the Senate Subcommittee on Separation of Powers. He is the author of three books on constitutional law; the most recent is "The Supreme Court and the Living Constitution.")

Last October, when Congress was debating whether the President should be given discretion to hold spending to \$250 billion in the current fiscal year ending June 30, 1973, Senator Russell Long, the Louisiana Democrat who is chairman of the Finance Committee, said in an interview that he favored the Chief Executive having limited power to cut the budget even after its enactment into law. Long asserted that such authority "would only make legal what Presidents since Thomas Jefferson have done by usurpation." He was referring to the Presidential practice of "impounding" appropriated funds—the process by which the President withholds or reduces the amount of an appropriation approved by Congress and signed into law. Saying that it was practically impossible for Congress itself to cut the budget, Long maintained that "maybe the time has come when we need a benevolent dictator, if only temporarily."

The Senator's history of impoundment is dubious—before the Nixon Presidency, impoundments mostly took place in military matters but now the cuts are deep into social

and welfare programs—but his remark about the need for a "benevolent dictator" was more prescient than he probably knew. For only a few days after the November election, President Nixon, acting through OMB—the Office of Management and Budget, that little known agency of vast powers—accelerated what he had already been doing. A cut of \$6 billion in "clean water" funds was announced, running the total of withheld funds to about \$15 billion. The water pollution bill had been passed overwhelmingly over a Presidential veto, but Mr. Nixon gave in only outwardly. At the first opportunity he ordered William Ruckelshaus, head of the Environmental Protection Agency, to pigeon-hole more than half the Congressional appropriation.

That is government by decree, by executive fiat, an arrogant exercise of power by a President who apparently believes that Congress has neither the will nor the staying power nor the institutional capability to counter impoundment and other examples of bald executive power.

In the struggle over the relative strength of the three branches of government, the judiciary is a non-starter. Despite all the furor about "judicial legislation," the Federal judiciary is, as Alexander Hamilton said, "the least dangerous branch," simply because it has the least power, actual and potential. Congress is another matter—the only hope for checking a rampaging Executive branch that has steadily been aggrandizing its power since the beginnings of the republic and which, starting with President Franklin D. Roosevelt, has become the dominant branch.

The struggle is now reaching classic proportions. Years of debate have convinced the Senate and possibly the House that stringent controls must be placed on the Presidential power to make war without Congressional authorization and on his conduct of war. So, too, with "Executive privilege," that doctrine of dubious parentage and less validity, which is invoked by the President when he wishes to withhold information from Congress or to shield his Cabinet members or administrative aides from Congressional questioning.

But it is in the area of spending powers that the battle most directly concerns the daily lives of most Americans—and where the constitutional confrontation will be resolved. Unless and until Congress, aided perhaps by favorable judicial decision, halts what Senator Charles Mathias, Maryland Republican, once called an "informal line-item veto" by the President, that official's power will burgeon and Congress will evermore sink, to quote Mr. Nixon out of context, into the status of "a poor, pitiful, helpless giant." Under the Constitution the President has the power to veto a bill only in its entirety. Neither the Constitution nor Congress gives the President express power of impoundment of funds voted for specific purposes by Congress. This means he is doing it "informally."

Last October, Congress tacked on to the debt-ceiling bill (and passed) a requirement that it must be notified of all impoundments, but then found the term difficult to pin down. OMB, displaying the dazzling footwork of professional bureaucrats, has seized upon the informing requirement as a tacit recognition of the legality of impoundment, to the consternation of Senator Hubert Humphrey, author of the requirement, who said, "There is little basis in law or in legislative history of law for the present impoundment practice." Humphrey maintains that President Nixon is violating "the will and intent of Congress" by deliberately thwarting priorities set by Congress.

Usually, appropriations empower the Executive to spend that amount of money in support of programs authorized by Congress, a fact that has led some political scientists to conclude that appropriations are permissive rather than mandatory. That question,

however, has never been definitely litigated, although cases now in the judicial pipeline are heading toward the Supreme Court. In one, Judge William Becker of the U.S. District Court in Missouri last year held that some highway trust funds were improperly being withheld, because of mandatory statutory language. His decision, the first to invalidate an impoundment, is now pending decision on appeal before the Eighth Circuit Court of Appeals. Whatever that court decides, the case will surely wind up before the Supreme Court. Significantly, twenty-two Senators, led by Sam Ervin and including most of the chairmen of the standing committees of the Senate, joined Ralph Nader in filing a "friend of the court" brief in the case, urging that Becker's decision be affirmed.

But the Missouri case may not be the real constitutional showdown on Presidential power. Judge Becker's decision was based on statutory, not constitutional, interpretation. A better case is now before a Federal court in Florida, in which Florida is contesting Mr. Nixon's impoundment of funds for a barge canal. The preliminary legal papers indicate that the question of the President's constitutional power to impound is being directly challenged.

Little help in resolving the impoundment question can be gleaned from the spare prose of the Constitution. Article I gives Congress the power to appropriate and the President, under Article II, must take care that the laws are faithfully executed. That, to some, settles the matter in favor of Congress—but in fact it merely restates the question. For Congress has been anything but precise in its appropriations language, and it has been lax in allowing past impoundments to go unchallenged. It is not only Senator Long, but other members of Congress as well, who have informally conceded a power of Presidential impoundment.

The Supreme Court could change the picture—in what way is unpredictable, given the hard core of Nixon appointees there—and Congress has some means of retaliation, such as withholding appropriations for the President's pet projects.

OMB relies on three vaguely worded statutes of a general nature as the legal basis of impoundments, plus the view that appropriations "empower" rather than "mandate" expenditures: the Anti-Deficiency Acts of 1905 and 1906, the Omnibus Appropriation Act of 1950, and the Employment Act of 1946. That simply is not enough. The first two statutes merely allow establishment of reserves to effect savings and to provide for contingencies. To find in the turgid legislative language authority for impoundment takes a mental leap that only Executive branch lawyers have been able to make, lawyers who act not as professionals but as apparatchiks.

Even more specious is the reliance on the Employment Act. OMB says that the President can fight inflation by impounding funds and that the Act can be construed to permit it. But neither inflation nor impoundment is mentioned in the Act; it was passed to promote employment, production, and purchasing at a time when post-World War II deflation, not inflation, was feared. All postwar Presidents nonetheless have inferred that they can use it to tackle inflationary pressures, partly through impoundments. It was only when President Nixon began to dismantle social welfare programs that Congressional ire began to boil over.

In the absence of express statutory language authorizing impoundments, as in Title VI of the Civil Rights Act of 1964 (whereby states may be denied educational funds if they persist in discriminating racially in their schools), the President can rely only on some theory of "inherent" Executive power—as head of a co-equal branch of government, and, at times, as Commander in Chief of the Armed Forces. That was Pres-

ident Truman's theory, for example, when he seized the steel mills in 1952, an action speedily invalidated by the Supreme Court. Save perhaps in times of dire emergency, such as a military invasion or similar catastrophe, the President simply does not have inherent powers in domestic matters. Foreign affairs may be a different matter, but even there the legal picture is cloudy. It is relevant to note that the Justice Department dropped its reliance on inherent Executive power to wiretap in domestic subversion cases, after the lower courts had rejected it—wisely, because the Supreme Court voted eight to zero last year against the Executive on the same issue.

But, the argument goes, if there is no statute or constitutional provision, then the President can rely on the fact that since President Jefferson impoundments have occurred. This might be called a theory of customary constitutional law. It, too, is untenable: Past "usurpation" (Senator Long's term) of power can hardly justify present similar practices. To cite a not-too-exact analogy, state legislatures were malapportioned for decades, but the Supreme Court abruptly halted that in 1964; past practice there was not only not a justification for current practice, it was the *problem*—just as here impoundment is the *problem*.

It is true that President Jefferson and other Nineteenth Century Executives impounded funds on a relatively small scale. In our own century, Franklin Roosevelt stepped up the practice considerably, and his successors, Harry Truman, Dwight Eisenhower, John Kennedy, and Lyndon Johnson followed suit, in a limited way, and mainly to reduce wasteful military expenditures.

It is President Nixon, however, who has carried the practice to an all-time high. When Senator Sam Ervin's subcommittee held hearings in 1971, OMB conceded that at that time more than \$12 billion was being blocked. (It had taken Ervin two years to pry that data out of OMB.) In confirmation hearings in January, however, Caspar Weinberger, Secretary-designate of Health, Education and Welfare, said impoundments approximated \$12 billion, disputing Ervin's \$15 billion figure.

What OMB does is to sequester all or major parts of Congressional appropriations. This gives the agency a second shot, because all original budget requests by government agencies must funnel through OMB on the way to Congress. Often these departmental and agency requests are sharply reduced or entirely eliminated at this stage. After Congress acts, then OMB gets its second opportunity to pare appropriations or stymie entire programs through the illegal impoundment procedure.

Thus, to take some representative instances concerning the current budget year ending June 30, 1973:

\$105 million was chopped off the Model Cities Program (at a time when American cities are deteriorating).

The Bureau of Indian Affairs lost more than \$53 million a (few months before Indians stormed the Bureau's Washington office in bitter complaint over lack of adequate treatment).

Howard University, the nearly all-black college in the District of Columbia, had \$3.7 million held up (when the need for improved education for blacks was obvious).

The Federal Prison System had \$4.3 million chopped off, at a time when even the Chief Justice was speaking out about prison problems.

\$20 million for a prototype de-salting plant was impounded, just when the need for new sources of fresh water became acute.

The Defense Department was denied about \$1.4 billion in shipbuilding and conversion funds (the ships are not listed), although one might note the pressing need for tankers to haul liquid natural gas from Europe.

\$5 million was taken from the Office of Education's budget.

The State Department lost \$27,000 in educational exchange funds.

\$300 million in urban mass transport money was blocked (at a time when the need was never greater).

The Atomic Energy Commission was denied \$370,000 for bio-medical research.

The Veterans Administration was minus more than \$8 million slated for grants to states for extended care facilities.

All of these programs were approved by Congress as deliberate legislative choices, but these choices, hammered out in the political arena, were scuttled by Presidential decree.

Of particular interest is the fiscal year 1972 impoundment of \$620,000, which, according to outgoing chairman Miles Kirkpatrick, was withheld from the Federal Trade Commission by OMB. Kirkpatrick told Senator Lee Metcalf that this forced him to abolish permanently seventy-two new positions designed to strengthen the protection of consumers.

The FTC legally is an "independent" regulatory commission, supposedly free from both Congressional and Presidential orders. Thus the President cannot dictate a decision by one of the "independent" commissions. But what he can do is screen budget requests on their way to Congress, and now it appears he can hamstring a commission by blocking funds appropriated by Congress.

What, then, can Congress do? Speaking generally, it must display: (a) a determination and a will; (b) a desire to stay in the fight indefinitely; and (c) a new institutional capacity that will at least partially match the Executive's expertise. None of these requirements is present now, although there is great unrest in Congress and a lot of talk.

Senator Ervin has introduced S. 373, a tough bill that would require all impoundments to be referred to Congress—which would then have to approve, *affirmatively*, each one. Failure to secure an affirmative vote would mean a mandatory requirement to spend, something that Justice William Rehnquist, when he was an Assistant Attorney General, conceded would be binding on the Executive. Ervin's bill is about as strong as it could be made; under its terms, even a failure of Congress to act on impoundments would mean a mandate that the appropriations be spent. Whether Ervin's bill will become law is problematical, even though forty-five other Senators joined him in sponsoring it. No one knows what the House will do. Congressional anger at the Executive may be running at a high peak, but it may be more hortatory than real.

The staying power of Congress is even more questionable. Through a supreme effort, one or both houses can rise up and stop the President at times—as when the nominations of Judges Haynsworth and Carswell to the Supreme Court were blocked. But for years no amount of legislative resentment was able to do much about Vietnam, nor has it curbed the exercise of "Executive privilege" by the Administration when it wishes to prevent the appearance of officials before Congressional committees.

On the other hand, in a little noted but important move, Senator Ervin last October got Congress to deny use of funds by the Subversive Activities Control Board to carry out the terms of an Executive order by which Nixon tried to transfer to the SACB the Justice Department's functions of running the blacklist of "subversive" organizations. As a consequence the Board is again all but moribund at this time.

Under Title VI of the Civil Rights Act of 1964, funds must be withheld from state agencies illegally discriminating; that cutoff provision was used by President Johnson, but under President Nixon it has been treated with "benign neglect." In other words, Con-

gressional-ordered impoundments have been flouted, and Congress has done nothing.

Even if appropriations are expressly mandated or required, there are numerous ways the Executive can avoid or delay them and still stay within the technical letter of the law. Only if Congress, as an institution, improves its ability to receive, assimilate, store, and use vast amounts of data—economic and scientific and military—will it then be in a position to match the Executive in a one-on-one struggle.

Possibly the basic trouble is that there is only one Sam Ervin. It is no exaggeration to say that Ervin is one of the most powerful and most respected members of the Senate. He has excellent relations on both sides of the Senate aisle. Senate Democratic leader Mike Mansfield says that "Sam Ervin is the man to watch this year," but he has so many jobs that he will have to work double time to keep up. In his role as chairman of the Government Operations Committee Ervin stands in the center of the growing confrontation between Congress and the Executive.

Impoundment should be seen as only one skirmish in the continuing political battle between the President and Congress. Thus far, the President has been able to fill a vacuum, for in politics, as in nature, a vacuum is abhorred. If he is halted, it will be by politics. The law, and the courts, can help, but only to shore up political decisions. If there is still validity to the notion of American democracy, then the elected representatives of the people will in time prevail.

Merely knowing the amount of money blocked by OMB is staggering enough, but to study specific programs is to realize that many of the battles for social reform that were so difficult to win during the past forty years must now be fought all over again. The American version of the welfare state is being scuttled by President Nixon. Not all of it, to be sure, but enough to reduce to despair any who care for the poor and the disadvantaged. Constitutionally, that presents the unsavory picture of appointed officials—some little known in Washington (and unknown outside it)—overriding Congress and its allegedly sovereign will.

An even more important reform would be for Congress to streamline its appropriations process. It is senseless to make four trips to the legislative well to draw one pail of statutory water. Each house must first authorize a program or project and then each house must appropriate funds to support it, following which a conference committee meets to iron out differences—and then each house votes on the conference report. If a person set out to hamstring Congress, he could think of no better way to make it difficult to act quickly and decisively.

Senator Long's plaintive remark about the need for a "benevolent dictator" is not just the idle chatter of a garrulous politician. Whether he realized it or not, Long was going to the heart of the major crisis confronting the country in the current struggle between the Legislative and Executive branches of our Government: despotism or democracy.

#### OEO—SUBSIDIZED EQUALITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. RARICK. Mr. Speaker, the new army of OEO protestors, intimidating the very foundation of our Government as well as exhibiting political muscle to raise taxes, contains many interesting names.



Many of these federally subsidized OEO protestors were interested in civil rights when they said that all they wanted was full equality. Perhaps they did not understand or had not been told that full equality included work and paying one's own way.

Now it is quite obvious that they do not want to pull their own wagon; they do not want full equality. They want subsidized equality. Hiding behind such words as "poverty," they do not want freedom from economic shackles of the giveaways that they are begging the working, producing American to be forced to give to them.

The wrong people are demonstrating in our Nation's Capital. It should be the long-suffering taxpayers and working class of America who should be demonstrating in support of the President's announced policy of getting the freeloaders off their backs.

I include a related news clipping:

[From the Washington Star and News, Feb. 21, 1973]

#### OEO PROTEST "JUST BEGINNING"

(By Philip Shandler)

Civil rights leaders are planning further demonstrations here and across the country against President Nixon's effort to dismantle the federal antipoverty program.

Some are predicting "a long hot summer" of the kind that tore cities apart several years ago, if the dismemberment of OEO is not averted.

A lobbying campaign and rally yesterday, which drew at least 20,000 people to the Capitol, was "just a beginning," its leaders emphasized.

Poor people and workers in Official Economic Opportunities community-action agencies swarmed across Capitol Hill yesterday urging members of Congress to resist Nixon's plan to halt federal funding of the community agencies and shift OEO's programs to other departments, starting July 1.

#### 706 BUSES

Whether or not the citizen lobbyists changed any minds, they demonstrated that the poor "are still a force to be reckoned with," James Couch, a New York antipoverty official who organized the activity, said later.

District police put yesterday's visiting throng at about 20,000, based on their count of buses coming into town on prearranged routes. But Couch said the police had not tallied all the buses—he counted 706, carrying about 50 passengers each—or the cars which brought in more demonstrators.

(Two buses from New York—which sent the bulk of the protestors—did not get here. One hit the rear of the other in the Baltimore Harbor Tunnel, requiring hospital checkups of the passengers, many of them elderly. None apparently was hurt badly.)

#### MARCH PROTEST PLANNED

The crowd at the rally on the west lawn of the Capitol swelled through the afternoon, as people completed their visits to congressional offices—and were paid return visits by liberal lawmakers who addressed the rally.

—drew enthusiastic applause when she said she and others were planning a more extended protest, and one that will focus on the White House.

In an interview later, — said a coalition of black, Hispanic and women's groups were planning a three-day demonstration, possibly in mid-March. Details have not been worked out, however, she said.

Suggestions from several speakers to focus the protests on the President drew warm response. One of them was — also from New York, who told the rally that Nixon

"has no right to take those (antipoverty) funds from you."

#### KING ANNIVERSARY

Mrs. Coretta King, whose late husband led the Poor People's Campaign here five years ago, told the rally she does not intend to "let my husband's dream become a nightmare."

And the Rev. Ralph Abernathy, the successor to Martin Luther King Jr. as leader of the Southern Christian Leadership Conference, said his followers plan a demonstration here April 4, the anniversary of King's assassination.

He said later in an interview, however, that this might be coordinated with the protest planned by — and others.

The Rev. Jesse Jackson, a former aide to King who has formed his own organization, said his followers plan "massive street action" in various localities in the weeks ahead. He forecast the possibility of a "long hot summer," but would not amplify this.

(Jackson he spoke of "marches on 50 or 60 cities" and "filling up jail houses" until the President or Congress responds, United Press International reported.)

(—, a member of the congressional Black Caucus which helped sponsor the rally, complained that OEO was being "immorally, illegally and unconstitutionally dismantled" before Congress could respond, UPI said. "The only way the President can understand what we are talking about is for him to recognize that the safety of America is at hand," — said.)

#### MAYORS PROTEST

(Among those here to object yesterday was a group of mayors seeking to prevent a big reduction in federal grants to the cities, The Associated Press repeated. Mayor Moon Landrieu of New Orleans, representing the U.S. Conference of Mayors, said reductions should be made in federal spending. "But the battle shouldn't be fought on the sweat, on the backs of the poor who live in the cities," he said, according to AP.)

The mayors met with Democratic congressional leaders to protest spending cutbacks.

— said afterward that House Democratic leaders are giving top priority to "reversal of the President's strangulation of programs enacted and funded by Congress, UPI said. — told the city officials to demand a meeting with Nixon to air their grievances.

#### ONE REPUBLICAN

Organizers of yesterday's so-called Mobilization for Domestic Unity had asserted that "infiltrators" had been planning to provoke disturbances, but none was reported.

Black and Puerto Rican participants argued over the representativeness of the speakers, with the director of a Brooklyn drug center, Julio Santana, charging toward the end of the rally that the organizers were "running a black show." He was allowed to speak, however, and drew cheers.

Other speakers included — and one identifiable Republican, —.

#### CONSPICUOUS ABSENCE

Drawing attention for their absence were —, a leading advocate for the poor, and —. Couch said they apparently were detained by a meeting of the Bay State delegation.

Two participants from The Bronx, N.Y., roamed the Capitol grounds in gorilla costumes, prompting screams and then laughs from congressmen's secretaries. One wore "Impeach Nixon" stickers.

— and other lawmakers are introducing resolutions that would express as the will of Congress the desire that Nixon continue federal funding of OEO.

Meanwhile, a House Labor subcommittee resumed hearings today on the proposed antipoverty moves, focusing on proposals to

have OEO's legal services to the poor administered by a government-sponsored corporation.

#### FREDERIKSTED AMERICAN LEGION SUPPORTS PRESIDENTIAL VOTE FOR VIRGIN ISLANDS

#### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DE LUGO. Mr. Speaker, the gentleman from Guam and I have recently introduced House Joint Resolution 291 to provide for the participation of Guam and the Virgin Islands in the election of President and Vice President.

We have submitted this amendment to the Constitution of the United States to correct an inequitable situation that denies the American citizens of our two territories exercise of the Presidential franchise possessed by their fellow American citizens. I can conceive of no reason why loyal, dedicated, and responsible citizens residing in our jurisdiction of the United States cannot participate in the paramount decision of national determination.

During the recent visit of the Subcommittee on Territorial and Insular Affairs to the Virgin Islands I had the opportunity to speak with many citizens concerning this matter. Among those with whom I met in St. Croix was a good friend who is always active in Crucian affairs, Verne I. Richards.

American Legion Bromley Berkley Post 133 of Frederiksted has recently met and ratified a resolution sponsored by Mr. Richards, the post adjutant, and my good friend Mr. Edgar M. Iles, vice commander of the Department of Puerto Rico and the Virgin Islands. The resolution petitions the Congress to act to enable the Virgin Islands to participate in Presidential elections.

Post 133 is comprised of Virgin Islanders who exemplify the loyalty, honorable service and dedication to the principles and practice of American democracy that characterize the allegiance of Virgin Islanders to their country. I am pleased to insert in the CONGRESSIONAL RECORD the resolution passed by Bromley Berkley Post as testimony to the sentiment of Virgin Islanders on this question.

#### RESOLUTION DEALING WITH PRESIDENTIAL VOTE FOR THE VIRGIN ISLANDS

Whereas, Virgin Islanders have served and continue to serve faithfully and honorably in the Armed Forces and other related branches of the United States; and

Whereas, in the great World Wars, in Korea and most recently in Vietnam, Virgin Islanders have promptly met the call of duty and have distinguished themselves with valor; and

Whereas, many sons of these Virgin Islands have given their lives, bled in loyalty and dedication to the defense and honor of their country; and

Whereas, that Virgin Islands be given the right to vote for the President of these United States. Now therefore

Be it Resolved by the American Legion Bromley Berkley Post—133 of Frederiksted, St. Croix, Virgin Islands, U.S.A.

That we hereby petition the Congress of the United States to act favorably on legislation to give the Virgin Islands the right to vote for President of the United States.

## THE ESTONIAN PEOPLE WILL NOT BE FORGOTTEN

**HON. FRANK ANNUNZIO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. ANNUNZIO. Mr. Speaker, on Saturday, February 24, Estonian Americans in the 11th District of Illinois, which I proudly represent, and all over the Nation will commemorate the 55th anniversary of the Declaration of Independence of the Republic of Estonia.

The intellectual and material renaissance in Estonia during independence, after centuries of medieval czarist rule, was astounding. In only 20 years, the Estonian people, due to the winning of long-coveted national freedom, gained the admiration of the world because of their political, cultural, and economic progress.

The mind of the nation appeared suddenly liberated as from some heavy oppression. Systematic research in the domain of science received a strong impetus. The Estonian theater, Estonian music and art all attained a high level. Education received heavy emphasis. National minorities within Estonia were granted the right to organize their schools and education and to develop their national culture through their own freely and democratically elected organizations. Social legislation in Estonia corresponded to modern Western European principles and because of a flourishing economic life, unemployment was nonexistent.

Thirty-three years have passed since Estonia was overrun by the Communists and thousands of innocent people were inhumanly exiled, deported, and murdered. The sad fate and memory of these victims are very much alive today, and on the observance of the 55th anniversary of Estonian independence, we pay tribute to their blessed memory, while praying for the freedom of the Estonian people from Communist totalitarian tyranny.

We in the free world enjoy all the benefits of political and economic liberty—yet how can we fully enjoy our liberties while millions of our fellow men are deprived of the most fundamental human rights?

Because we ourselves are free, we have a compelling moral obligation to our brothers trapped behind the Iron Curtain. It seems to me that this obligation lies particularly heavily in our own country, for as a leader in the free world, the United States must help to keep the light of liberty burning brightly in order to remind those who look to the West for inspiration that they are not forgotten.

Mr. Speaker, the United States has never recognized the seizure and forced "incorporation" of Estonia, Lithuania,

and Latvia into the Soviet Union. Our Government maintains diplomatic relations with the former free government of all three Baltic States.

Many citizens of the three Baltic nations, in an effort to rebuild their lives and maintain their ethnic integrity, have applied for permission to emigrate. Soviet authorities have mocked these requests by imposing an "education tax" which can amount to \$18,000 per person depending upon the level of education attained by an intended emigrant.

Consequently, on February 7, I joined over 250 of my colleagues in the House of Representatives in introducing a bill urging suspension of trade with the Soviet Union until such time as that country does away with its arbitrary and discriminatory methods of limiting the right of emigration. The text of my resolution follows:

H.R. 3911

A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Act for Freedom of Emigration in East-West Trade."

Sec. 2. To assure the continued dedication of the United States to fundamental human rights, and notwithstanding any other provision of law, after October 15, 1972, products from any nonmarket economy country shall not be eligible to receive most-favored-nation treatment, such country shall not participate in any program of the Government of the United States which extends credits or credit guarantees, or investment guarantees, directly or indirectly, and the President of the United States shall not conclude any commercial agreement with any such country during the period beginning with the date on which the President determines that such country—

(1) denies its citizens the right or opportunity to emigrate;

(2) imposes more than a nominal tax on emigration or on the visas or other documents required for emigration, for any purpose or cause whatsoever; or

(3) imposes more than a nominal tax, levy, fine, fee, or other charge on any citizen as a consequence of the desire of such citizen to emigrate to the country of his choice, and ending on the date on which the President determines that such country is no longer in violation of paragraph (1), (2), or (3).

Sec. 3. After October 16, 1972, pursuant to any separate Act of Congress, (A) products of a nonmarket economy country may be eligible to receive most-favored-nation treatment, (B) such country may participate in any program of the Government of the United States which extends credits or credit guarantees or investment guarantees, or (C) the President may conclude a commercial agreement with such country only after the President has submitted to the Congress a report indicating that such country is not in violation of paragraph (1), (2), or (3) of section 2. Such report with respect to such country, shall include information as to the nature and implementation of emigration laws and policies and restrictions or discrimination applied to or against persons wishing to emigrate. The report required by this subsection shall be submitted initially as provided herein and, with current information, semi-annually thereafter so long as such treatment received,

such credits or guarantee extended, or such agreement concluded pursuant to any separate Act of Congress is in effect.

The United States has benefited enormously from the courage and vitality of Estonian Americans. These gifted citizens are a living reminder to the world of what an atmosphere of freedom can do for the spiritual, economic, and intellectual lifeblood of a nation. I am honored to have a part in the 55th anniversary commemoration of the Declaration of Independence of the Republic of Estonia, and I extend my warmest greetings to those Americans of Estonian descent in Chicago and all over the country who are commemorating this occasion.

## PENSION REFORM: JUSTICE FOR THE WORKING AMERICAN

**HON. JOHN A. BLATNIK**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BLATNIK. Mr. Speaker, if working Americans had a written bill of rights, surely high on the list would be the right to security in old age, earned through a lifetime of hard work.

In theory, some 30 million workers possess this right, through a pension plan of some sort. Workers join a pension plan with the anticipation of receiving a fair and steady income on retirement; it is bargained for in contract negotiations, and promised them when they sign the piece of paper.

Too often, it never materializes.

A Senate Labor Subcommittee investigating pension plans discovered that since 1950, only 4 percent of the nearly 7 million people covered under 51 pension plans had received any kind of retirement benefits.

Another analysis of 36 plans covering nearly 3 million workers showed that, since 1950, only 8 percent of the people under the plans had received any benefits.

The record shows a shocking trail of hopes disrupted and funds evaporated—the difference between retirement years of deserved security and comfort or acute hardship for the vast majority of pension plan holders.

Clearly, Congress and the executive branch have a vital role to play in protecting the working American.

The basic question before us is this: How can we square our present myriad of pension plans with our rapidly changing times—in which companies merge or change function so radically that one man is no longer needed; in which no worker is content to fill one slot for 50 years or so; in which, indeed, job mobility is the ladder to higher income. More importantly, times in which companies can be liquidated practically overnight.

Even with the best intentions on both sides, a shocking number of workers find themselves without adequate pensions at the end of their working lives.

A new system must be developed or



Federal standards imposed to provide justice for the working American.

The Employee Benefit Security Act, which I am introducing today would move us toward that goal by providing Federal standards for vesting, funding, and trusteeship applicable to virtually all private retirement plans.

First, the bill provides for a graduated vesting schedule leading to 100-percent vesting rights after 10 working years. Vested benefits would have to be distributed at regular retirement age, but never later than age 65.

Second, the bill requires adequate funding of pension plans, so that an employee would receive his benefits even if the company goes out of business.

And, third, the trustees of pension funds would have to manage them solely in the interest of the employees, with Federal safeguards against conflict of interest, corrupt practices, and carelessness on the part of the administrators.

Descriptions of the plan would have to be comprehensive and clearly written so employees will know exactly what benefits they are entitled to.

Mr. Speaker, I emphasize that this is just the beginning; a modest pioneering effort in an enormously complex area which must be explored by practice as well as by the theorizing of the best brains available.

I am proud to sponsor the Employee Benefit Security Act, because it is a vital first step toward assuring justice for the many working Americans who, without it, would find their dreams and hopes shattered, at a time in their lives when they are least able to rebuild and start anew.

#### FEDERAL LEAA ASSISTANCE FOR STATE FISH AND GAME DEPARTMENTS

#### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 22, 1973

Mr. WYMAN. Mr. Speaker, we are justly proud of our far-reaching system of State parks and forests which provide us with needed recreation as well as with temporary relief from the pressures of urban life. These areas are becoming increasingly popular and are used by more and more people each year. It will be even more necessary in future years for us to have them at hand as population pressures result in less and less breathing space for each of us.

The continued availability of these parklands depends on their successful management by State fish and game departments. Unfortunately, there are continuing law enforcement problems in our parks and forests as in our cities. Yet, under the present law, the Law Enforcement Assistance Administration is unable to include State and fish and game departments in its programs. These agencies face unprecedented challenges as the vacationing public visits State parks in greater numbers than ever before. Campsites are filled to overflowing, unbroken lines of hikers crowd the trails,

and the commission of crime from malicious vandalism to serious felonies bear witness to the growing enforcement burdens placed on fish and game departments.

I am today introducing legislation to amend the Omnibus Crime Control and Safe Streets Act of 1968 to make State fish and game departments eligible to receive aid from the Law Enforcement Assistance Administration. Mr. Speaker, these agencies are responsible for safeguarding much of America's natural resources and making them available to us and to future generations. To insure that they will be able to continue and improve their handling of this responsibility, I believe that it is essential that assistance be provided to them by the Law Enforcement Assistance Administration.

A copy of my bill is as follows:

H.R. —

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include in the definition of law enforcement the enforcement of laws, ordinances, and regulations in any State relative to environmental recreation, including parks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601(a) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

- (1) by striking out the word "and" immediately before the word "programs";
- (2) by striking out the period at the end of such section, and
- (3) by inserting in lieu of such period the following: " , any activity pertaining to the enforcement of laws, ordinances, and regulations in any State relative to environmental recreation, including parks."

#### MARY McLEOD BETHUNE

#### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 22, 1973

Mr. CLAY. Mr. Speaker, as we are all aware the week of February 11-17 was set aside for the study and reflection on Afro-American history.

To commemorate the occurrence, the St. Louis American newspaper carried a series of articles featuring famous black Americans. Last week Frederick Douglas was featured. This week the spotlight is on Mary McLeod Bethune.

The article follows:

Mary McLeod Bethune, the eighth president of NACW "The National Association of Colored Women" was born in 1875, in a log cabin on a South Carolina farm. Her parents had both been slaves. Mary was one of seven-teen children.

Mrs. Bethune opened a small Educational and Industrial Training School at Daytona Beach, Florida in 1904, with boxes for seats, no money, and faith. Due to her initiative and industry the school developed from a little cabin school for five girls into Bethune-Cookman College, an accredited coeducational college which she served as president.

Beginning in 1930, until a few years before her death in 1955, she served in nationally prominent positions. As head of the National Youth Administration (NYA) under President Franklin Roosevelt, she helped thousands of black girls and boys. In addition to government work and college administra-

tion, Mrs. Bethune formed a "National Council of Negro Women," representing all communities. Its object was to get better working conditions for Blacks.

Among her many services in NACW and otherwise, Mrs. Bethune was president for several years of the Association for the Study of Negro Life and History.

#### LEGISLATION TO CLARIFY THE TAX STATUS OF CERTAIN PRISONERS OF WAR AND INDIVIDUALS MISS- ING IN ACTION

#### HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 22, 1973

Mr. SCHNEEBELI. Mr. Speaker, I am today introducing for myself, and my colleagues, Mr. COLLIER, Mr. BROYHILL of Virginia, Mr. CONABLE, Mr. CHAMBERLAIN, Mr. PETTIS, Mr. DUNCAN, Mr. BROTZMAN, Mr. CLANCY, and Mr. ARCHER, legislation requested by the administration which will help solve certain problems and inequities in the tax law relating to the status of prisoners of war, those still missing in action, and their families. These individuals have made tremendous sacrifices and this legislation should be accorded the highest priority. The bill will enable the Ways and Means Committee to act expeditiously on this important matter.

I am inserting a section-by-section analysis of the bill, prepared by the Treasury Department, immediately following my remarks:

#### ANALYSIS OF TAX LEGISLATION PROPOSED FOR THE RELIEF OF CERTAIN MEMBERS OF THE ARMED FORCES OF THE UNITED STATES RETURNING FROM THE VIETNAM COMBAT ZONE

##### SECTION (A)—COMBAT PAY OF MEMBERS OF THE ARMED FORCES

Section 112(a) and (b) of the Internal Revenue Code of 1954 currently exempts from gross income combat pay received for active service in the Armed Forces of the United States for any month in which the serviceman served in a combat zone or was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone. This exclusion may not exceed \$500 per month for commissioned officers.

A member of the Armed Forces who is hospitalized as a result of injury incurred in a combat zone in the waning days of the Vietnam conflict will not have his military pay excluded under section 112 for any month following the month of his injury in which there are no combatant activities in any combat zone. However, a serviceman injured at an earlier date whose period of hospitalization was entirely within the period of combatant activities would have had his military compensation treated as combat pay and excluded from gross income as provided by section 112. This provision of the bill would extend the exclusion of section 112 to cover military pay received by servicemen up through the month hospitalization ceases even if all combatant activities have terminated.

##### SECTION (B)—INCOME TAXES OF MEMBERS OF ARMED FORCES ON DEATH

Section 692(1) of the Code forgives income taxes of servicemen dying while in active service in a combat zone or as a result of wounds, disease or injury incurred while serving in a combat zone. The forgiveness ap-

plies to the year of death and prior years of service in the combat zone.

When a serviceman is reported in a missing status for a number of years, and it is subsequently determined that he died at an earlier time while in missing status, his income (other than his combat pay excluded pursuant to section 112) is subject to taxation for years after the year of his death.

In general, the policy underlying section 692 was to recognize the hardships borne by the survivors of servicemen dying as a result of service in a combat zone and to attempt to alleviate such hardships by relieving their income from taxation for the period of service in a combat zone. In the case of families of servicemen classified as missing and later determined to have died at an earlier date, this status creates unusual difficulties, and the affairs of such families are subject to great uncertainty.

Accordingly, this bill would extend the benefits of current law and forgive the income tax liability of a serviceman who dies while in missing status for the entire period he was missing. In those instances when a widow has filed returns after the death of a deceased serviceman without claiming the benefits of section 692, this provision would permit her to claim the benefits of this income tax forgiveness within one year from the date of enactment of this bill.

#### SECTION (C)—JOINT RETURNS

Section 6013 of the Internal Revenue Code permits the spouse of a deceased taxpayer to file a joint return for the year in which he died. This bill provides that the spouse of an individual who is a member of the Armed Forces or who is serving in support of the Armed Forces, and who is listed in a missing status, may file a joint return for such year even if it is subsequently determined that he was killed in an earlier year. If the spouse does file a joint return for a year after the serviceman or civilian has actually died, the serviceman or civilian will be considered to be alive for purposes of computing any income tax liability.

#### SECTION (D)—DISREGARDING COMPLIANCE PERIODS

Section 7508 of the Internal Revenue Code provides that the time an individual serves in, or in support of, the Armed Forces in an area designated by the President as a combat zone, plus any period of continuous hospitalization outside the United States as a result of injury received while serving in such combat zone, and the next 180 days thereafter, are to be disregarded in determining whether certain enumerated acts required under the Federal tax laws, (i.e., filing any returns or paying any taxes) are timely.

It is common for these individuals and their spouses to file joint returns under section 6013. This bill would, in general, permit the spouse of a serviceman and the representatives of his estate to defer filing any returns or paying any taxes until after the serviceman returns or his missing status is terminated.

### LITHUANIAN INDEPENDENCE DAY

#### HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. ROBISON of New York. Mr. Speaker, our commemoration today of the 55th anniversary of Lithuania's independence marks as well the sad remembrance of the 1940 annexation of that country to the Soviet Union. The death of an independent state evokes

a particular grief from our citizens, so strongly disposed to think first of the human freedoms which have been lost. And, in a larger perspective, we all suffer the loss of the rich and unique international contributions which a free state of Lithuania can no longer make.

Yet the death of a government is not the death of its people. We have found inspiration in the struggle of the Lithuanian nation to regain its freedom and independence, and we are confident that patriotic Lithuanians will never acquiesce to the domination of an outside power. Our observance of Lithuanian Independence Day is, then, a celebration of hope for a new Lithuania which can seek its own future according to the will of its people.

Today we will think of the thousands of Lithuanians who have jeopardized their own lives and futures so that their nation might live again. We will pledge, as well, that the "generation of peace" we now look to will include a new generation of free and independent Lithuanians.

### THE 55TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

#### HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. WHALEN. Mr. Speaker, I am honored to join with my colleagues in commemorating the 55th anniversary of Lithuania's independence.

The small Baltic nation clearly has maintained the vital spark of freedom and patriotism as we know from the periodic news accounts of events which manage to make their way to the West. What we articulate here today about that nation with its ancient language and culture is no idle rhetoric.

The Soviets know this fact well although they continue to maintain the charade that Lithuania is a Soviet Socialist Republic. No more is that true than alleging that a sinner becomes a saint merely by standing inside of a church.

Lithuania is alive and well as one of several enclaves of nationalism behind the lines of Russian troops in what is one of the remarkable testaments to the depth and strength of that nationality. Soviet efforts to foist the Russian language and customs on the gem by the amber shores of the Baltic Sea have been as futile as using vodka as a replacement for milk for babies and no less absurd.

Lithuania is alive and well elsewhere and no less in Dayton, Ohio, which is within my congressional district. Beginning on February 18, the Dayton Lithuanian Community and the University of Dayton Office of International Education presented a Northern European Week program featuring Lithuania, under the chairmanship of Mr. Frank P. Ambrose.

On Sunday, February 18, Radio Station WVUD-FM aired a 3-hour program of traditional folk songs with explanations and contemporary and current rock music of Lithuania.

On Wednesday, February 21, a panel discussion, moderated by Mr. James J. O'Neill, of the University of Dayton History Department, examined Lithuanian identity, the church, culture, cultural unity and national divisions, and Lithuania and the Soviet system. Participants included Dr. V. Bieliauskas, chairman of the Xavier University Psychology Department; Mr. Horace Zibas, president of the Lithuanian Council of Greater Cincinnati, and Dr. Frank Rimvydas Silbajoris, acting chairman and professor of Slavic languages and literature, Ohio State University.

A Lithuanian cultural evening is scheduled for 8 p.m. Saturday, February 24, in the University of Dayton Kennedy Union Ballroom. It will include a grand display of Lithuanian mementos, art, amber, and woven items, demonstrations of intricate Easter egg designing, straw Christmas ornaments and Lithuanian style weaving. Folk dancing will be provided by the Neris dancers from Pittsburgh and folk singing by the Ausra singers from Windsor, Ontario, Canada.

The Lithuanian Independence Commemoration will be conducted on Sunday, February 25, beginning at 2 p.m. with a mass in the native tongue at the Holy Cross Lithuanian Roman Catholic Church. At 3:15 p.m. a program will be held at the Lithuanian Social Club. The week's events will conclude with a Lithuanian-American dinner at 6 p.m. Sunday in the Holy Cross Parish Hall.

### SHERIFF DeMARINO CALLS FOR JURY SERVICE REFORMS

#### HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. PATTEN. Mr. Speaker, one of the finest sheriffs in the Nation, Joseph DeMarino, of Middlesex County, N.J., wrote an article in the News Tribune, of Woodbridge, N.J., on the importance of jury system reforms.

I read the article with deep interest, because I also believe that extensive improvements in jury service are necessary and should have been made years ago.

Although the area of jury service involves State and county regulations, I am inserting Sheriff DeMarino's thoughtful, well-written, and constructive article in the RECORD with the hope that it will generate interest throughout the Nation. Perhaps it will help result in real and effective jury service reforms in all 50 States:

[From the Woodbridge (N.J.) News Tribune, Jan. 12, 1973]

### SHERIFF CALLS FOR JURY SERVICE REFORMS (By Joseph DeMarino)

As a professional in the business of law enforcement for 13 years and, most recently, as sheriff of Middlesex County, I have had the opportunity to observe and become familiar with many aspects of what is commonly known today as the criminal justice system.

Undoubtedly, one of the most important aspects in the judicial process is maintain-



ing a sufficient number of jurors to meet varying court needs while at the same time minimizing the time wasted by jurors waiting to be called.

Adding to the dilemma is the initial selection process and the inadequate monetary remuneration given to jurors.

An enormous amount of correspondence is received by the sheriff's office daily from individuals who have been summoned for jury duty as well as from those who served as jurors.

#### RELUCTANCE TO SERVE

I have found during the past year that many individuals show a great deal of reluctance to serve on either a petit or grand jury and much of the reluctance is based on the factors listed above.

Perhaps it is best to divide the population into segments and briefly touch on each.

There are those individuals who fail to register to vote simply because they know that prospective jurors are drawn from voter registration lists.

This type of individual is not only short-changing himself but his community as well, because he has given up his voice in selecting candidates for public office and is also shirking his responsibility to make the criminal justice system function.

Very often it is this type of individual who is most vociferous in his criticism of the judicial process.

#### PENALTY FOR CONSCIENTIOUSNESS

On the other hand, we have the case of an individual who is a registered voter and who subsequently receives a summons for jury duty.

If this particular individual does not drive, he is probably solely dependent on public transportation to get to and from the courthouse.

Anyone even vaguely familiar with the public transportation dilemma in this country and state would have to agree that a great burden is being placed on this particular juror.

Compensation given to a juror is five dollars per day and two cents per mile for travel expenses.

When one considers the cost of transportation, of parking fees, plus the additional cost of lunch, it is very likely that serving as a juror costs the individual money.

What bothers me most is how effective will these individuals be in the performance of a civic duty when they are required to travel back and forth to the courthouse worrying about transportation facilities and other costs and yet being required to expend their own money.

#### IMPROVEMENTS ADVOCATED

Again, how effective can a juror be when he receives five dollars per day plus two cents per mile for travel expense and who happens to be employed in a place of business which does not compensate its employees while they are serving on jury duty?

It is my belief that in the examples given above the jurors cannot function effectively.

Improvements in many areas of the adjudicative process are needed to alleviate the current problems.

#### THE 55TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

#### HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. HOGAN. Mr. Speaker, on February 16, 1918, Lithuanian patriots declared the independence of the Lithuanian state.

This was the culmination of years of planning and hoping, of years of agitation and struggle. Lithuania, once a powerful state whose confines spread far beyond the Baltic littoral, was triumphantly reborn. The triumph at first was short, for in the period following World War I armies marched and counter-marched across Eastern Europe. The Red Army briefly took control, but when the dust finally had settled an independent Lithuania took her place among the free nations of the world.

For 21 years the people of Lithuania controlled their own destiny. Then Lithuania found herself in the middle of a power struggle, a situation so prevalent in European history, between the Nazis and the Soviet Union. When the outbreak of the Second World War seemed imminent, Lithuania attempted to maintain a policy of absolute neutrality, but was gradually engulfed nevertheless.

In 1939 with the Hitler-Stalin pact consummated and the partition of Poland agreed upon, Lithuania was confronted with the threat of invasion despite repeated Soviet pronouncements of nonintervention. On October 10, 1939, Lithuanian representatives signed a mutual assistance pact with the Soviet Union at a time when Soviet troops had massed on the Lithuanian frontier, which sealed the fate of that brave nation as a cog of the Kremlin wheel of expansion.

Following the brutal fighting waged on Lithuanian soil during World War II, Soviet reoccupation was firmly established in 1944. Since that time Lithuania has not known independence.

The United States recognized the independent Lithuanian Government on July 27, 1922, and it has never recognized that nation's incorporation into the Soviet Union. It continues to maintain diplomatic relations with the representative of the former independent government, which has a legation in Washington.

Mr. Speaker, I am proud that our Government has, to this day, refused to recognize the illegal annexation of Lithuania by the Kremlin. I urge that the United States continue this policy and that we never forget the longing for liberty of the noble citizens of Lithuania, and we must continuously feed the flame of hope that burns within each of them. Let us hope it will once again take its place as a free nation living in harmony with its neighbors.

Today, these courageous and brave people cling to the hope and idea of independence. I am happy to join the loyal Americans of Lithuanian descent in celebrating this special day in the annals of man's quest for freedom and with them hope for the freedom of the Lithuanian people and their homeland.

#### LITHUANIAN ANNIVERSARIES

#### HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. PARRIS. Mr. Speaker, this month Americans of Lithuanian origin and de-

scend are commemorating two anniversaries—the 722d anniversary of the founding of the Lithuanian State and the 55th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

As you know Lithuania was forcibly annexed by the Soviet Union in 1940 and today its people are still seeking the freedom which many in this country take for granted.

I recently received a letter from Mr. V. F. Volertas, president of the Lithuanian-American Community of the U.S.A., Inc., concerning this situation and at this time I would like to insert that letter into the RECORD:

LITHUANIAN-AMERICAN COMMUNITY  
OF THE U.S.A. INC.,

Philadelphia, Pa., February 7, 1973.

HON. STANFORD E. PARRIS,  
House Office Building,  
Washington, D.C.

DEAR MR. PARRIS: Today, the United States stands on the threshold of the most meaningful and potentially rewarding era in the history of mankind. For the first time in the last fifty years, global peace is attainable. However, global peace is only the first great objective of our nation, we must also seek the attainment of freedom and justice for all oppressed nations. For even if the countries of the world cease hostilities toward one another, the unresolved legacies of the Second World War must be confronted; the status of the Baltic Nations must be once and for all—equitably resolved. Furthermore, let us not be fooled that world peace can be attained by offering the inalienable rights of the people of Lithuania and the other Baltic Nations upon the altar of appeasement.

Even now, Lithuanians raised under the yoke of communism are risking and sacrificing their lives in defiance of the Soviet regime, seeking religious and political freedom for their country. The unsuccessful escape attempt of the Lithuanian sailor, Simas Kudirka, the self-immolation of Romas Kalanta, and the subsequent demonstration by thousands of young Lithuanians, and the petition of 17,000 Lithuanian Roman Catholics to Kurt Waldheim of the United Nations, demonstrates their thirst for freedom at any price.

The 89th U.S. Congress during its second session adopted House Concurring Resolution 416, urging the President to direct the question of the status of the Baltic countries in the United Nations and other international forums.

The time is now, to present to the public at large and the government of the United States the grave concern shared by Lithuanian Americans and the people of Eastern and Central Europe over the approaching Soviet proposed "European Conference on Security and Cooperation".

Sincerely,

V. F. VOLERTAS,  
President.

#### THE FBI IN A FREE SOCIETY

#### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, it was my privilege to have arranged for and subsequently accompany Mr. L. Patrick Gray III, Director of the FBI, to College Station, Tex., where he made an address before students from all over the country who were attending the 18th

Annual Student Conference on National Affairs at Texas A. & M. University.

I would like to bring to the attention of this body and particularly Members of the Senate, Mr. Gray's remarks. His address entitled "The FBI in a Free Society" certainly embodies his personal views as to the roll of his Agency within our country's law enforcement efforts. As a long time personal friend of mine, I was particularly pleased that the President has seen fit to name him as the Director and I trust that this appointment is confirmed.

The address follows:

THE FBI IN A FREE SOCIETY  
(By Hon. L. Patrick Gray III)

May I congratulate SCOA 18 for the excellence . . . and contemporary relevance . . . of your 1973 theme, "The Controlled Society." This is a subject of great interest to our Nation today as it was in the earliest days of our history. We the American people have continually sought ways and means to preserve that delicate balance between the security of the community and the freedom of the individual.

In late 1786 Shays' Rebellion erupted in Western Massachusetts. General Henry Knox, worried about the possibility of anarchy, wrote his good friend, George Washington: "What is to afford us security against the violence of lawless men?"

The answer came a few months later in the Miracle of Philadelphia . . . our Constitution . . . a document creating a government of law . . . a document creating a government to provide both security and freedom . . . not the one or the other, but both together . . . and to all the people, not to some of the people.

Today, almost 200 years later, General Knox's question remains germane to the changing, challenging world in which we live:

Can we control crime in a free society?

Can we have security against "lawless men" . . . the rapist, the thief, the sniper, the hijacker, the terrorist, yet not forfeit the precious freedoms which give dignity and decency to our way of life?

Can we protect our citizens, our homes, our campuses, our streets and yet not become a "controlled society"?

My answer to each of these questions is Yes provided that our people maintain a lively interest in our free society, in the great issues facing us, and make determined efforts to become well informed and aware of the facts involved in each issue.

There is no principle that is more important than that government should remain close to the people and that the dispersion of power in our Federal System is one of the great safeguards of the liberties of a free people. But the people must be informed of the facts . . . not the fiction . . . in order to exercise that power wisely in the national interest.

As Acting Director of the FBI . . . an institution vitally concerned with the ultimate answer to these questions . . . I welcome this opportunity to tell you something about the service performed by the dedicated men and women of the FBI to preserve both our security and our liberties.

I want to share with you my impressions after being appointed to my present position . . . how I went about evaluating this distinguished agency . . . and what verdict I have reached . . . especially relating to the FBI's role in fighting crime and thereby making more secure our personal freedoms.

As you know, I was appointed Acting Director of the FBI in May of 1972. I approached this assignment with a feeling of respect and admiration . . . bordering almost on awe . . . for the organization that John

Edgar Hoover had built, and for the men and women who had shared with him in that creation.

I approached this assignment with an open mind. I wanted to see what made this great organization tick . . . what were the sinews, muscles, and nerves that held it together. Every American is a shareholder in the FBI. I wanted to see how good our investment actually was.

Since that time, now approaching ten months, I have been privileged . . . as no other outsider had ever before been so privileged . . . to observe the performance of this American original at first hand . . . to direct its performance . . . to question its performance . . . and to evaluate its performance.

My approach was that of the inquiring mind. I posed questions . . . questions of all types to the senior executives of the FBI . . . questions touching every aspect of the work of the Bureau. Why this priority? Why this procedure? Why these files? Why this utilization of resources? And once all the stock answers had been served up, they were asked to dig deeper and come up with still more answers . . . to provide rationale and justification for every brick and stone that went into the edifice of this 64-year-old human institution.

It is a rare tribute to Mr. Hoover . . . and to the men and women who built the FBI with him . . . for me to be able to stand before you today and tell you that this magnificent organization responded with a zest, an enthusiasm, and with an all-consuming fidelity to perfection that is unparalleled in my experience.

This process is continuing, but my own personal evaluation is clear. The Nation can be proud of the high-quality performance of the FBI and its effectiveness in protecting our security, yet at the same time respecting the rights of the individual. The FBI is responsive to the public interest in accordance with the law.

I have found that the men and women of the FBI are complete professionals. Their prime . . . and overriding . . . characteristic is a sustained pursuit of excellence, an all-consuming dedication to perfection. I have also found that they possess an innate sense of decency, dignity, and courtesy.

I set forth this background because I know there have been fears and allegations on the college campus . . . and elsewhere . . . that the FBI is a "Big Brother," hovering about, in Orwellian style, looking over the shoulders of citizens, checking on their every move, maintaining secret dossiers and undermining academic freedom.

These allegations simply are not true.

My experience as Acting Director of the FBI has convinced me of a number of things.

The performance of the men and women of the FBI is based on genuine respect for civil liberties.

The FBI observes strict conformity with constitutional requirements.

The performance of the FBI rests on standards of public service and dedication to duty which are impervious to corruption.

On occasion it seems to me that there are those in our land who would like to abolish the FBI . . . or at least abolish the files of the FBI.

Obviously, the FBI has files. There are the so-called general files and the investigative files.

When we start an investigation we open up an investigative file. There can be any number of reasons for the opening of an investigation. But there will be a reason within our jurisdiction. I have found no evidence at all that the FBI has gone out and investigated beyond its jurisdictional perimeters . . . or taken the law into its own hands to move in a dictatorial manner across our landscape.

Actually, jurisdiction is our ground zero.

Here is where it all starts and where it all comes together. And as you would expect, here is the fertile area for those who study the operations of the FBI. In some cases there is room for difference of opinion as to whether or not FBI jurisdiction is present. Whenever in doubt, guidance is requested from the Department of Justice. This is standard operating procedure . . . because the FBI will not investigate unless we have the required jurisdictional authority.

In discussing the FBI, it helps to know exactly what we are and what we are not.

We are the principal investigative arm of the Department of Justice. We are not policy makers. Even though we investigate . . . we do not prosecute the alleged violators. We do submit reports of our findings during the conduct of an investigation to attorneys of the Department of Justice . . . but we do not submit any recommendations as to disposition of the particular case involved in the investigation.

Be careful of the language gap. Too often I read that the FBI prosecutes or that the FBI convicts. We do not recommend . . . we do not prosecute . . . we do not convict . . . but we do investigate and we do report our results to attorneys of the Department of Justice.

The myths and legends being circulated about the FBI . . . that it is a national police force . . . that it has an eye in every bedroom . . . that it is an enemy of civil rights . . . need to be laid to rest.

In fact, the FBI, because of the training of its personnel, its guidelines for conducting investigations, its scrupulous respect for the rights of every citizen, is a vital force working against the type of controlled society we all so deeply detest.

Let me illustrate.

The FBI's Handbook for Special Agents . . . which lays down the guidelines of our investigative policies . . . on the very first page stresses the absolute necessity of protecting the constitutional rights of our citizenry.

"Fundamental to all investigations by the FBI," it says, "is the need to protect the constitutional rights of any individual while still thoroughly and expeditiously discharging those responsibilities with which it is charged by statutes and Directives of the President and the Attorney General."

The FBI's training program is aimed at teaching Special Agents their obligations as officers of the law. The new Agent, for example, during the course of his training, receives 60 hours of instruction in legal matters with special emphasis on Constitutional law and the Bill of Rights. He studies Federal criminal procedure and is carefully instructed on the law of searches and seizures, interviews and confessions and the need at all times to fully honor and protect the rights of the individual. The rules of evidence are thoroughly explained and the statutes over which the FBI has jurisdiction analyzed.

Just recently Judge Jack B. Weinstein of the Federal bench in New York made these revealing comments:

"Local representatives of the FBI and other Federal law enforcement forces are, with rare exception, meticulous in their enforcement of civil rights, including those involving search and seizure."

In this connection, and in August of last year, we established a new FBI policy to insure complete fairness regarding civil rights investigations. In cases involving complaints against police officers we do not assign Agents to make these investigations if they have worked with these officers in the normal course of business. This policy is in the interests of all . . . our Agents, the police, and the public we serve.

The best protection of civil liberties is a well-trained, intelligent, and honest law enforcement profession. That's why . . . time after time . . . the FBI's thorough and un-



bias investigations not only secure evidence used by Federal prosecutors to persuade the jury to convict the guilty but also we often unearth the facts to exonerate the falsely accused. This is a facet of our work so frequently overlooked.

Part of the myth that the FBI is a Big Brother or a national police force comes from misunderstandings about the National Crime Information Center (NCIC) and our use of electronic surveillances.

Proponents of this myth say that these crime-fighting techniques invade personal privacy and contribute to the growth of a "controlled society."

I think their assumptions are wrong . . . and I want to tell you why.

As you know, FBI Agents . . . and their brother and sister law enforcement officers . . . must grapple on a daily basis with the tough, sweaty realities of a demanding yet ambiguous world. They are called upon to make fast judgments, to weigh and balance competing values, without the luxury of quiet reflection.

They need effective, up-to-date tools to fight the "lawless men" mentioned by General Knox . . . men who would and do take away your privacy, your rights, your property . . . and even your lives.

The National Crime Information Center . . . started in 1967 . . . represents one of the law enforcement profession's most progressive . . . most effective . . . tools against the criminal. It is the computer in action against "lawless men." This is not the computer in action against noble citizens or just average citizens . . . but it is the computer in action against those of our fellow citizens who choose to do violence to our criminal laws.

The NCIC's computer, located in Washington, with terminals across the Nation, stores information—subject to instantaneous retrieval for the use of criminal justice agencies—about wanted criminals; criminal histories; and stolen properties, including automobiles, guns, securities and other identifiable items of criminal loot.

By no stretch of the imagination is the NCIC a Big Brother data bank . . . nor is the NCIC a stratagem designed to invade your personal privacy.

As you well know, our Constitution is not a suicide pact. Free men and free women living in a free society and governing themselves have, as one of their first duties, the protection and preservation of the Constitutional democracy under which they live and thrive.

NCIC helps us to protect and preserve the interests of our free society by bringing technology to bear on the side of law and law-abiding Americans.

NCIC is directed exclusively against the criminal and is a cooperative venture linking local, state and Federal law enforcement agencies into an effective crime-fighting team.

Court-approved wiretaps represent still another highly important tool in the fight against the hard-core forces of crime.

On last Sunday the lead paragraph of an Associated Press story from Boston, Massachusetts, told it like it really is:

"Armed with search warrants, computers, electronic surveillance and a coordinated approach, lawmen are hitting organized crime in New England where it hurts—jailing its leaders and harassing its bookies."

I want to emphasize that in its tightly limited and controlled use of electronic equipment, the FBI conforms strictly with a law given to us by the Congress to facilitate an all-out effort against organized crime. This technique is employed not only with the approval of the Attorney General but with the specific authorization, in each instance, of a Federal judge.

This law was drafted by the Congress using language designed to afford the fullest protection of individual liberties while, at the same time, enhancing society's ability to protect itself against the ravages of organized crime.

Again, let me emphasize that the fundamental right of any free society is to preserve itself and to maintain its government as a functioning and effective entity. This concept is basic to our Constitution and laws.

Listen to the words of Charles Evans Hughes, Chief Justice of the United States Supreme Court and a noted civil libertarian, speaking for the Court in a decision handed down over 30 years ago:

"Civil liberties, as guaranteed by the Constitution, imply the existence of an organized society maintaining public order without which liberty itself would be lost in the excesses of unrestrained abuses . . ."

Why do I share these thoughts . . . these comments . . . with you?

Not, believe me, because I want you to conclude that this is an exercise in self-justification. It is simply an attempt to set forth some of the facts about the operations of the FBI in our free society.

Nor do I tell you this story to blunt your probing . . . your analyzing the FBI or the entire law enforcement profession. We know that our actions will sometimes engender criticism. We do not pretend to be infallible. We continually evaluate and re-evaluate our performance to insure that it is relevant to the needs of a constantly changing society. We particularly count on the support of thoughtful and responsible young people—such as you here today at SCOA 18.

We want you to judge us harshly . . . but fairly . . . and on the Facts, not on the Fiction.

We want you to judge us on our merits . . . not on misinformed viewpoints. We want you to weigh the rhetoric against the Facts.

We want you to judge us because we are the servants of many masters . . . the whole body of citizens in this free land, the Judiciary, the Congress, the Department of Justice, and the President of the United States.

We in the FBI are proud of our record of achievement . . . both in the fight against crime and in the fight on behalf of individual liberties.

Our image will take on the nuance of new times and new mores. The style will change, as of course it must. But, my friends, the substance will not change, and the continuity of mission will remain unbroken.

That is my pledge to you today.

#### RENT INCREASES IN THE DISTRICT OF COLUMBIA REQUIRE LEGISLATIVE ACTION

#### HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 22, 1973

Mr. FAUNTROY. Mr. Speaker, the past several weeks have seen a widespread increase in rent levels here in the District of Columbia and in surrounding areas. These rent hikes have followed closely upon the heels of the President's removal of phase II controls on rental housing. In all too many cases, tenants have been hit with excessive 30- to 40-percent increases in rent.

The impact of such rapid increases in rent can be particularly disastrous on families with fixed incomes who often pay 40 percent of their income or more for housing. The average family pays 20 to 25 percent of its income for shelter,

and can ill afford to absorb these exorbitant increases. Many families in this area now find recent raises in social security benefits and Government wages completely eaten up by rent increases alone.

What is most distressing about a good many of the increases is that they in no sense can be justified wholly by comparable increases in costs. The dramatic increases in rent, in part attributable to higher costs, are all too often caused by a desperate housing shortage in the Washington metropolitan area. We have one of the lowest vacancy rates in the country, and as a result building owners, absent rent controls, are able to raise rents to unreasonable levels without fear of competition. Tenants often have no choice but to accept the increases, as alternative housing is simply not available.

Given this acute shortage of housing, and the resulting lack of competition, there are no market forces that can control the upward spiral of rents. Accordingly, I am introducing a bill that would establish a rent control program in the District of Columbia.

This week several area Congressmen met with Dr. John Dunlop, director of the Cost of Living Council. Dr. Dunlop indicated that reimposition of Federal rent controls is a possibility, though he gave us no reason to believe that such a step was probable. He did indicate, however, that in view of the fact that widespread increases seem to be confined to a relatively small number of areas in the country, some form of local controls might be appropriate.

The bill I am introducing is patterned in large measure after the reasonably successful phase II rent control program. I am convinced that it is a balanced approach that takes into account the reasonable interests of both property owners and tenants. The bill would freeze rents and roll back rent increases to pre-January 11 levels—January 11 is the date on which the President removed phase II controls. A property owner would be permitted to institute limited increases to cover certain increased costs. These would include an annual 2.5 percent cost-of-living increase, costs due to higher taxes and other charges imposed by the Government, and costs attributable to certain capital improvements.

The bill establishes a District of Columbia Housing Rent Commission composed of nine members appointed by the Mayor and approved by the City Council. The membership of the Commission is to include both landlord and tenant interests. The Commission will be responsible for administering and enforcing the act.

The Commission will have the authority to grant exceptions to the rent control guidelines on a case-by-case basis, but such exceptions may only be given pursuant to published standards set by the Commission after public hearings. In addition, specific exceptions may be granted to a property owner only after the tenants in a building have been notified and have had the opportunity to present their case in a public hearing.

The Commission will have a 2-year life, after which the city council is given the authority to renew the Commission on a yearly basis.

The bill makes it unlawful for a landlord to take retaliatory action against a tenant who exercises his rights under the act.

The bill would provide for enforcement of the rent control program by assessing a \$5,000 fine for violations of the act. In addition, either tenants or the Commission itself may file a lawsuit in the superior court for injunctive relief to force compliance with the act. In order to make such a lawsuit readily available to tenants, the bill provides that the party winning the lawsuit may recover the reasonable costs of the litigation.

This bill represents, I believe, a balanced and fair approach to the severe rent squeeze faced by all too many people here in Washington. Tenants will find their rents set at firm levels, subject only to limited increases directly tied to higher costs faced by the landlord. Property owners, on the other hand, can recover fair rents. This approach is necessary and workable, and I am going to press for enactment. Next week, I will be asking my colleagues on the District Committee to cosponsor this legislation with me. It is my hope that earlier hearings can be held, and rapid action taken by the Committee.

#### THE FDA: IS IT HANDICAPPING THERAPEUTIC PROGRESS?

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. CRANE. Mr. Speaker, there has been much discussion in recent years about the necessity for carefully testing foods and drugs before they are permitted on the market.

Following the controversy over the drug thalidomide, a tranquilizer with a highly prized nontoxic quality that was widely sold throughout Europe, and when taken by expectant mothers tragically produced horrible deformity in thousands of children, regulations in our own country were made increasingly stringent.

The purpose of our regulations, which make it necessary for any new drug to undergo lengthy examinations by the Food and Drug Administration, is to protect the consumer. In fact, the regulations which have been in force since the thalidomide case, may be more damaging to the American people than the less stringent regulations which preceded them.

The fact is that new drugs are kept off the market until they successfully pass through the maze of bureaucratic obstacles set up for them by the Food and Drug Administration. Thus, Americans are not able to take advantage of the latest scientific advances until several years after the advance has been made.

Discussing this serious situation, Robert M. Bleiberg, writing in *Barron's*, notes that,

It has grown painfully apparent that in terms of the discovery and use of new drugs, the U.S. has become a have-not nation. Ac-

cording to a recent study by two German scientists, financed by C. H. Boehringer Sohn, a privately owned pharmaceutical concern which ranks on a par with Hoechst, the U.S. in 1961 invented more remedies than the next three most productive companies combined. A decade later, in striking contrast, it had fallen far behind. American physicians and their patients today enjoy access to no more than one quarter of the new remedies developed by U.S. pharmaceutical laboratories at home and abroad. During the past eight years, only one new drug in 17 discovered worldwide has been sold here.

The German study cited by Mr. Bleiberg concluded that the gap can be traced to "the strict and ever more extensive registration requirements of the U.S. Food and Drug Administration." It declared that,

Excessively rigid bureaucratic measures, political influences... are handicapping therapeutic progress.

Similar studies in the United States have reached the same conclusion. Professor Sam Peltzman of U.C.L.A. concludes that a 2-year delay—now at a minimum, standard operating procedure—on existing anti-tubercular drugs would have cost the country \$2 billion and 13,000 lives. Mr. Bleiberg concludes that,

Similar delays in implementing future cures for heart disease or cancer, inevitable as things now stand, would cause incalculable and tragically needless grief.

It is essential that we place the work of the Food and Drug Administration in a proper perspective, and understand how its drug regulations, originally meant to protect us, may be doing us serious harm. I wish to share with my colleagues the article, "Thalidomide Children, They're Not the Only Victims of the Tragedy," by Robert N. Bleiberg, from *Barron's* of January 15, 1973, and insert it into the RECORD, at this time.

#### THALIDOMIDE CHILDREN—THEY'RE NOT THE ONLY VICTIMS OF THE TRAGEDY

(By Robert M. Bleiberg)

For nearly one hundred years, The Distillers Co. Ltd. of London has gained fame and fortune by spreading throughout the world its unique brands of cheer: Black & White, Dewar's, Haig, King George IV, Vat 69, Johnnie Walker and White Horse Scotch whiskies; Booth's, Gordon's and Tanqueray gin; and a good many other more-or-less spirituous beverages, ranging from Croffie's Green Ginger wine to Pimm's Cup. As might be expected, revenues and profits have trended generally upward for as long as even the soberest can remember: in the latest fiscal year, the 12 months ended March 31, 1972, Distillers Co. reported turnover exceeding \$1.1 billion and net income of about \$100 million, equivalent to 28 cents on each of 363 ordinary (common) shares outstanding. And in Great Britain, where a man's tippie is held in something akin to reverence, institutional investors, including the Britannic Assurance Co., Legal & General Life Assurance and Prudential Assurance (which boasts the biggest block of stock of all) have lined up, so as to speak, three-deep at the bar.

These days, however, they're apt to balk at drinking to your health. For owing to an ill-fated foray into pharmaceuticals a decade or more ago, The Distillers Co. Ltd. (no connection with Canada's Distillers Corp.-Seagram's) lately has found itself caught up in an ugly mess. Back in the Fifties, the company became the licensee in the United Kingdom for the German drug thalidomide,

a tranquilizer with a highly prized nontoxic quality that was widely sold throughout Europe. Tragically, as everyone learned too late, thalidomide taken by expectant mothers also produced horrid deformity, leading to the birth of thousands of children with stunted limbs or none. Ever since, those involved in the manufacture or sale of the drug while disclaiming legal liability, have been wrestling with the question of how to compensate the victims.

In England, after a series of articles in the *Sunday Times* on the "thalidomide babies," the issue has grown especially hot. Distillers Co., which repeatedly has increased its offers of financial assistance to the stricken families, has been roundly denounced in Parliament, threatened with global boycott (led over here by the ubiquitous Ralph Nader) and heavily liquidated on the London Stock Exchange. Alarmed at the widespread furore and the potential damage to their own good names, influential shareholders such as those cited above have added their ponderable weight to the pressure on management to settle.

"People, not profits," one can almost hear our concerned correspondent from Palo Alto, Calif. (*Barron's* Mailbag, January 8, 1973) murmur righteously as he empties (down the drain, of course) a bottle or two of Johnnie Walker Red. Yet as even the *London Economist*—no ardent champion of private enterprise—observed the other day in a thought-provoking leader, the controversy is not a matter of black-and-white. No charges have been brought against Distillers, which, before marketing the drug, obtained a license from the duly constituted authorities. As to the company's offers of settlement, which have been repeatedly spurned, even the least generous looks lavish compared to what Her Majesty's Government, in a disaster involving both clear-cut official negligence and heavy loss of life, saw fit to bestow. There is a final and perhaps most ironic point. Thanks to the late Senator Estes Kefauver and the Food & Drug Amendments of 1962, the thalidomide tragedy, so an overwhelming mass of evidence now suggests, has succeeded in delaying—or denying—needed remedies to untold numbers of sufferers in this country. Thereby it threatens to inflict the most widespread and lasting harm not upon Germany or Great Britain but upon a land which was providentially spared.

The Europeans weren't so fortunate. Thalidomide stayed on the market for nearly four years, from 1958 through 1961, until the dread side effects were traced to the source. As a result, several thousand babies, in Denmark, Germany, Great Britain, Norway and Sweden, were born deformed. Though legal liability has never been fixed, those responsible for selling the drug have sought everywhere to make amends. In 1969, parents of 100 children in Scandinavia settled out of court for \$7.3 million, payable as a tax-free annuity. In Germany, for 2,600 victims, the Bonn government set up a foundation with \$31 million contributed by the manufacturer, to which it added half as much again. The children received a lump sum of \$8,000 and a monthly pension based on disability. In 1968, Distillers settled with the parents of 62 children for roughly \$40,000 apiece and, ever since, has been engaged in negotiations with the remaining 342 families. Under the pressures cited above, it has raised its offer several times, week before last to \$50 million, payable in \$5 million installments over the next ten years. In addition, the company offered parents a lump sum of \$12,000. All told, even discounted to present values, the package adds up to well over \$100,000 each.

Distillers' offer, as is evident, compares favorably with other settlements. It is princely in the light of the treatment meted out by the United Kingdom's National Coal Board to the families of the victims of the disaster at Aberfan (Wales), where, in



October of 1966, two million tons of rain-soaked coal waste plunged down a mountain-side, engulfing a score of cottages and a schoolhouse and causing the deaths of 28 adults and 116 children. After finding the Coal Board guilty of "ignorance, ineptitude and failure of communications," an official inquiry concluded that the Board's legal liability to pay compensation was incontestable and uncontested." So it did—50 pounds to each family and ultimately 500 pounds (some \$1,400) for each child lost. Private contributions, pouring into Aberfan from all over the world, ultimately came to several million dollars.

Dollars-and-cents aside, Distillers, as The Economist unexpectedly and eloquently put it, scarcely deserves to be pilloried. "No serious evidence suggest(s) that the Distillers board was negligent, according to the standards of the times, when thalidomide was manufactured and sold in this country. The German tests had not been controverted, the British standards were adhered to, and the providential hesitation about the drug in the United States was concerned with some quite different, and far less damaging, side-effects. There is no apparent moral responsibility on the shoulders of Distillers' directors. The moral responsibility on the company is the one that its shareholders are prepared to accept. . . . But this answer to the issue is only a local one. If it comes about, it will speak well for the generosity and charitable conscience of Distillers' shareholders. It will not help to resolve the bigger questions of the responsibility of the national health service and, even more important, the responsibility of the individual for the drugs he decides to take."

If The Economist furnishes no answers, it at least has begun to ask the right questions. On this side of the ocean, too, there are questions—notably regarding the risk reward ratio of federal drug regulation—that cry out to be answered. For it has grown painfully apparent that in terms of the discovery and use of new drugs, the U.S. has become a have-not nation. According to a recent study by two German scientists, financed by C. H. Boehringer Sohn, a privately-owned pharmaceutical concern which ranks on a par with Hoechst, the U.S. in 1961 invented more remedies than the next three most productive companies combined. A decade later, in striking contrast, it had fallen far behind. American physicians and their patients today enjoy access to no more than one quarter of the new remedies developed by U.S. pharmaceutical laboratories at home and abroad. During the past eight years, only one new drug in 17 discovered worldwide has been sold here. Tracing the gap to "the strict and ever more extensive registration requirements of the U.S. Food and Drug Administration," the study grimly concludes: "Excessively rigid bureaucratic measures, political influences . . . are handicapping therapeutic progress."

Others—notably Professor Sam Peltzman of UCLA—have reached the same conclusion. In a brilliant piece of analysis, Professor Peltzman has succeeded in quantifying, at least roughly, the benefits and costs of FDA regulation. Thus, according to his calculations, a tragedy like the one that struck users of chloromycetin in the Fifties might have cost 753 lives and \$22 million (the capitalized value of the deceased's lost earnings). As we have seen, thalidomide, at a cost of perhaps \$110 million, has blighted several thousand lives. However—and here is the other side of the coin, all-too-often overlooked—excessive regulation, merely by delaying the application of new drugs (to say nothing of keeping them off the market permanently), exacts a far more terrible price. According to Professor Peltzman, a two-year delay—now at a minimum, standard operating procedure—on existing anti-tubercular drugs would have cost the country

\$2 billion and 13,000 lives. Similar delays in implementing future cures for heart disease or cancer, inevitable as things now stand, would cause incalculable, and tragically needless, grief. Who will compensate these victims and their families?

## FAREWELL TO A MAYOR

### HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. KARTH. Mr. Speaker, since man's accomplishments speak far louder than words, it is with a great sense of pride that I bring our colleagues' attention to a man whose accomplishments positively "shout." That man is Dr. Henry Sweitzer who is leaving the Central Presbyterian Church of St. Paul for the First Presbyterian Church of Salt Lake City, Utah. What he leaves behind in St. Paul will be an everlasting memory to a man's dedication, vision and accomplishment.

Dr. Henry Sweitzer came to Central Presbyterian at a point when people began to doubt whether the downtown portions of our cities could, or even should survive. Dr. Sweitzer proved that they could not only survive, but thrive. His ecumenicism is legend in St. Paul and I am sure the good Mormons of Utah will find this Presbyterian pastor to be as willing a partner in the performance of good works as the St. Paul Catholic priests.

We, in St. Paul, will miss Dr. Sweitzer, but a man of his kind is too good not to share with others. For those of our colleagues who may be interested in the details of Dr. Sweitzer's work I am inserting into the RECORD a recent column on his accomplishments entitled "Farewell to a Mayor."

## FAREWELL TO A MAYOR

A lady who lives in Central Towers at Cedar and College passed on the rumor at lunch.

"Have you heard?" she said. "Dr. Henry Sweitzer, pastor of Central Presbyterian church who founded this place, had a vision. He's going to leave the Presbyterian Church and go to Salt Lake City and become a missionary to the Mormons."

The lady didn't have it quite right, but there is a germ of truth.

Pastor Sweitzer, the "Mayor of Tenth and Cedar Streets," who brought us Central Towers, Central Manor, Hanover Parking Ramp and office building . . . who revitalized his downtown church . . . whose ecumenicism spilled next door and caught the enthusiasm of the priests at St. Louis French Catholic church . . . the "Rocket of that Gibraltar of Faith" at 500 Cedar St. is leaving for Salt Lake City, but to take post as pastor of First Presbyterian Church out there.

"And the Mormons will just have to take their chances," he said the other morning as we sat in his office, going back over 15 dynamic years of his pastorate.

"I didn't even know they wanted me out there . . . but they do and I'm going . . . I don't want to be the man who stayed around five years too long . . ."

Harry Sweitzer's "Little Town" was a loose, decaying, impersonal stretch of the Upper Loop when he arrived from Grand Forks, N.D., in 1958.

"They said the downtown church was dying . . . the slums around here were empty-

ing . . . Urban renewal was coming . . . Only four buildings stood then as they do now . . . the YMCA, St. Agatha's Conservatory, my church, founded in 1852, and St. Louis Church on the corner.

"I have had three visions since then," said Pastor Sweitzer. "And I don't usually hear voices and see things . . . but there are times when something happens and you better listen . . . I listened."

Dr. Sweitzer didn't believe the downtown church was in its death rattle.

"Here I was in one of the oldest churches in Minnesota and I was determined to breathe new life into it. I started out in the pulpit by bringing the Gospel down to the street level. And on the outside, I sandblasted the grime and soot crust off the building to bring out its beauty and lustre."

His first vision was to persuade a private developer to build a parking ramp on church-owned land south of the church. That ramp recently was topped off by three floors of offices known as the Hanover Building.

"My second vision was to acquire St. Agatha's from the St. Joseph's nuns and convert it into a residence for single girls and women. What a gem of architecture. What a beautiful building. And we've not only preserved, but made it a viable part of the community."

Harry Sweitzer says his third vision was to erect Central Towers, next to Central Manor—an 11-story apartment house for middle-income senior citizens—a pioneer then and still one of the few such privately-run apartment complexes in a central city.

That was 1964 when "we broke ground." Meanwhile, the rest of the Loop was stirring with rehabilitation and building.

By the day of Central Towers' dedication, Dr. Sweitzer had a new title—"Mayor of Tenth and Cedar."

"We had a population again," he said. "Four hundred people living on this corner. And what helped my church helped the Catholics next door because about half the residents at Central Towers and the Manor are Catholic."

This revival of people power at Tenth and Cedar founded a spirit of cooperation between Presbyterians and Catholics that has been a delightful episode.

"Those wonderful Marist priests next door . . . Fathers Kerwick, Gleason and now McGuinness . . . all of them . . . we've been so close during my time. I've preached over there. They've presided at services over here . . . I guess we really made it when Father Morino retired and moved into Central Towers."

Meanwhile, the new Museum of Arts and Sciences was added to the community, the freeways came, Capitol Approach was completed and a blend of the old city and new thrived.

Along the way, Dr. Sweitzer became deeply involved in civic action—on the board of St. Paul-Ramsey Hospital, the Bush Foundation, other social programs.

As much as they will miss him and his vitality, the pedestrians and dwellers will regret the passing of Dr. Sweitzer's sermon topics posted each week on the big, lighted bulletin board outside Central Presbyterian.

They became classics—like last week's "Love Reduces Friction to a Fraction." Others that were memorable: "This is the World's Greatest Redemption Center" . . . "Take Off Your Shoes; You're on Holy Ground." . . . "When You Get to the End of Your Rope, Tie a Knot and Hang on." . . . "Don't Take Yourself Too Seriously; Your Halo Could Become a Noose."

Unfortunately, the members of Pastor Sweitzer's church never will hear his farewell sermon. In the confusion of packing, he shipped it off to Salt Lake City.

"I've written a substitute for Feb. 18, my last Sunday," he said. "Maybe I'll give my

original 'farewell' as a 'hello' in Salt Lake City.

It will be interesting, at that, to see what happens to the Mormons.

## RETIREED MARINE REALIZES LIFE-LONG AMBITION

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. GILMAN. Mr. Speaker, I am pleased to call to the attention of the Congress today a former constituent who, despite many obstacles and adversities, persevered and realized his lifelong ambition of receiving his bachelor's degree.

The life of Gerald F. Merna, a Korean war veteran and a former resident of Rockland County, part of the 26th Congressional District of New York, is inspirational and I would like to share with you a story of some of the events which took place in his life leading to his successful accomplishment of a goal, the receipt of his bachelor degree from George Washington University on February 19, 1973.

### STORY OF MR. MERNA

Gerald F. Merna, a former Rockland County, New York student at St. Dominic's in Blauvelt, St. Agnes in Sparkill, County Marine Corps Recruiter in the early 1950's who married a Piermont girl, is looking forward to celebrating George Washington's Birthday this year, not just because it's a legal holiday, but because it will be the fulfillment of a lifelong ambition.

After attending fourteen years of night school at three different colleges, and completing a 22 year career of enlisted and commissioned service in the United States Marine Corps, including full tours of duty in the Korean and Vietnam combat war zones, Mr. Merna, 42, will receive his bachelor's degree in Business Administration from The George Washington University during its Winter Convocation at prestigious Constitution Hall in Washington, D.C., Monday, February 19.

"My aim in life," Mr. Merna said, "has been not to get ahead of other people, but to get ahead of myself."

He decided some time ago that he could do anything he wanted to do if he just stuck to it long enough. And Mr. Merna measures success not so much by the position that a person attains in life as by the obstacles which one overcomes while trying to succeed.

Mr. Merna speaks from first-hand experience regarding the overcoming of obstacles. He encountered a few early in his life. Born in New York City in 1930, one year after the start of the Depression, his parents separated when he was nine. Along with five brothers and one sister, he became a ward of Catholic Charities and was placed in St. Dominic's Home in Blauvelt, New York. After graduating from the eighth grade, he was sent to St. Agnes Home in Sparkill and attended Tappan Zee High School in Piermont—where one of his classmates was later to become his future bride.

In 1947, on his 17th Birthday, Mr. Merna enlisted in the Marine Corps, prior to graduating from high school. While in service he completed the requirements for his high school diploma from Tappan Zee. He credits this accomplishment to the lifetime encouragement he received from Mr. James Faulk, the former Coach at St. Agnes and a retired Marine Reserve Colonel, Mr. Anthony G. Barone, former principal of Tappan Zee High

School, and the many dedicated nuns at St. Dominic's, St. Agnes, and Brescia College who inspired him to complete his education and to become a better citizen.

In entering the service at an early age, Mr. Merna followed somewhat in the footsteps of his older brother George who left St. Agnes and Tappan Zee High School in 1943, at the age of 18, to enlist in the Navy during World War II. George was killed in action on February 11, 1945 when his ship, the USS LST 577, was sunk by the Japanese during an enemy engagement in the Philippines. This personal loss was the beginning of the younger brother's strong patriotic feelings, and his overt love of Country and Corps.

Mr. Merna's 22 year career in the Marine Corps, in which he served in every enlisted grade from Private to Master Gunnery Sergeant and later as a Commissioned Officer, included service in practically "every clime and place." His duty assignments varied from Infantry Platoon Sergeant to Recruiting Officer, Adjutant, Personnel Officer, Awards Program Administrator, Legal Officer, and Casualty Notification Officer.

The famed Marine Corps Recruit Depot at Parris Island, South Carolina, in 1947, was the first stepping stone in the transformation of this Rockland County youngster into a proud, disciplined, professionally trained Marine. Following his boot-camp graduation, Mr. Merna reported for duty with the 22nd Marines at Quantico, Virginia, and subsequent training at San Diego, California.

With the outbreak of the Korean War, Mr. Merna, then serving at Camp Lejeune, North Carolina, was reassigned to recruiting duty in New York. He recruited out of the Nyack, New York, Paterson and Hackensack, New Jersey and New York City sub-stations until March 1952 when he volunteered for duty in Korea.

From April 1952 to May 1953, Mr. Merna served in Korea as an Anti-Tank Assault Infantry Unit Leader with the 1st Battalion, 5th Marines, 1st Marine Division, where he was awarded his first Navy Commendation Medal with Combat "V", and as a Platoon Sergeant with "E" Company, 2nd Battalion, 5th Marines, with whom he participated in the bitter fighting on Outpost Vegas. Mr. Merna's Regimental Commander during this time was then Colonel, now retired four-star General Lewis W. Walt, former Assistant Commandant of the Marine Corps. General Walt was popularly known as the "Marine's Marine."

Returning stateside and graduating with honors from the Naval Justice School at Newport, Rhode Island, Mr. Merna was assigned to duty as Legal Chief at Marine Corps Schools, Quantico, Virginia.

In December 1955, he was put in charge of the Marine Corps Recruiting Office in Owensboro, Kentucky where he won many Outstanding Recruiter Awards, was appointed a Kentucky Colonel by the then Governor and former Commissioner of Baseball A. B. "Happy" Chandler, and served as the senior enlisted man in Charge of the Marine Honor Guard at the funeral of former Vice President of the United States, Alben W. Barkley, at Paducah, Kentucky.

During his off-duty hours in Owensboro, Mr. Merna started his first college courses at Brescia College where he completed 18 semester credits before being transferred to Camp Lejeune, North Carolina. While at Lejeune from 1960 to 1962, he completed another 26 semester hours at East Carolina College.

In the ensuing ten year period, Mr. Merna enrolled as a degree candidate at The George Washington University in Washington, D.C. where he sandwiched in additional course work as duty assignments permitted. He completed a tour as Legal Chief at Headquarters Marine Corps in Washington during which time he participated as the NCO in

Charge of an honor guard at the funeral of President John F. Kennedy and at the Inauguration of President Lyndon B. Johnson.

In May 1966, under the Marine Corps' outstanding leadership program, Mr. Merna, then a career Marine with 19 years of enlisted service, was commissioned a Second Lieutenant in the regular Marine Corps. He was ordered to Vietnam where he served with the Third Marine Division from August 1966 to September 1967. He was promoted to First Lieutenant while in Vietnam, and was awarded his second Navy Commendation Medal with Combat "V" and received the Vietnamese Cross of Gallantry from the Vietnamese government. He accumulated 18 other decorations and awards during his military career.

Mr. Merna retired from the Marine Corps in 1968 after completing a tour as Adjutant with the Marine Air Reserve Training Detachment at Andrews Air Force Base in Washington. He accepted a position with the U.S. Postal Service in Washington, D.C. and participated as one of the principal Postal Service representatives on a major joint industrial contractor-Postal Service project to develop and implement a Job Evaluation System responsive to the changing needs of the Postal Service. He is presently Manager, Compensation Records Branch in the Postal Service's Office of Job Evaluation.

On hand at Constitution Hall when Mr. Merna receives his long-awaited sheepskin on February 19 will be his wife Dorothy, daughter of Mr. and Mrs. Thomas F. Sedlack, Sr., of Ferdon Avenue, Piermont, New York, and their two children, Linda, a freshman at George Mason University, and son Gerald T. Merna, a high school junior. The Mernas presently reside in historic Alexandria, Virginia. Also in attendance will be two of Mr. Merna's brothers, James and Richard, both former Marines themselves.

Since he had only received his high school diploma in the mail while in the service, this will be his first graduation ceremony.

"I'm going to wear that cap and gown on the 19th, you can bet on that," he said with a grin.

A fitting ending to a small but rugged individual who would rather wear out than rust out.

## CONTINUING THE REDEVELOPMENT OF HOBOKEN, N.J.

**HON. DOMINICK V. DANIELS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, on February 7, 1973, the council of the city of Hoboken passed a resolution dealing with the recent decision of the Secretary of Housing and Urban Development to place a temporary hold on application for subsidized housing assistance that have not reached the feasibility approval stage by January 5, 1973.

Mr. Speaker, Hoboken, N.J., is one of the oldest cities in this Nation. Much of its housing has deteriorated. Despite this, great strides have been made and are being made to bring its housing up to standard. I would hate to think that HUD is reneging on its commitment to the "Mile Square City" at this stage of the game.

I submit this resolution for the study of all Members of this House and I ask



that it appear following my remarks in the RECORD.

The resolution follows:

#### RESOLUTION

Whereas, the Secretary of Housing and Urban Development has announced a "temporary hold" on applications for subsidized housing assistance that have not reached the feasibility approval stage by January 5, 1973; and

Whereas, the Secretary of Housing and Urban Development has indicated that only those projects that are necessary to meet statutory and other program commitments will be approved in coming months; and

Whereas, the City of Hoboken has received a specific program commitment of 1,200 units when designated as a Project Rehab City and written assurances of additional amounts depending upon performance; and

Whereas, the City of Hoboken has established a special administrative mechanism to coordinate and monitor Project Rehab development; has allocated funds to the establishment of a relocation office and to the payment of relocation assistance funds according to the Uniform Relocation Act; and

Whereas, the City of Hoboken has elicited the interest of various developers who have opened offices in the City on the basis of assurances of a reservation of Section 236 subsidies; and

Whereas, approved Project Rehab developers have received feasibility on 642 units with 410 units pending feasibility, now, therefore, be it—

Resolved, that the City of Hoboken shall request that the Department of Housing and Urban Development continue its commitment to the City of Hoboken without regard to the "temporary hold" to permit the continuing redevelopment of the Hoboken community; and, be it further—

Resolved, that said request shall be communicated to the Secretary of the Department of Housing and Urban Development by letter signed by the Mayor and City Council of the City of Hoboken; further—

Resolved, that copies of this resolution and letter be sent to members of Congress representing the State of New Jersey.

#### ESTONIAN INDEPENDENCE

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DERWINSKI. Mr. Speaker, Saturday, February 24, will be the 55th anniversary since the Republic of Estonia successfully achieved its independence from the Soviet Union. This freedom was a new experience for Estonia which had been under the rule of various powers for 700 years, the largest segment of time being under Czarist Russian bondage.

When Estonia declared its independence on February 24, 1918, World War I was still going on and it was not until November 11, when the armistice took effect, that the Germans began to withdraw from its territory. Eleven days later the Bolsheviks began to invade Estonia. However, the brave resistance of its people enabled Estonia to rid its land of these latest invaders by the end of January 1919.

Two decades later, freedom for Estonia came to an end after the Communists and the Nazis divided Poland

between them. Estonia was forced to sign a treaty with the Soviet Union permitting establishment of military bases and stationing of Russian troops on its soil when the Soviet Union threatened to invade. Annexation soon followed and on August 6, 1940, the tiny Republic was absorbed by the Soviet Empire.

It is pertinent to point out that the United States refuses to recognize the Soviet occupation of Estonia, Latvia, and Lithuania, and I am confident that this will continue to be the policy of our country. Estonians throughout the free world will continue their activities to keep alive their traditions. Even though they are a small group, they are a very vital force in the various countries throughout which they have been scattered by the fortunes of war.

Mr. Speaker, justice certainly will be served on the day of the emancipation of the Estonian people from their present bondage. In the meantime, let us pay homage to the brave people of that tiny country on the anniversary of their independence.

#### THE 55TH ANNIVERSARY OF DECLARATION OF THE REPUBLIC OF ESTONIA

### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. LONG of Maryland. Mr. Speaker, February 24 marks the 55th anniversary of the declaration of the Republic of Estonia. One year ago, in a speech commemorating the 54th anniversary I expressed the hope that Estonia could celebrate its 55th anniversary as an independent nation. Unfortunately, Estonia remains a captive nation.

On February 24, 1918, 1 day after German troops entered Estonia and drove out the Communists, Estonia declared its independence. Many Estonians fled their German-occupied country to publicize to the Allied countries the plight of their fellow citizens. France, Great Britain, and Italy accorded de facto recognition to Estonia in the spring of 1918. In November of 1918, the Germans withdrew, but the Soviets then attacked. The Estonians rallied to the cause of freedom and held off their attackers with the help of the Finns and the British.

The Estonians drafted a constitution, relying heavily on the principles in our Constitution, to insure human rights and dignity for all.

In the League of Nations, Estonia was often a spokesman for the small, democratic nations. Many Estonians went to Geneva to serve on the staff of the League of Nations.

At the outbreak of World War II, the Soviet Union built military bases in Estonia. In June of 1940, the Soviets occupied the country. The people of Estonia were subjected to arrest and exile. About 10 percent of the population was either killed or forced to flee the country. From 1941 to 1944 Estonia was occupied by the Nazis. In 1944, the Soviets reoccupied

Estonia, forcing every citizen out of the towns on the Baltic shore so that new settlers from the Soviet Union could move in. Tens of thousands of Estonians were shipped off to other parts of the Soviet Union.

The history of terror has not dampened the hopes of the Estonian people that their country may enjoy the freedom which we in this country so often take for granted. Every year Estonians living in the free world celebrate the anniversary of their declaration of independence. Those still living in Estonia cannot celebrate. I hope that someday it will be a real celebration of independence rather than just a celebration of the declaration.

#### VOICE OF DEMOCRACY CONTEST WINNER

### HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. COHEN. Mr. Speaker, at a time in our history when more Americans are experiencing more freedom than ever before, yet taking less time to think about what our freedoms really mean, the Veterans of Foreign Wars of the United States and its ladies auxiliary has conducted its annual Voice of Democracy Contest.

Ruth Ellen Comber of Jackman, Me., has written a winning speech for the VFW contest. Her speech, "My Responsibility to Freedom," is an excellent example of thoughtful appreciation of our freedom. I would like to have her speech inserted in the RECORD:

#### MY RESPONSIBILITY TO FREEDOM

(By Ruth Ellen Comber)

Freedom is a great privilege and we must work unitedly to be responsible for it. Benjamin Franklin, John Adams, and Thomas Jefferson were the key men in the signing of the "Declaration of Independence," on July 4th, 1776. On that day, these men and many like them, were being responsible for freedom by insuring its existence in our newly formed country. But this document and the ideals it stands for were not conceived by one man. It was created by an assembly of men working together as a unit. When you think of how hard these men worked to bring freedom to our nation, you would think that we could work just as hard to keep it here. One of the most important lines of the "Declaration of Independence" is the one which states that all men are created equal. This means that a man should hold no prejudice against his fellow men. There is no set class system in America where a man, because of his heritage, is in any better position to rule or be ruled, than anyone else.

Because we all are equal, we should all share equally in the benefits obtained from freedom and the responsibilities that accompany it. One person alone could not begin to spread the knowledge and results of liberty throughout the entire country. One person could not even hope to reach every man, woman, and child living in this country. It takes a joint effort by every one of us, each in his own way.

We need politicians to serve the people as representatives to Congress and the Senate. We need them to work for and with us in

making the laws and preserving freedom for all.

We need lawyers to fight for justice and truth in the Courtrooms of our land. We need these professionals to insure freedom of the individual and to interpret the laws.

We need policemen to enforce the laws that were made to protect us.

But, most important of all, we need those people whom the laws were made for. We need these concerned citizens to keep our country at its high level; never letting it falter for a moment.

My individual responsibility is to be proud of my heritage and of my country. I should not take any one of these duties for granted. When I become of age, I should be an informed voter and a concerned voter. The political offices should be my concern, and they should be upheld to the highest degree.

To explain further by responsibility to freedom, I would like to refer to the song, "You've got a Friend." The first stanza of this song is: "When you're down and troubled and you need some love and care, and nothing . . . nothing is going right; Close your eyes and think of me and soon I will be there, to brighten up ever your darkest night." This applies to freedom and its need for my assistance. I try to project myself into the song and think of freedom calling to me for help in finding stability in our society.

The beginning lines of the chorus are: "You just call out my name, and you know wherever I am, I'll come running to see you again." Of course freedom is not capable of calling out my name. But through some political, social or religious strife within this democracy, I should be aware that freedom is calling silently, for my help in solving the problems that could hinder its safety. The last few words of the chorus are: "Winter, Spring, Summer, or Fall, all you have to do is call, and I'll be there. You've got a friend." These lines reveal that no matter what the season is, I should always be ready to aid freedom in any way possible. Whether it is to examine closely a new amendment to make sure it benefits all the people and not just a minor few. Or if it is to learn about America's foreign policy to certify that it is fostering brotherhood with other nations. I should be willing to work for freedom at all times.

The last lyrics of the song are: "Now isn't it good to know that you've got a friend when people can be so cold? They'll hurt you, yes, and desert you, and take your soul if you let them. Oh, but don't you let them."

This means, to me, that there is a struggle involved in protecting and preserving something as necessary to the happiness of an individual, as freedom. It isn't easy. But, then, nothing worthwhile ever is.

#### FREEDOM TO MURDER COULD DESTROY 300,000 TO 400,000 UNBORN AMERICANS A YEAR

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. RARICK. Mr. Speaker, the full impact of legalized murder under the euphemistic name of abortion, is difficult for the average American to comprehend. But if the entire population of Fort Worth, Tex.; Toledo, Ohio; or Newark, N.J., were brutally murdered, perhaps the ramifications of legalized abortion would be better understood.

The populations of these major metropolitan areas, in fact, the populations of 117 of the top 150 U.S. cities are less than the predicted number of abortion-

murders—300,000 to 400,000—experts say will take place in the United States each year if abortions are permitted to become readily available throughout the country.

The Supreme Court's recent ruling on this question indicated that the so-called right of privacy of a pregnant woman is license to kill her unborn child. Apparently, the Justices feel that this unwritten, pseudo-right of privacy, they so conveniently found in the never ratified 14th amendment, supersedes the right to life and liberty.

Morality, not murder, is the answer to any population control bugaboo.

I include a related news clipping:

[From the Evening Star and Daily News, Feb. 21, 1972]

#### ABORTIONS IN NEW YORK REPORTEDLY CUT BIRTHS BY 19,000

NEW YORK.—Abortions performed on New York City women during the first two years of a liberalized abortion law reduced births by about 19,000, a statistical analysis has indicated.

That would mean that legal abortions accounted for about half of a 25 percent decline in births in the city between 1970 and 1972. The remaining drop would be attributable to improved contraceptive practices, changing family preferences, a decline in employment and other factors.

The analysis was written by Dr. Christopher Tietze of the Population Council, a biostatistician and international specialist on the effects of abortion and contraception. Tietze predicted in an interview yesterday that if abortions become readily available throughout the country under the Supreme Court's recent ruling, they could lead to a decline of 300,000 to 400,000 births a year in the nation.

Dr. Charles Westoff, a Princeton sociologist and specialist on national fertility trends, said in an interview that Tietze's estimate "would mean a 10 percent drop in births over and above the influence of all other factors. There hasn't been such a large drop in births in the last 15 years."

Such a decline, he said "would drive the national fertility rate substantially below replacement level."

#### IMPERIAL BEACH DISTRESS CRIES FOR U.S. AID

#### HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. VAN DEERLIN. Mr. Speaker, the city of Imperial Beach, in my district, has suffered mightily through the erosion of its most precious natural asset, the approximately 2 miles of oceanfront that once constituted one of the finest natural beaches on the west coast.

Prof. Douglas L. Inman of the Scripps Institution of Oceanography has explored the causes of this damage in a paper which I will attach at the end of these remarks.

Dr. Inman lays at least a part of the blame on the Rodriguez Dam, constructed a few miles away across the border by the Mexican Government, with the formal compliance of the United States. Besides conserving a once ephemeral water supply, the dam also has choked off a flow of sand which formerly could be depended on to replenish the coastline in and around Imperial Beach.

It is my feeling that our Government now has a special obligation to help Imperial Beach recover its beach, since the United States was party to the agreement which permitted construction of the dam responsible for the damage.

Accordingly, I am preparing a bill which would allow the Army Corps of Engineers to transport fill from a harbor dredging project on the Imperial Beach shore. Since this sand is going to be available anyway, it should be put to the best possible use. Present plans call for the fill to be deposited about 5 miles north of Imperial Beach, on Navy property where it is not really needed and where resulting benefits would be minimal.

The relatively modest additional cost of moving the sand to Imperial Beach can and should be assumed by the Federal Government; only in this fashion can the Government restore to the public the recreational area that it has permitted, however unintentionally, to be lost. My bill would authorize the additional funding necessary to carry out the restoration project.

Professor Inman's statement follows:

#### THE SILVER STRAND LITTORAL CELL AND EROSION AT IMPERIAL BEACH

(By Douglas L. Inman)

The problem of beach erosion at Imperial Beach can best be understood in terms of the budget of sediment as applied to a littoral cell that includes the source, transport paths, and sinks of the beach sand involved. Imperial Beach is part of a littoral cell that had the Tijuana River as a natural sand source, Silver Strand as a transport path, the entrance to San Diego Bay with its strong ebb currents as a temporary deposition area. Before construction of Zuniga Jetty (east jetty of San Diego Harbor) the sand deposited at the harbor entrance was washed ashore from time to time and thus temporarily became available to Silver Strand Beach. Construction of Zuniga Jetty in 1893 temporarily trapped the sand building the extensive Zuniga Shoal. The jetty also increased the velocity of the tidal ebb current flowing out of San Diego Bay, causing it to deposit the sand carried through the porous jetty into deeper water where it is no longer available to participate in the littoral drift.

Beach erosion in the Silver Strand cell is directly related to the loss of the historic sand source by damming of the Tijuana River, and to the construction of the Zuniga Jetty. The littoral transport in this cell is predominantly northward along its entire length due to its exposure to waves from the south and the sheltering effect of Point Loma on waves from the north. The northward littoral transport of sand along Silver Strand, in the absence of a continuing sand supply has resulted in an erosion cycle that begins at Imperial Beach in the southern part of the cell and progresses northward.

The Silver Strand littoral cell has had no natural source of sand since the Rodriguez Dam was completed in 1937, and by 1941 was undergoing extensive erosion. Silver Strand Beach has been maintained by artificially placing 28,300,000 cubic yards of sand on the beach between 1940 and 1967. Comparisons of beach surveys of 1946 and 1954 indicate that the northerly littoral transport of sand along Silver Strand was about 1,400,000 cubic yards per year. Comparison of offshore charts of 1923 and 1934 indicate an accretion of sand south of the jetty, in water depths of 60 to 120 feet of about 2,100,000 cubic yards per year. Thus, the transport rate in this cell appears to be between 1.4 and 2.1 million cubic yards per year.

Proper placement of sand dredged from San Diego Bay on the beaches could help



alleviate erosion by creating an artificial sand source. However, to have a significant beneficial effect on beach erosion this sand supply must be introduced into the cell near its southern end. Placement of the sand at Imperial Beach will immediately supply the presently depleted beach and allow the sand to gradually move along the natural transport path. If the sand is placed on the beach near the northern end of the cell it will only widen the beach at Coronado and have no effect on beach erosion at Imperial Beach and Silver Strand State Park. Only good clean sand of proper size will serve the function of an artificial sand source. Mud placed on the beach will stay in suspension and cause the nearshore zone to become saturated with muddy water. Once the nearshore waters are saturated the mud will not disperse quickly and will have an adverse effect on fishing and other recreational uses of the beach. The effect of placing mud on Silver Strand Beach was carefully studied in 1967.

#### JUDGE FULD ASSIGNS STATE BAR KEY ROLE IN AIDING COURTS

##### HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. CAREY of New York. Mr. Speaker, the New York Law Journal, dated January 24, 1973, contained a statement by Stanley H. Fuld, chief judge of the New York State court of appeals, delivered at the annual meeting of the New York State Bar Association. I feel that for all of us who are concerned about better judicial administration, this message will provide insight attributable to a long and distinguished judicial career.

I would like to insert at this point the statement referred to:

MESSAGE FOR ANNUAL MEETING—FULD ASSIGNS STATE BAR KEY ROLE IN AIDING COURTS—  
(By Stanley H. Fuld)

As the New York State Bar Association convenes its 1973 annual meeting, I am delighted to join in conveying greetings and in voicing the hope that the session will be a most successful and productive one. I would also express my deep appreciation to the members and officers of the association for their ever continuing support of the administrative board's efforts to strengthen and improve New York's judicial system.

As is the case with any human endeavor, the judicial system—be it in our state, in other states or in the federal structure—is not perfect. Nor can we expect it to be if we add to human fallibility the compounding frustrating elements of increasing case-loads, lack of adequate resources, of personnel and the enormity of other problems and responsibilities which confront those who work on behalf of the court system. Significant progress, however, is within our reach.

It is my hope, therefore, that, in the course of this annual meeting and in the months to come, the association will again marshal its collective wisdom and energies in our common effort to improve the administration of justice in this state.

A particular area of concern involves the public's lack of understanding of the problems and the needs of our judicial system. There can be no doubt that the judiciary—and, of course, society as a whole—profits greatly from legitimate and responsible criticism of the courts. Needless to say, my colleagues and I on the administrative board have ever been intent, if there is wrongdoing

or corruption in the court system, that it be rooted out and, if there is inefficiency, that it be ended.

Indeed, it is vital that the judiciary be responsive to, and by that token accountable for, responsible public criticism. On the other hand, it is equally important that the public, if it is to make an intelligent and valid assessment of the operation of its court system, be given the facts upon which to base a reasoned judgment. In short, the public must be apprised of the real problems and needs confronting the courts and not be subjected to rhetoric which only tends to dismay and confuse.

#### NEED FOR UNDERSTANDING

The need for public understanding, for public involvement and, hopefully, for public support of the court system becomes more compelling with the recent release, on Jan. 2, of the Report of the Temporary Commission on the New York State Court System. Its proposals—particularly those relating to court structure and administration, financing of the court system and the selection and discipline of judges—demand careful study and analysis by all our citizens. And, if added to these recommendations of the commission are further legislative and constitutional proposals relating to such subjects as no-fault automobile insurance and narcotics, the necessity for an informed public opinion as a predicate for legislative action or constitutional amendment becomes increasingly self-evident.

#### STATE BAR ROLE

No group is better fitted, either by training or tradition, than is the State Bar Association to illuminate these subjects and to inform the citizenry concerning the judicial branch of government, the individual's stake in it and proposals which may affect it. The long history of accomplishment of this association, in the public interest, is a truly happy warrant for soliciting its commitment to this endeavor and for seeking whatever help it can provide.

Again, I voice my thanks to the association for the support and assistance it has given over the years. Much has been accomplished but much more needs to be done. As I had occasion to say last year, "The joint efforts of Bar and Bench in the months and years ahead will certainly go far toward assuring that the true administration of justice will continue to be the firmest pillar of good government."

#### THE UCLA WHITERIVER DENTAL PROJECT

##### HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. HANNA. Mr. Speaker, it is with pride as a member of the California delegation that I bring to the attention of the House the UCLA Whiteriver dental project. For the past 2 years the students and faculty of the UCLA School of Dentistry have given their time and skill on a voluntary basis to help the White Mountain Apache Tribe in Whiteriver, Ariz. The purpose of the project is to provide dental services that are not normally available to the Indians through the Public Health Service.

The students and their teachers spend from 3 to 10 weeks each summer on the reservation. They are both treating the problems they find at hand and also practicing preventive dentistry by teaching oral health to the school-age Indian

children. On a more long-range basis, they hope to interest the young men and women of the White Mountain Tribe in following careers in dentistry.

In 1972 the project involved 84 dental students, 18 professional and student lab technicians, and over 30 professional and student dental hygienists. They served over 400 patients last summer. Over 1,000 teeth were removed and another 1,000 restored; 150 sets of complete dentures were prepared.

The efforts of these young professionals in the field of dentistry have made an impressive and most noteworthy contribution to the improved health of their fellow man. I congratulate and commend the students and faculty of the UCLA School of Dentistry for a job well done. I sincerely hope that the Whiteriver dental project will receive wide recognition and continued support from public and private sources.

#### MORE ON NEW YORK CITY MEDICAID ABUSES

##### HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. KOCH. Mr. Speaker, the following is the second in a series of excellent articles from the New York Daily News describing in very disturbing terms the abuses of New York City's medicaid system. Quality health care must be established as one of our Nation's priorities, and I recommend these articles to my colleagues as an indication of the severity of our present problems:

OUR "PATIENT" GETS MORE TESTS ON SECOND VISIT

(By William Sherman)

A man complaining that a table had fallen on his foot was number one on line. An old woman, her calves bulging with phlebitis, stood behind him, and next to her a boy who said he is a junkie was holding a packed duffel bag and an old guitar. He mumbled something about stomach pains.

They were welfare clients with medicaid cards, waiting to see the receptionist at the Park Community Medical Building, 131-12 Rockaway Blvd., Ozone Park, Queens. After they registered their complaints they joined about 25 others sitting silently in the crowded waiting room. Every five minutes or so, another patient was called into an examining room.

Number four on line was a News reporter disguised as a patient with a medicaid card as part of a broad investigation of abuses of the city's medical assistance program. City welfare and health officials cooperated closely in the probe.

The reporter returned to the center last Wednesday, as directed by internist Dr. Henry Wilkins, two days after his initial treatment there for a feigned cold.

The first day, he was sent to see a podiatrist, an internist, and a psychiatrist for his complaint. The three doctors had prescribed six different medicines.

It is not yet known how much the Park Community center will decide to charge for the first day's services, but the total potential bill, based on the city's medicaid fee schedule, was \$63.80.

The patient had refused tests ordered by the internist, except for a urine specimen. The tests included a cardiogram, chest

X-rays, and three blood tests. The internist had told the "patient" to return to have his "cold" checked out.

This time, he told the receptionist he was "all better," and asked to see Dr. Wilkins.

As he sat waiting, watching the continuous procession of people through the center, a woman holding an infant walked up to him and complained, "Why are they telling me to take this child upstairs to see the dentist? He doesn't even have any teeth."

Then the receptionist called out the "patient's" name and said, "If you're ready, we'll give you those tests now. Then you can see the doctor."

The patient was escorted to the laboratory technician's room where he was told to give a second urine specimen. Then his sleeve was rolled up and blood was taken. The receptionist returned and whisked him into the X-ray room where another technician had him remove his shirt and stand in front of a plate for front and side-views of his chest.

With the last buzz of the X-ray machine timer, he was directed to the waiting room again, because, he was told, "There are electrocardiograms ahead of you."

Ten minutes later, the receptionist again called out his name, and the patient was escorted into a third room and told "remove your shirt, roll down your socks and lie down in the couch."

Another girl placed some dabs of ointment on his chest and attached the wires, with suction-cup tips, to various portions of his body.

#### MACHINE BREAKS DOWN

At one point, the machine broke down, the girl said, but it was repaired and the testing continued. Then the patient was ushered out again to the waiting room and told, "Dr. Wilkins will be with you shortly." One hour later, Wilkins called the patient into his office.

"How are you?" asked the doctor.

"My cold is all better."

Wilkins read the cardiogram, said it was "fine," and told the patient his initial urine specimen had come back from the lab and that it was okay too. Still, the patient had given a second urine specimen.

#### AND ANOTHER VISIT

This consultation was over in five minutes. When the patient told Dr. Wilkins that he had been directed by the psychiatrist to return on Monday, Wilkins told him, "I want you to come back and see me too." That would have meant a third visit.

The bill for the second day of treatment, according to the city's Medicaid fee schedule, could go as high as \$48.40, including \$4 for a cumulative blood count, \$2 for the second urine analysis, \$4 for a blood sugar test, \$2.40 for a syphilis test, about \$12 for the internist, \$12 for the electrocardiogram, and \$12 for the two X-rays.

The potential charge for the two days of treatment of the reporter's "cold" was \$112.20.

At this point, no one knows how much the center will charge for these services. Whatever bills the center forwards for this case to the Health Department will be scrutinized to determine which charges are allowable. Any cost determined to be legitimate will be reimbursed to the health department by The News.

Health Department officials cite "overutilization" of the program as a major factor behind the city's skyrocketing Medicaid costs. The growth of these medical costs has been nothing short of phenomenal.

A few statistics: In 1966, the cost of public assistance for city welfare recipients was about \$382 million for food, housing, shelter and all other expenses except medical care; medical care totaled \$156 million. While public assistance has more than tripled to \$1.3 billion in 1972, the cost of Medicaid last year was eight times what it was in 1966—and in 1973 it is expected to exceed the cost of public assistance.

#### \$2,000 A YEAR AVERAGE

Right now, it is costing the city an average of about \$2,000 a year for each of the city's welfare clients.

Two days after the patient's last visit to the Park Community Medical Building, the Health Department's senior medical auditor, Dr. Howard P. Katz, visited the center to audit practices there and evaluate treatment given the News reporter.

The facilities, it was learned, are owned by the podiatrist, Dr. S. David Geller, and another doctor, Geller, who treated the News reporter despite his protests that he came to the center only with a cold, earned \$10,879 from his Medicaid practice in podiatry in 1971.

However, Dr. Katz's audit, and an examination of city records and documents submitted to the Health Department by Geller, reveals that his podiatry income is far from the total he receives from the Medicaid program.

He receives rent from Rakal Pharmacy on the second floor of the center, and from several dentists who also have offices on that floor.

In addition, he also receives a flat rent, he told Katz, and/or 30 to 50 of the Medicaid billing of 13 other medical professionals who practice at the center, including a radiologist, a dermatologist, a pediatrician and a psychiatrist.

#### LAB PAYS RENT

He told Katz his income from the center includes \$500 a month rent from Biometrics Laboratory for a four-by-five foot room. This outfit does all of the center patients' lab tests. Medicaid billing emanating from the center for 1972 will, it is conservatively estimated, be more than \$200,000.

This operation is by no means one of the largest group practices billing the city. The Health Department has counted 173 such centers most in slum areas, and some of which have grossed several million dollars each since the program began in 1966.

However, Katz was concerned not solely with Park Community's income, but also with the quality of care being dispensed.

#### "PING-PONGING"

And during the audit of the center, Geller told Katz that receptionists routinely direct patients to physicians other than those handling specific complaints. The practice was called "Ping-Ponging" by Katz; but Geller told Katz he thought it was "good preventive medicine."

Then Katz examined Dr. Wilkins' records and found that four patients in a sample were given B-12 injections "for no apparent reason." Dr. Katz said another was given penicillin with no indication, and that in that case, the city was billed \$15 "for an apparent short visit."

#### TREATMENT CHECKED

A lab report on a fifth patient revealed an infection, but Dr. Wilkins' charts showed no indication that it had been treated. Another patient's cardiogram showed "pathology," but although a cardiologist is on premises, there was no indication that the patient received consultation.

With regard to The News reporter's records, Katz said:

The electrocardiogram was given without indication, contrary to city Medicaid regulations that patients under 40 should not be given e.g.'s without a specific reason.

The penicillin was prescribed without any medical indication, as were the blood tests and the X-rays.

The patient "was seen by a psychiatrist without notation on the chart as to necessity, and the records are not available."

No indication as "to what medicine was prescribed although there is knowledge of six prescriptions given to the patient."

Psychiatrist Dr. Samuel Kramer's previous invoices all indicated one-hour visits billed

at \$20 each, while in the case of The News reporter, at least, the visit lasted about 15 minutes.

The patient was seen by a podiatrist without having complained of any foot trouble.

#### A SIXTH OF THE PIE

Medicaid payment to group practitioners like the Park Community center and other noninstitutional providers cost nearly \$162 million in the city in 1971. This is about one-sixth of the city Medicaid pie.

The rest, nearly \$959 million in 1971, went for medical care at hospitals, nursing homes and other institutions.

#### ALEXANDER PETÖFI MEMORIAL YEAR

#### HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. HOGAN. Mr. Speaker, on January 13, 1973, the American Hungarian Federation and several national and local organizations of American Hungarians in the Washington area opened a 2-day program commemorating the Alexander Petöfi Memorial Year in honor of the famous poet who was born 150 years ago on January 1.

Two excellent speeches were given at the event by Prof. Andras H. Pogany, of Seaton Hall University, who also serves as the president of the Hungarian Freedomfighters Association of America, and Prof. Eniko Molnar Basa, of American University, who recently received her Ph. D. in comparative literature from the University of North Carolina.

Petőfi remains both an inspiration to all freedom-loving men of the world and also a poet of simple but eloquent beauty and it is indeed a pleasant duty to remember him at this anniversary.

Following are the texts of the two speeches:

THOUGHTS ON THE OPENING OF THE PETÖFI MEMORIAL YEAR

(By Dr. András Pogány)

Ladies and Gentlemen: I have the honor to speak the opening words for the Petöfi Memorial Year.

As I am not a literary critic, I cannot speak on Sándor Petöfi's literary significance. Neither am I an aesthete and Petöfi's aesthetic value can be much better treated by others. Nor is it worthwhile for me to examine Petöfi's historical significance, or to detail the circumstances of his tragic death. The historical and cultural effect of "this little, wizened, dark man"—as the Austrian Lt. Colonel who found his body on the battlefield at Segesvár described him in the recently discovered report in the military archives at Vienna, is even in our life so obvious that it hardly needs lengthy explanation.

Let us rather speak on several almost marvelous qualities in connection with him which can give us all food for thought.

Petőfi's short span of twenty-six years is remarkable for being a wonderfully accurate and effective record of the inner life and emotional storehouse of the Hungarian race. A person, who at one time was called Petrovics, and who was brought into the world by Mária Hruz, can be called the prototype of the Hungarian soul. Petöfi's mere existence refutes the empty theories that seek to prove nationality in terms of blood, of flesh, or genes. To be Hungarian is first of all a commitment of soul and fate, not the result of artificial biological "laws". Sándor Petöfi is the best proof of this.



The way in which Petőfi's enthusiasm, will-power, and determination directed the events which for us are history, is no less marvelous. His decisive role on March 15th is undeniable. He was the leading spirit of the "March youth"—those young men who frightened both Vienna and the Diet at Pozsony (Bratislava) and forced the ratification of the "April Laws" which ended feudal rule in Hungary.

Petőfi, through his pen and his personality, left a mark on the subsequent difficult months also. His letters, first from Debrecen, later from Transylvania and the poems written at this time, show clearly that this little man knew neither fear nor submissiveness. Ready to offer his life for what he believed his sincerity and generosity free of any self-seeking, captivated his contemporaries as well as all those who have become familiar with his writings, his poetry.

Most wonderful, however, is the effect he had on the following generation of Hungarians, beginning even with his death. His character, his ideas, his personality did not disappear in the mass grave at Segesvár, but became part of the heritage of Hungarian cultural life and has enriched it for over 120 years. Today, when the worth and role of the individual is stifled; today, when we move under the sign of the "masses;" today, when even the personal connection between the Almighty God and the immortal individual soul He created, is threatened in the name of a vague "religious feelings," we can contemplate Petőfi's example and remember that all of these are nothing more than modern heresies. For history, after all, is not written by the masses, but, after Providence, by individuals.

Sándor Petőfi's lasting and ever-increasing impact on the emotional and intellectual life of subsequent generations has always been recognized by the governments of Hungary. The Bach-regime fought Petőfi's spirit, which appeared here and there to console the Hungarians in their tragic fate, with determination. Particularly idolized among the simple people, Petőfi, within months of his death had become the subject of folk tales and anecdotes. The Bach-regime proved powerless in the face of this Petőfi cult. Later, in the early 1860's, the government, not wishing to give fuel to the resistance by open hostility, reluctantly tolerated Petőfi.

After the "Compromise," a long and vigorous period of revival followed, at least in the non-official circles of Hungary. The March 15 ceremonies gradually became Pe-ton-festivals. Hundreds of statues were erected, frequently in villages and small towns. The common people simply refused to believe that the merely 26-year old Petőfi could be moldering in a mass grave. Common talk even sent him to Siberia, just to escape the torturing idea of his death. The representatives of official Hungary recognized the poet's literary greatness and numerous editions of his works were published in Hungarian, but also in other languages; although paying some regard to the political situation, they minimized Petőfi's memory somewhat.

Very telling for Petőfi's importance and impact are efforts of a diametrically opposed system: Béla Nün's first Communist attempt sought to transform Petőfi, even during its brief rule, into its own image. After the fall of the Kún-regime, between the two wars, Petőfi was suddenly raised to a high position in the cultural life of a truncated nation as the ardent apostle of the refusal to compromise and of the Hungarian spirit. Yet, those of his views which failed to fit into the intellectual life or phraseology of this neo-baroque society, were successfully and lastingly forgotten.

All earlier distortions, however, are surpassed by the shameless way in which he has been exploited by the communist regimes of Soviet-occupied Hungary. Red propaganda

is ever ready to alter our great historical figures appropriately. Thus, King Matthias became a "social revolutionary"; György Dózsa a red-bannered national hero; and Lajos Kossuth, a communist sympathizer. But first and foremost, Petőfi was painted red, for he had once sung of red banners under which he hoped to die for human freedom. Therefore, he was named the ideological ancestor of the system, the spiritual kin of Mátyás Rákosi. The Hungarian Communist Party was not loath to dig up at its own expense a good portion of the battlefield at Segesvár to seek the bones of the poet. I saw with my own eyes the fantastic efforts made to find the mass grave of the poet because favorable propaganda was urgently needed and the government could offer no better one to the Hungarian people in their dark days than Sándor Petőfi.

All this did not prevent the coming of October 23, 1956, and with it the rebirth of Hungarian independence. The Revolution of 1956 espoused Petőfi's ideals from the first. It was at the base of his statue in Budapest, with the recitation of his "National Ode", amid the memories of March 15 that the purest, noblest and most Hungarian movement of the 20th century began and ended, and in the days of the Revolution the true Petőfi took his deserved place in Hungarian hearts.

November fourth came and with it new repression and new terror. The new regime followed the path shown by Rákosi: they attempted to use the name of Petőfi to camouflage the contradictions and the political and economic problems of their rule. Thus, in Budapest, too, a Memorial Year has been planned. A memorial hymn is intoned, the same piercing, off-key tone is sounded which has been blared since 1945 when, hiding behind a foreign army, the Party gained power in Hungary. Of course, they can do it: the dead cannot protest or defend themselves. Lajos Kossuth, the apostle of Hungarian liberty cannot protest, neither can Loránt Eötvös or Endre Bajcsy-Zsilinszky. Even Sándor Petőfi must remain silent.

It is for this, and this alone, that there is significance in our festivities: it is significant that we, Hungarians living in a free land, commemorate the true Petőfi. We commemorate Sándor Petőfi, the patriot and the high-minded, idealistic Hungarian nationalist; Sándor Petőfi, the indomitable champion of human freedom; Sándor Petőfi, the scourge of the resigned, the yielding, the abjurer; Sándor Petőfi who did not believe in "dialogues," or that anyone has the sanction to relinquish the fundamental rights of the nation; Sándor Petőfi, the prosecutor of the compromisers, of the ones who draw secretly to the other side, of the spineless ones and the political outlaws; Sándor Petőfi, the poet of Hungary's historical destiny, who knew that the Hungarians stood alone in the storm. He stands and faces it and does not seek to hide from the raging storm.

We have to celebrate the true Petőfi—this alone justifies our commemorations. We leave the distortion to Budapest. In 1973 we will tell the world, and remind ourselves also—and this latter is no less important than the former—who Petőfi was and what he means to us.

In this spirit, in the sign of unshakable loyalty, unmovable steadfastness and the unquenchable Hungarian love of freedom, that is in the spirit of Petőfi, we open the Petőfi Memorial Year and hopefully the long series of commemorative programs in America.

#### THE 125 YEARS OF PETŐFI TRANSLATIONS

(By Enikő Molnár Basa)

The political background from which Petőfi emerged and the events in which he played such an important part have been covered in the previous speeches. But Petőfi, was, after all, primarily a poet, and so he must be evaluated as a poet. True, his im-

pact abroad was not purely literary, but the impetus, we must remember, came from his poetry.

Sándor Petőfi (1823-1848) was the culmination of the Hungarian Romantic Movement, although he transcended its bounds. Abroad, he was best known as the embodiment of Romanticism in his life as well as in his poetry. His descriptive poems were hailed as pictures of Hungary and Hungarian life; his political poems were regarded as the credo of the Revolution; his love poetry found its way into the works of several German composers. Yet, although a Romantic in his ideas and in much of his poetry, Petőfi remained a realistic observer of life. He neither idealized nor rejected it; the melancholy and world-weariness of the Romantics was as foreign to him as was the picture of the peasant as the noble savage. His political ideas, his love of freedoms and support of the common people, however, drew him to the Romantic group.

To trace the response to Petőfi in the English-speaking world, or rather in England and America, we must first consider the intermediaries—German translators, poets and critics. Adolf Dux published three of Petőfi's poems in translation in Vienna as early as 1845. This was followed by a volume of poetry from Hungarian literature which included fifty-five poems from Petőfi—more than half the book being devoted to him. Dux introduced Petőfi to the Austrian public, but it was Karl Maria Kertbeny who devoted his life to making Petőfi—whom he had met in the Pilvax Coffee House—well known in Europe. Through personal connections and numerous editions of Petőfi's poems in translation, he drew the attention of men such as Helne, and the British diplomat, Sir John Bowring, whose interest in Eastern Europe had drawn him into translation, and who was to become Petőfi's first English admirer, and Tallandier, the French translator of Petőfi. Kertbeny's first efforts, *Gedichte von Alexander Petőfi (Poems from Alexander Petőfi)* was published in Frankfurt in 1849; this was followed in 1850 by *Der Held János (Childe John)*. In the next decade he issued at least ten more works until his career was closed in 1866 with a collection of 160 lyrics from Petőfi, in which he revised (for the better) many of his earlier translations, and a volume of sixteen narrative poems. There were, however, others who decided to make Petőfi available in German, so that some of his poems appeared in as many as forty versions in Germany alone. The lyrics, moreover, were adapted to music chiefly on the basis of the collection given by C. F. Daumer in his *Deutscher Musenalmanach* of 1852 and *Polydora* of 1855. In 1888 a German biography of the poet appeared at Leipzig, further proof of the popularity of the poet.

Sir John Bowring, with whom translation was a hobby rather than a profession, was not only the first to render Petőfi in English, but so far as I know, the first to translate anything of Hungarian poetry into that language. Since he did not know Hungarian—a serious defect in many of the translators, though this does indicate the force of the original and the interest that the figure of the poet alone aroused—he based his works on Kertbeny's German versions, and in fact, the two had met and corresponded for years. In 1847, when Petőfi's fame in Hungary was just reaching its peak, two of his poems appeared in *Hovitt's Journal*, a London magazine devoted to *belles lettres*. These were followed by *Translations from Alexander Petőfi the Magyar Poet*. In the preface Bowring likens his subject to Robert Burns, a comparison that is true to a great extent, though Petőfi's poetic range is far greater. He then cites evaluations of Petőfi among the Germans: Bettina von Arnim called him "the most original of lyric poets in the whole world's literature." Alexander von Humboldt wrote, "after many wanderings he had discovered in his own neighbor-

hood a flower so rich in beauty, so enduring, so certain to be valued," Varnhagen von Ense commented, "He is the noblest exemplification of Goethe's fine thought, 'Youth is drunkenness without wine,'" and Hermann Grimm, professor of literature at Berlin, declared that "Petöfi will rank among very greatest poets of all times and tongues."

Clearly, then, Petöfi entered English literature via the introduction and recommendation of the Germans.

In the United States 1851 marks the first translations: the Washington newspaper, *National Era*, published five poems by Grace Greenwood, who worked from prose versions given her by one of Kossuth's aides, Colonel Berzenczey. More significant, however, is the publication in New York of William N. Loew's *Gems from Petöfi and Other Hungarian Poets*, in 1881, which was followed by other volumes devoted to Petöfi and to Hungarian poetry. These translations are superior to anything done earlier, as can be expected from someone who went to the original and did not work through intermediaries.

The poet's life and work are closely intertwined and this connection must be kept in mind as we study his impact abroad. By birth and upbringing he was close to the common people, though he was well educated (contrary to the popular legend spread by Karl Maria Kertbény). His sentiments were thoroughly Hungarian and even his earliest works owe their popularity abroad to the poet's ability to capture the life and imagination of the Hungarian peasant in his genre pictures and folk songs. His *János Vitéz*, among the most popular of his longer poems abroad, does this. The German translation of Kertbény and the English one of Francis and Theresa Pulszky, published in 1850 and 1851 respectively, were only the first ones in a long line of translations.

A personal experience is also at the root of what is perhaps his most widely translated poem, "Reszket a bokor" (The Bush Trembles): it was this poem which, according to tradition, finally won the consent of Julia Szendrey to be his wife, and it has been translated into over forty languages.

On the 15th of March 1848 Petöfi's life and poetry became forever connected with the Revolution. His "Nemzeti Dal" (National Ode) was the rallying cry for the whole nation. He actively participated in the Revolution, not swept up by the general enthusiasm, but because his political convictions had always been with a popular, democratic government and a free Hungary. He died in the battle of Segesvár on July 31, 1849, and so the association with the Revolutionary movement was fixed. He quickly became a legend, not only in Hungary, but abroad also. The first translations were motivated as much by the picture of the romantic freedom-fighter as by an appreciation of his literary talent—sometimes more so, although beginning with Loewe in America interest has been directed more and more to Petöfi's position in literature, though naturally, the historical background can not be ignored.

In order to illustrate the deepening knowledge of Petöfi among his English-speaking public, I will comment on the work of several translators. An example of what happens when the translator is unfamiliar with the language and background of his original can be seen in Bowring's version of a brief lyric, first published in *Howitt's Journal*. The original poem, written in the style of the folk song, establishes a parallel between a flower native to the Hungarian plain and the speaker's sweetheart. Bowring, translating the name of the flower quite literally, loses this parallelism. The failure to recognize the down-to-earth quality of Petöfi's poetry leads the translator into serious distortions. *János Vitéz* is a folk epic in which the life of the village is given in realistic detail, but Bowring's translation makes even the peasant-maid Huska a romantic lady.

Petöfi's popularity grew, however, in spite

of the difficulties of translation, and we must give Bowring credit for attempting a task that is hard even today with the example of earlier translations, the aid of literary studies and good dictionaries all available. He, however, had only the earliest of Kertbény's work and a very limited knowledge of Hungarian. His style, too, is old-fashioned for us, but was popular in his own day.

The lack of archaic and poetic language in the poems that appeared in the *National Era*, the strong and simple rhythms and the usual nature imagery reflect Petöfi, whose originality lay in his ability to render poetic the commonest events of every-day existence, accurately. He could appreciate the advantages of railroads and was alive to the beauties of nature. But he did not idealize the landscape or the life of the simple people which he captured in his poetry. There is nothing impressionistic or abstract in his view of nature, and it is this picture that the translators presented to the English public. In the epic *János Vitéz*, too, it was these qualities that appealed to his foreign audience: the mixture of fantasy and realism, magic and earthiness. They could take it (stripped of the fabulous elements) as a presentation of Hungarian life by a poet who loved the unique features of his country and felt their poetic charm, yet did not wish to flee to the past in contemplating them.

Eugenie Bayard Pierce and Emil Delmar published *Sixty Poems by Alexander Petöfi* in 1948, on the 100th anniversary of the Revolution. This modern translation of his poetry, the first English volume to appear since the efforts of Loew around the turn of the century, is designed to be almost a line-for-line reproduction of the original. This is a fortuitous choice; my own experience has been that the best translations are those that preserve most of the original, and I have found it easier to do this when keeping to the metrical units of the poet.

The most recent of Petöfi's work available in English is *The Apostle, a Narrative Poem*. It is a reflection of the change in literary tastes that instead of a folk epic or a volume of genre pictures—the themes that fascinated the 19th century—an allegory of the poet's personal and political life represents Petöfi in the latter half of the 20th century. "The complete hopelessness, human ignorance and evil, forever in command in this work," makes this poem quite modern, as L. John Parker pointed out in his review of the poem in *Books Abroad*. *The Apostle* is a political poem, it grew out of Petöfi's political philosophy, though it transcended the actual events. Still, Petöfi's influence abroad is hard to separate from the impact of the Revolution, as the foreword of the English translation shows: each of the persons named first became acquainted with Petöfi as "the poet of the Revolution." Goethe's friend, Bettina von Arnim, called him 'Sun God,' Francois Coppée 'an eternal champion of liberty,' . . . Carlyle held him to be of equal stature with Goethe, and Heine . . . wrote that no one in Germany could be put on a par with him."

At the present time Petöfi is enjoying a popularity that promises to surpass the first burst of interest of the 1850's and 1860's. Particularly noteworthy is the truly worldwide reputation he has attained. The countries of the Eastern bloc engage in lively cultural interchange and Petöfi has appeared in Russian; for example, a *Collected Poems* was published in 1954. So also, in Slovak, Polish, Bulgarian, Ukrainian—to name only a few—poems of Petöfi have appeared. In many of these countries Petöfi is being noted for the second time, but it is safe to assume that the several Chinese translations which began to appear in 1955 and the Vietnamese edition, also prepared in 1955, introduce the poet for the first time to that part of the world. But it is not only those countries which have political or economic ties with

the Soviet bloc that are engaged in this task: in 1960 an Arabian translation of Petöfi appeared. In Italy and France, Finland and the Scandinavian countries, he has been known since the 1860's and both translations and critical evaluations continue to be published.

To list all the languages in which Petöfi has appeared would be lengthy and, I am afraid, dull. But before concluding, I wish to mention one instance where the poet's words received an unexpected yet ironically fitting interpretation. Petöfi's poem on *The Pusztá in Winter* concludes with a description of the sun in terms of an exiled king taking a last glance at his possessions, the last two lines of which are: "And when his eyes reach the far horizon, His bloody crown tumbles from his head." These lines had been inscribed into Napoleon III's diary by the Countess Metternich, who was Hungarian by birth, at Napoleon's request. But later, when defeated at Sedan, he felt these lines applied to him all too well, and even two years later, on his deathbed, the last words he said recalled these lines: "Jour dernier—la couronne tombe."

Petöfi, the poet of freedom, would have been gratified to know how prophetic his words were to be—even if written in complete innocence of such intents. But that, after all, is the mark of a true poet: his words ring true at all times, in all lands, and in diverse situations.

#### A REPORT FROM THE WORLD PEACE COUNCIL

#### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DELLUMS. Mr. Speaker, several members of the World Peace Council recently returned from the Democratic Republic of Vietnam. One of the delegates was a prominent San Francisco Bay area citizen, Mr. Carlton B. Goodlett, the editor-publisher of an important bay weekly, the Sun-Reporter.

The delegates' findings are shocking. Their report poignantly describes the destruction and havoc wreaked upon the peoples of Vietnam by the insane U.S. policy of mass bombing. Mr. Speaker, I include their observations in the RECORD:

#### BRIEF STATEMENT ON VISIT TO VIETNAM

(By Carlton B. Goodlett, Ph. D., M.D.)

#### I. INVITATION

On January 3, 1973, the Vietnam Committee for the Defense of World Peace (D.R. Vietnam) invited a delegation of the World Peace Council to visit the Democratic Republic of Vietnam for the purpose of investigating the effects of the mass bombing of the Hanoi-Haiphong area by the U.S. Strategic Air Command from Dec. 18-29, 1972. The delegation of the World Peace Council consisted of the following individuals:

1. Romesh Chandra, Secretary General, World Peace Council (India);
2. André Souquiere, Secretary General, Mouvement de la Paix, Paris, France;
3. Alex La Guma, National Congress of South Africa, author and writer living presently in London, England;
4. Roman T. Akhramovich, Doctor of Historical Sciences, Deputy Director, Institute of Oriental Studies, USSR Academy of Sciences, Chairman of the Russian contingency; Eric T. Neurassov, Secretary, Soviet Peace Committee; Igor Bgantsev, TV cameraman and film maker, USSR;
5. Prof. Ricardo Nollina Marti, Medical Doc-



tor, Secretary General, Council of Peace of Venezuela;

6. Carlton B. Goodlett, Ph.D., M.D., Member Presidium, World Peace Council; Chairman, Committee for International Peace Action, San Francisco, California; Chairman, California Black Leadership Conference; and Vice President, National Newspaper Publishers Association.

## II. DISCUSSIONS WERE HELD WITH THE FOLLOWING IMPORTANT INDIVIDUALS

Hanoi: 1. Mr. Huong Tung, Editor in Chief of Nhan Dan, the principal newspaper of the DRV, Vice President, Vietnam Peace Committee;

2. Mr. Pham Hong, Secretary General of the Vietnam Peace Committee;

3. Mr. Pham Van Bach, lawyer; Chairman of the Committee for the Investigation of U.S. War Crimes in Vietnam;

4. Dr. Do Doan Dai, Director of Bach-Mai Hospital, Hanoi;

5. Premier Pham Van Dong, Democratic Republic of Vietnam;

6. Mr. Nguyen Van Tien, Head of the Special Representation of the PRG of South Vietnam in Hanoi, Vice Head of PRG Delegation at the Paris Peace Conference of Vietnam;

7. Mr. Nguyen Phu Sual, Acting Head, Special Representation of the PRG of South Vietnam in Hanoi;

8. Tran Duy Hung, Mayor of Hanoi;

9. Mr. Nguyen Trung Hieu, Head of the International Section of the Vietnam Peace Committee, DRV;

10. Dr. Trihn Van Khiem, Director of the Health Service of Hanoi; and a number of other medical personalities.

Haiphong: 1. Mayor Le Duc Thinh, Mayor of Haiphong;

2. Dr. Dang Hol Xuan, Assistant Director of the Czechoslovakian-Vietnamese Friendship Hospital.

## III. DESCRIPTION OF THE BOMBING

1. Hanoi: From 2000 hours, Dec. 18 to 29, the U.S. Strategic Bombing Command fielded as many as 140 B-52 Stratoforts and 30 sweep-wing F-111's, and 500 to 700 fighter bombers over many cities of North Vietnam and released over 100,000 tons of bombs. However, Hanoi, the capital, and Haiphong, the major port city, bore the brunt of the attack; it is estimated that during this period of time 40,000 tons of bombs were dumped upon these two cities.

The U.S. air strikes caused thousands of casualties and destroyed tens of thousands of civilian dwellings. B-52's followed a pattern of "carpet bombing" and in some instances their track extended over 1 kilometer long and from 600 meters to 1 kilometer wide. According to the Vietnamese figures, the following number of U.S. aircraft were downed: a total of 81 aircraft; 34 B-52's, 5 F-111's; and 42 other jet airplanes. 23 B-52's were downed over Hanoi.

### The Kham Thien Street:

One of the most populated areas in the city, with nearly 30,000 inhabitants, workers' quarters with many shops and stores, was bombed Dec. 26 from 2003 hours to 2400 hours with 30 sorties of B-52's which saturated the district with thousand of bombs including 2000-pounders. The Kham Thien Market was reduced to rubble. 213 people were killed and 257 others wounded, not including those who could not be found or were crushed and still remained under the ruins. The bombing run for this district was more than 1 kilometer long and 600 meters in width.

Other districts in Hanoi were investigated and showed similar devastation.

### The Bach-Mai Hospital:

The Bach-Mai Hospital, a center of medical research, the largest teaching institution for medical and paramedical sciences in North Vietnam, with 940 beds and with more

than 800 students, was completely destroyed by B-52 bombing at 0345 hours Dec. 22. Strings of bombs pock-marked the grounds beginning approximately 100 yards from the main entrance, with complete demolishing of the dermatology, and internal disease section, the laboratory, many wards including the oto-rhino-laryngology institute, the Children's Health Protection Institute, the administrative section, the laundry, destroying the obstetrical department; many bomb craters were in the hospital grounds. 29 people were killed, which included several doctors, a pharmacist, 15 hospital attendants and medical staffers, as well as 6 students; 22 medical personnel were wounded.

The work of the Bach-Mai Hospital is now being carried on at other medical centers. We visited the St. Paul Hospital, a hospital under the sponsorship of France and materially assisted recently by the French government; here we observed and discussed the medical problems of the few remaining casualties, essentially persons recovering from traumatic wounds requiring surgery.

### Gia Lam International Airport:

The Gia Lam International civilian airport in Hanoi had the waiting room for passengers totally destroyed and the major runways were bombed, making their use impossible until the bombing was stopped on Dec. 29. Since that time, repairs have been made.

### 2. Haiphong:

Because of bombing of the highway, all bridges have been destroyed and pontoon bridges have been erected; even secondary roads have been made impassable. The journey to Haiphong was arduous.

A major concrete plant of North Vietnam near Haiphong was in ruins. Many districts in Haiphong had received demolition blast bombs and rockets from U.S. ships. In many areas the trees and vegetation had been destroyed. The docks of Haiphong were bombed and the Soviet cargo ship, Mitsurin, was damaged.

On the raid of the 18th involving the harbor and other populated areas, 45 people were killed and 130 others wounded. On Dec. 19 and 20 bombing raids were again made, and the Polish merchant ship "Joseph Conrad" was set afire by bombs, and the second captain was killed.

Numerous districts received carpet bombing. One particular workers' district consisting of thatched huts and workers' apartments received intensive carpet B-52 bombing which extended more than 1 kilometer in length and 1 kilometer in width; practically every building in these boundaries was leveled to the ground or made uninhabitable.

### Vietnam-Czechoslovakian Friendship Hospital:

On Dec. 23 from the hours 0445 to 0600 hours, the Vietnam-Czechoslovakian Friendship Hospital, with a capacity of 540 beds, received 2-ton bombs which destroyed more than two-thirds of this institution, including the infectious disease department, the radiology department, the electro-cardiographic department and other important facilities.

## IV. OBSERVATIONS ON THE BOMBING

As a psychologist and a physician, I had special interest in investigating the psychological effects of the bombing and the medical care of the injured.

The bombing was devastating, and its task of the physical destruction of terrain, structures and many casualties was achieved. However, the casualties were very low, because of the fact that in the December raids over 250,000-300,000 people of the 750,000 population had been dispersed from Hanoi, and only essential persons required in the operation of the city remained. Otherwise, the casualties would have been increased.

The people of North Vietnam suffered great physical and property damage.

If the primary purpose of the bombing was for psychological effects of terror and a destruction of the resolve and will of the Vietnamese people to continue the war, this military exercise by the US armed forces was a total failure.

The people of Hanoi and Haiphong demonstrated the same courage and resolve which we have applauded when shown by the British during the Blitz. While 80,000 tons of bombs were dropped upon England during the entire period of World War II, 40,000 tons of bombs were estimated as having been dropped upon the Hanoi-Haiphong area between Dec. 18-29, 1972.

The work of the rescue and medical teams was heroic. When patients were dispersed to medical casualty centers, physicians accompanying the rescue teams decided which individuals would benefit from dispatch to the medical centers. The Director of Health Services of Hanoi reports that they had only 2% of deaths in those received at the medical centers; 44% of the persons received required surgery; in the case of fractures every effort was made to utilize the closed treatment techniques. After six to eight hours the hospital reception centers were ready for the reception of new casualties.

A great many patients suffered from traumatic shock. Blood and plasma received from donors throughout the world were beneficial. However, sugar cane has been processed into a plasma substitute for use in traumatic therapy.

The surgical services and medical treatment were of the highest caliber. When the war is over, the young surgeons of North Vietnam will have important new technical knowledge dealing with traumatic and blast surgical and medical therapy to add to the world reservoir of scientific technology.

Some of the casualties in Hanoi and Haiphong were interviewed.

### The B-52 Wreckages:

Visits were made to three sites in Hanoi where wreckage from B-52 bombers had been assembled. The wreckage consisted of mangled jet motors, airplane frames, wing sections, portions of the fuselage et al.

### Visits to the Missile Launching Sites and Anti-Aircraft Batteries:

In Haiphong we visited one of the important anti-aircraft batteries that has been awarded citations for its performance in defending the city and in shooting down US military aircraft. A visit was made to one of the missile battalions of the Hanoi area; this particular missile unit had downed several B-52's. Some of its personnel are veterans from the war of independence against the French prior to Dien Bien Phu.

### Request to see the US air pilots who were prisoners:

This request was made upon our arrival, and repeated several times. Since we were told that the matter was being pursued, the request was not made in our conversation with Premier Pahn Van Dong for that privilege. It was intimated that the prisoners had been dispersed from Hanoi and that their location was rather inaccessible from the Hanoi area. The prisoners were under the direct control of the army and visitation requests required a number of approaches to the military high command. Since the rescue attempt by the US armed forces, there was a reluctance on the part of the military to make the prisoners who had been committed to camps available for civilians. Those pilots who were interviewed by Joan Baez, Taylor et al were presented prior to their being dispatched to prison reception centers.

On December 16th the announcement was made that President Nixon had ordered the cessation of bombing of the whole of North Vietnam as well as the mining of harbors and inland waterways. Everyone felt we were moving in the direction toward some climax

in the negotiations. Many persons were hopeful that a revision of the October 27th agreement would be signed. However, all spokesmen, despite their optimism, were cautious, recognizing that on many occasions circumstances occurred in which the bombing of North Vietnam was halted, peace seemed to be in the offing, negotiations faltered and bombing would resume. While optimism was voiced by some officials in cautious terms, the population as well as members of the government and the armed forces remained vigilant and were prepared, if necessary, to resume active combat should the next round of US-Hanoi negotiations fall.

*Entrance of US Mass Communications Media into DRV (Hanoi and Haiphong):*

Prior to departure, we discussed with our hosts the question of allowing the US mass communications media, radio and television, personnel to come to North Vietnam and document the results of the December bombings. We were given to believe that in the event the Le Duc Tho-Kissinger negotiations lead to a signed agreement, such an invitation to representatives of US mass media would be in the offing.

#### LITHUANIAN ANNIVERSARIES

### HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. DELANEY. Mr. Speaker, I am glad to join my colleagues and Americans of Lithuanian origin and descent in commemorating two anniversaries—the 722d anniversary of the founding of the Lithuanian State and the 55th anniversary of the establishment of the modern Republic of Lithuania.

For more than seven centuries the brave people of Lithuania have known and suffered under the terror of tyrants, including the czars, Hitler, and Stalin. For over 100 years these gallant, freedom-loving people fought czarist oppression until, following World War I, they succeeded in becoming an independent state on February 16, 1918.

After 21 short years of freedom, Lithuania became a battleground of World War II, occupied first by the Nazis and then by the Red army. All freedoms were abolished under the ruthless oppression of their Communist masters. Yet, despite wanton murder of their leaders, deportations to Soviet slave camps, and daily harassment, these indomitable people never lost hope that their freedom will ultimately be returned.

Their intense devotion to liberty has been exemplified by the Lithuanian sailor, Simas Kudirka, who dramatically but unsuccessfully tried to escape from a Soviet ship. Last year, some 17,000 Lithuanian Catholics appealed to the United Nations for protection of their human rights.

It is fitting that we in Congress, by this commemoration, call attention to the flame of liberty that glows brightly in Lithuania and other Baltic and captive nations.

I join free men everywhere in the devout hope that soon these great and noble people will again know the joys of peace and freedom, and be able to govern their own destiny.

#### TELEPHONE RATE INCREASES FOUGHT BY CO-OP CITY RESIDENTS

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BINGHAM. Mr. Speaker, the New York Times this morning reports the efforts made on February 20 by 250 residents of Co-op City in the Bronx to oppose the New York Telephone Co.'s request for another rate increase. There is no doubt that the burden of telephone rate increases falls heaviest on the elderly and other persons with fixed incomes. The problem of rising telephone charges is a matter of concern for the entire Nation because of the effect which it has on the finances of all consumers.

I am attaching the Times article to call attention to the situation which now confronts New Yorkers. Following that article, I am including the statement of Meyer Bernstein, a leader of yesterday's rate protest, which was delivered prior to the Public Service Commission hearing: [From the New York Times, Feb. 21, 1973]

TWO HUNDRED AND FIFTY PROTESTERS DISRUPT PHONE-RISE HEARING  
(By Grace Lichtenstein)

A raucous Public Service Commission hearing on the New York Telephone Company's latest request for a rate increase was interrupted yesterday when 250 angry residents of Co-op City swarmed into the hearing room in the World Trade Center.

The Bronx residents, many of whom were elderly and frail, came in chartered buses to oppose a proposed \$306-million increase, which they argued would hurt old and poor people the hardest.

Many were forced to stand temporarily because there were not enough chairs, when Stewart C. Boschwitz, the hearing examiner called a lunch recess at 12:10 P.M., less than an hour after the hearing had begun, members of the group shouted protests, explaining that their buses were scheduled to take them back to the Bronx at 1 P.M.

Urged on by members of the Congress for United Labor Action, a militant workers' group that has appeared at several phone hearings, the Co-op City residents and others took over the microphone for most of the lunch hour.

"I say we should stop using the phones—then where would they be?" shouted one woman amid the din of competing voices. A woman from Forest Hills, Queens, Mrs. Peggy Berry, charged that the commission "doesn't represent the public; you represent big business." One elderly woman carried a sign that read, "Ma Bell is an expensive mother."

POLICE CALLED IN

After the lunch break, the hearing examiner called Port Authority policemen into the hearing room when Gavrielle Gemman, a phone-company operator who was one of the militant labor speakers, refused to leave the witness stand. Three policemen arrived and stood over Miss Gemman, who then relinquished the microphone.

During quieter moments, New York City officials, consumer activists and private phone users urged the commission to reject the rate-income request. Among other things, the phone company wants to charge 20 cents for a pay phone call and eliminate the single-message-unit call. Under the current unit-call system, a conversation between people in the same local area costs 7.1 cents whether it lasts three minutes or three hours. The

company wants to charge for local calls on a timed basis.

The most unexpected testimony came from John T. Renck, president of Local 1106 of the Communications Workers of America, whose 3,300 members are telephone-company plant workers in Queens.

In a sworn statement, Mr. Renck said he was breaking a long-standing union position of impartiality in rate cases to oppose the \$306-million request. The money would not go to improve wages or phone service, he charged, but "toward the financing of management's anti-employee practices—toward the maintenance of their standing army of strike-breakers, toward the expansion of their company police and spy system."

#### SURVEILLANCE CHARGED

Mr. Renck said that New York Telephone "is making voice recordings of some of its employees without their knowledge." These recordings, he said are translated into a visual pattern electronically and linked to a lie-detector device to decide whether the employees were telling the truth.

"I suggest that the management which would subject its employees to this kind of surveillance would not hesitate to extend it to its subscribers," Mr. Renck said, adding that the company, which he referred to as "Big Brother," might use such a technique to decide if a customer was lying about a disputed phone bill.

#### STATEMENT OF MEYER BERNSTEIN

Mr. Chairman, honored guests, fellow co-operators, this is my last opportunity to speak to you before the demonstration on Tuesday, February 20, when the Public Service Commission opens its hearings on the pending telephone rate increase in New York.

Ever since I was a youngster and became involved in public matters, and situations evolved that caused concern and anguish to the public, I've heard the cry "Why doesn't someone do something about it?" I always wondered "Who is this Someone?"

Is he the Messiah? Do the people expect Heavenly intervention or Divine guidance? Until this day I still don't know who they mean when they say "Someone."

I did learn that when the populace does become concerned about a condition or a precept or a law; and if it acts firmly and resolutely, it could change the undesirable conditions; it could even cause the U.S. Constitution to be amended.

But the resolve to act must be present. The determination to protest must be made visible, and even inconveniences and sacrifices are made into tools of protest.

There is no "someone" with a panacea for the ills that befall us. There will not be Divine intercession nor will there be any miracles. The only one who can help you is you.

Only you can stack piles of letters on the Governor's desk telling him how immoral it was for the Telephone Co. to increase its dividends to its affluent stockholders as they did last year after raising your rates 50%. Not only was it immoral, but it was an unconscionable act by a monolithic monopoly.

Only you can fill the buses on Tuesday, February 20, to be transported to the World Trade Center, where you will voice your great concern and your indignation against another unreasonable and unscrupulous plot by the telephone company to extort still more dollars from your pockets to pay even higher dividends to its stockholders and higher salaries to its fat cat executives, while the Wage Board holds down your salaries.

No! There is no somebody who is going to do your job. If you should fail to act decisively and with determination—"The winter of your discontent will not be warmed by the summer glow"—of the Yellow Pages.

Tuesday's demonstration must be success-



fullest our total effort die aborning. There is much more "Blood, Sweat and Tears" to be shed. This is only the beginning. I must repeat that this is not a panacea for our ills. But in order to win the war we must be successful in this crucial battle.

**LAZARUS ZAMENHOF, CREATOR  
OF ESPERANTO**

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BIAGGI. Mr. Speaker, on December 15, shortly before this Congress convened, we celebrated the birthday of Lazarus Zamenhof, the creator of the international language known as Esperanto. Zamenhof was born of Polish parents on December 15, 1859, and died at the age of 58, after having left the world a legacy which may someday lead to international harmony and understanding.

Mr. Speaker, I wish to include in the RECORD an article which briefly describes the life of Lazarus Zamenhof. Hopefully, the international language which he created with a view toward lessening nationalistic isolation and rivalry will continue to increase in popularity the world over. The goal of worldwide peace will only be reached through worldwide communication.

The article follows:

**ZAMENHOF: FATHER OF ESPERANTO**  
(By Francoise Niederhausen)

In the streets of the unhappy town of my birth, savage men with axes and iron bars fell like wild beasts upon peaceful citizens, whose only crime was that they spoke another language and held another creed than those savages."

The man who wrote these lines was named Lazarus Ludovic Zamenhof. You may not know his name, but you certainly know his life's work, for Zamenhof was the creator of Esperanto, an international language of communication between peoples.

He was born a hundred years ago on December 15, 1859, in Bialystok, a frontier city near the borders of Lithuania, Poland and Byelorussia, where communities speaking different languages and practicing different religions lived together, although not very happily.

Young Zamenhof was deeply affected by the prejudices and the antagonisms stirring this minor tower of Babel. Local officials were of the Orthodox faith and spoke Russian; the nobility were generally Roman Catholics and spoke Polish; the peasants talked to each other in Lithuanian or Byelorussian, while the Jewish shopkeepers spoke Yiddish and lived in a section apart. Hostile prejudices, diverse languages, customs and religions all pitted the inhabitants of Bialystok against each other.

To a sensitive boy belonging to a group which could express itself only in a dead language or in an adopted one, these conflicts seemed very tragic. At a very early age, young Ludovic developed the idea that a common tongue would help to break down at least part of the barriers separating people from one another.

This idea haunted him throughout his childhood and adolescence: first in Warsaw where his parents moved in 1873 and where Ludovic attended high school, then in Moscow where he studied medicine, in Vienna where he took a course in ophthalmology and in Warsaw again where he set up a practice as an oculist.

**DOKTORO ESPERANTO OR "HE WHO HOPES"**

From his schoolmaster father, he had inherited a gift for languages. He spoke three fluently: Russian, Polish and German, and could read three others freely: Latin, Hebrew and French (to say nothing of Yiddish). He had a more cursory and theoretical knowledge of English, Italian and several other tongues.

His knowledge of English and French convinced him that a language could get along without the complicated declensions and conjugations of the Slavonic tongues. A careful study of Russian and German convinced him that a wise choice of suffixes and prefixes could reduce the size of the vocabulary considerably, while French and German proved the usefulness of the definite article which the Slavonic languages do not have.

His work led to the publication in 1887 of a textbook on the "Lingvo Internacia"—the international language—for which he used the pen-name, Doktoro Esperanto ("he who hopes"). The book, whose publication was financed by his future father-in-law as a wedding present, explained the main characteristics of the "lingvo": a vocabulary with its roots drawn mainly from the Romance and Germanic languages; detachable prefixes and suffixes added to these roots and serving for all grammatical distinctions; and a very simple grammar consisting of 16 short rules. The language, moreover, was fully independent and had its own individuality.

In the following years, other textbooks were published as well as a dictionary and translations into Esperanto. At the same time, the first supporters came on the scene: first in Poland, then in Germany, Bulgaria, Russia, etc. Soon, groups were forming everywhere. In 1894, an important event occurred—the support of Leon Tolstoy who wrote in "Posrednik": "After only two hours of study I was able, if not to write Esperanto, at any rate to read it freely." He urged everyone to learn this language "because the sacrifice is so small and the eventual benefits so great that no one should refuse to try it."

**A COMMON GROUND FOR AGREEMENT AMONG  
MEN**

The movement was growing steadily. In Scandinavia, England, France and elsewhere scholars were becoming interested in the experiment. In 1905, the first Esperanto Congress was held at Boulogne-sur-Mer in France. To attend it, Zamenhof and his wife travelled all the way from Warsaw in a third-class railway carriage. Zamenhof was awed and somewhat overwhelmed by his stay in Paris: he was given an official reception at the City Hall and decorated with the Legion of Honour, and he dined on the Eiffel Tower with a group of world famous scholars.

But even greater satisfactions were awaiting him at Boulogne. Eight hundred men and women from thirty countries had assembled there and all of them, whether in their official statements or their private conversations were speaking Esperanto. The "lingvo internacia" had become a reality—and no one was more surprised than Zamenhof himself.

The Boulogne congress gave him the opportunity of stressing the moral and social importance of his work: Esperanto was not an end in itself, but a means of contributing to a better understanding between peoples. It was a step towards the unity of mankind.

The following year, he developed this idea at the Esperanto congress in Geneva, stating his conviction that the international language was a means of bringing men together by breaking down the barriers between them. He exalted the brotherhood of man which seemed to him the only creed acceptable to all peoples and to all faiths. Year after year, at Esperanto congresses, he explained his ideas on tolerance and human rights.

This role of guide seemed so important to him that, in 1912, he renounced all honours and turned the linguistic problems of Espe-

ranto over to its Language Committee whose job it was to survey the evolution of the language and to give official approval to new words introduced into it.

At the Congress of Races in London, in 1911, he presented a report stressing that physical differences were less important than those of language and customs. "Discord among men," he said, "will never cease until they grow accustomed to giving more importance to the word 'man' than to the words 'people' and 'race'." In his mind, the peoples of the world were separated mainly by language and religious customs. To bring them together, he suggested a neutral language and a neutral ethical basis which would provide a common ground for agreement between all men of goodwill.

**A "LINGVO INTERNACIA" WITH 80,000 WORDS**

He meant to discuss this idea at the tenth Universal Esperanto Congress in Paris when war broke out in 1914. To Zamenhof, this was a terrible blow, but he continued to fight for his ideals. Back in Warsaw in 1915 he drafted a "Letter to Diplomats" in which he emphasized that the main duty of any future peace treaty would be to guarantee to all races and minorities equality and freedom in the countries in which they lived. This was his last public act; he died on April 14, 1917.

Zamenhof had foreseen that Esperanto would evolve and grow like any other living language. From a vocabulary of 904 roots which could be used to form about 10,000 words (1887), it has grown to more than 80,000 words based upon some 7,800 root words. Zamenhof himself contributed greatly to enriching the language, not only by his poems, speeches and articles, but also through his translations into Esperanto of works by Gogol, Shakespeare, Dickens, Molière, Hans Andersen, Goethe, Schiller, Heine and Sholem Aleichem. His version of the Old Testament which he translated in full was published after his death in 1926.

Two world wars destroyed many Esperanto libraries and organizations in Europe, but they were unable to stamp out the language and the ideal which inspired Zamenhof. Today, there are several million Esperanto speakers in the world and its literature, both original or translated, amounts to more than 50,000 volumes. There are chairs or courses in Esperanto in some thirty universities. The language is taught in schools in twenty-two countries, to say nothing of countless evening classes. Twenty radio stations broadcast programmes regularly in the language.

"Esperanto," Zamenhof once said, "knows neither weak nor strong nations, privileged nor inferior peoples. . . . All of us equal on neutral ground, should consider ourselves members of the same human family." To pay tribute to this great vision, Esperantists from all over the world met in Warsaw last August for their Universal Congress.

**LET US HELP KEEP LITHUANIA'S  
DREAM ALIVE**

**HON. ROBERT N. GIAIMO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1973

Mr. GIAIMO. Mr. Speaker, on February 16, 1918, the people of Lithuania declared their nation to be free and independent. At this time each year, many Members of Congress and many individuals of Lithuanian heritage pay homage to these brave individuals who have dedicated their lives for a free and independent nation, only to have this cherished goal crushed by German and Soviet authoritarian forces.

The people of Lithuania started on the

bright road to freedom some 55 years ago with their successful revolt against Communist control, bringing their flowering country into the league of democratic nations. While the Lithuanian nation began to prosper and remained peaceful during the hectic 1920's and 1930's Soviet forces devastated this honorable country into submission to their totalitarian goals. Although the Lithuanian people continued to strive for freedom and democracy, even under these harsh conditions, once again their dreams were shattered by the reconquering German armies and again by the tyrannical Soviet forces in the early 1940's.

The steadfastness of these brave people in striving for freedom and democracy can be best exemplified by the tragic death of more than 30,000 valiant freedom fighters from 1940 to 1952, who lost their lives in the pursuit of liberation from autocratic rule in their dedication to develop a free and democratic nation.

Although organized and armed resistance has ceased to exist since 1952, the silent struggle for liberty and sovereignty in the hearts and minds of these heroic people can never be suppressed. It is imperative for those of us who are living under freedom and independence, and who often take it for granted, to amplify the ideals of these people and to relate to the desires of freedom that the Lithuanian people possess but cannot express for fear of oppression. We must continue to declare our concern for and our interest in these courageous people, for to cease this expression would be to shatter their hopes for liberty and independence. We must keep their dreams alive.

#### LEGAL SERVICES FOR NONINDIGENT

**HON. FRANK THOMPSON, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, as you know, I have again introduced legislation to permit employer contributions to trust funds established for the purpose of defraying the costs of legal services. That bill is H.R. 77.

With lawyer referral services and federally funded programs providing legal aid for the poor, and the wealthy being able to afford legal services—the great moderate income, middle class of our country is being denied essential legal protection. These average, taxpaying Americans cannot afford, or do not think they can afford, a lawyer. The bill I am sponsoring will go a long way in providing essential legal services to millions of middle Americans.

I have come across a stimulating article dealing with the problem, by the Honorable David N. Edelstein, Chief Judge, U.S. District Court, Southern District of New York. The article appeared in the January 24, 1973, edition of the New York Law Journal. I ask that the article be printed at this point in the RECORD.

The article follows:

#### GAP IN LEGAL SERVICES—MODERATE-INCOME CLASS

(By David N. Edelstein)

Major strides have been made during the last decade in expanding availability of legal services to low income persons. Substantial financial resources and legal talent have been, and are being, committed to programs providing free legal services to the poor. In addition, financial support of research has provided new insights into the nature and magnitude of the legal needs of the poor.

#### NOTED DEVELOPMENTS

Funding of experimental programs has permitted evaluation of new methods of delivering legal services to the poor. Although no one factor can be said to account for this renewed effort, two developments undoubtedly would be included at the head of any list of significant factors: (1) the substantial funds allocated by the Office of Economic Opportunity to programs providing legal services for the poor in civil matters and (2) the U.S. Supreme Court decisions requiring states to provide counsel to indigent persons accused of crimes [serious crimes—*Gideon v. Wainwright*, 372 U.S. 335 (1963); any crime the possible penalty for which is a jail term of any duration—*Argersinger v. Hamlin*, 407 U.S. 25 (1972)]. Although adequate and effective delivery of legal services to the poor is hardly ideal, the problem has been recognized and is being addressed.

Ironically, these recent efforts directed at meeting the legal needs of the poor have also pointed up how little is known and understood about the legal needs of persons of moderate income (\$5,000–\$15,000/\$20,000). That the problem of unfulfilled legal needs is not confined to persons who meet the financial eligibility requirements for free legal service is exemplified by the plight of persons whose income only marginally exceeds ceilings imposed by the free programs.

Members of this income group, although technically above the poverty level, may well forgo use of lawyers' services when needed simply because they cannot afford the full cost of legal services in the market place. However, the problem of underuse of legal counsel may well extend to middle-income persons well above the poverty line.

In some cases, actual cost of a lawyer's services may be an inhibiting factor; in other cases, it may be untutored fear about the high cost of lawyers' services. However, other factors beyond cost, or assumptions about cost, may be equally powerful in depressing use of lawyers' services by moderate income persons.

Some of the other reasons suggested include failure to recognize the need for a lawyer's help on some matters, misconceptions that alternative resources are adequate or equally effective, uncertainty when first confronted with the task of choosing a lawyer, diffidence about asking for help with a matter that may be seen by others as trivial.

The implications are serious, indeed, if there does exist an unmet need for legal services among middle-income persons, regardless of the reasons. Legal rights and interests important to the individual may not be adequately protected or effectively asserted without a lawyer's counsel—whether that entails representation in court or rendering advice on what those rights are. Moreover, the viability of the legal system and legal institutions is generally weakened if a substantial segment of the population believes that the courts, lawyers, and the legal system are not interested in and cannot be responsive to the everyday legal problems of the ordinary man.

#### GROWING CONCERN

There is a deepening concern, particularly within the legal profession, that moderate-income persons are not seeking legal help when needed. Two programs, in particular, which have received the support of the organized Bar are designed to moderate the effect

of some of the factors perceived to inhibit use of lawyers' service—lawyer referral services and legal insurance.

Lawyer referral services have been established by the organized Bar in many communities to facilitate initial contact with a lawyer. Although the nature and scope of these services vary among communities, they all share certain common characteristics. Upon request of any individual, regardless of his income, the service will furnish the name of a lawyer or names of several lawyers with whom the inquirer may discuss his problem.

In most communities, the list from which the service makes the referral consists of those lawyers who have indicated a desire to participate in the program. In some communities, the referral service is limited to providing the inquirer with the names of attorneys. In others, participating attorneys also agree to provide initial consultation of one half hour at an established minimal fee (e.g., \$5–\$10). Thereafter, of course, the attorney's fee is whatever he and the client agree upon.

#### POTENTIAL FOR SERVICE

A strong and effective lawyer referral service can do much to encourage use of lawyers where the principal inhibiting element is fear and concern on the part of the public arising out of the unknown, especially where the plan affords a preliminary consultation at a modest fee. However, lawyer referral is not aimed at moderating cost of service beyond the initial contact.

Legal insurance is seen by many as having significant potential not only as an effective measure to reduce the cost to the individual availing himself of a lawyer's service but also as a device to moderate generalized fears about cost. An experiment in legal insurance has been operating in Shreveport, La., since January, 1971, under the auspices of the local Bar, with cooperation of a local union and employers, and with financial support from both the American Bar Association and the Ford Foundation.

Membership in the plan is available to members of a union who elect to participate by authorizing a payroll deduction of 2 cents an hour toward the cost of the insurance. Coverage under the plan includes reimbursement for legal fees incurred by the insured or his dependents. The plan operates in a fashion similar to medical insurance in that it provides for reimbursement of fees, up to specified maximums, and no restrictions on the insured's free choice of a lawyer.

Programs of legal insurance in other communities and covering other groups are in various stages of planning and development. Both legal insurance plans and lawyers referral services are or may be directed at the public generally and do not limit the individual's free choice of an attorney. Other programs, such as prepaid group plans established by some unions, have been established for specific groups and may utilize the concept of a preselected panel of lawyers.

All of the above plans assume that the public is not fully utilizing lawyers' services. Each of these plans attempts to moderate one or more of the problems that are seen as inhibiting use. They are valid and valuable experiments because they help some people obtain legal service who might otherwise refrain from seeking legal help when needed. Moreover, the experience under these plans can be useful in evaluating effective means for assuring optimum use of lawyers' services.

The benefit to be achieved from these plans is limited, however. First of all, they only reach a small proportion of the public—either because of limits in eligibility or because, as the case of lawyers referral, the service does not exist in many communities or is limited in its visibility. Secondly, these plans represent a response to a felt need that is neither verified nor quantified.



## LITTLE KNOWN

The fact of the matter is that very little is known about the unfulfilled legal needs of moderate-income persons. Elementary questions remain yet to be answered. For example, what is the nature, range, and frequency of problems confronted by middle income persons; how do they deal with these problems; to what extent and under what circumstances do they avail themselves of legal counsel; when and why do they fail to do so.

The answers to these questions will tell us whether there is, in fact, under-use of legal service among moderate income persons or specific sub-groups within this income group and can suggest how this problem may be tackled. In the absence of this information, it is impossible to assess either the value of effectiveness of existing programs aimed at facilitating use of lawyers' services.

Recognizing the need for fuller knowledge about the legal needs of the public, generally, and moderate income persons, specifically, the American Bar Association has appointed a Special Committee to Survey the Legal Needs of the Public. The committee's task is twofold: (1) to design and execute a survey of the public and (2) to report the findings of the study and make appropriate recommendations. The committee has developed a survey design which will meet the highest standards for rigor and objectivity. It will retain the services of a nationally known and recognized university affiliated survey research organization to provide expert consultation on the research design, sampling, and questionnaire and to conduct the interviews and initially process the data.

It is hoped that this study will make a substantial contribution to knowledge and, to the extent indicated by the study findings, will lead to reforms that will assure that no person is deprived of the help of a lawyer when needed.

## H.R. 261—THE ASIAN AMERICAN AFFAIRS CABINET COMMITTEE

## HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. ANDERSON of California. Mr. Speaker, contrary to public opinion, prejudice and bigotry aimed at Asian Americans are not relics of the past. Instead, evidence continues to mount that Americans of Asian extraction are not free from prejudice and bigotry here in the country they helped create.

Yet, a myth persists in our country regarding the welfare and well-being of Asian Americans. This myth perpetuates the idea that they have fully realized the "American dream," and that there is no bigotry and prejudice directed toward Asian Americans.

While it is true that Asian Americans have surmounted legal, economic, political, educational, and social barriers, the facts indicate that, in all too many instances, the remnants of prejudice and bigotry still pervade our society and continue to confront the Asian American.

Today, due partly to the historic conditions, and partly to the recent influx of Asians to America, the Asian American communities are plagued by problems approaching crisis proportions. The problems reach into every facet of life, resulting in job discrimination, and governmental neglect of the special needs of both the youthful and the elderly Asian American.

To place today's problems in perspective, I feel that we should first briefly review the history of Asian Americans.

## HISTORIC VIEW

When Asians entered this country, their initial reception was mixed—at best—ranging from an open hostility to a tolerance that has later flared into violence.

## JAPANESE AMERICAN HISTORY

The history of Americans of Japanese ancestry in this Nation has been marked by reoccurring prejudice and repression. They suffered the wrath and injustice which led to the racist phrase "yellow peril," and which permitted the enactment by 1941 of some 500 Federal, State, and local laws and ordinances directed against Japanese aliens and, in many cases, their American-born citizen children.

Yet, the crowning blow of the prejudice and hatred toward Japanese Americans was not until the spring of 1942, when 110,000 Japanese Americans were arbitrarily denied their constitutional rights, subjected to mass evacuation, and herded into relocation camps to live for the duration of World War II.

Meanwhile, Americans of Japanese ancestry, who were permitted to join the U.S. Army, formed the famed 442d Regimental Combat Team which won acclaim as the most decorated military unit in American history for its size and length of service. In addition, the unit won fame as the "Purple Heart Regiment," for its troops suffered more than 300 percent casualties in terms of its initial complement of troops.

We have done much to repudiate the unjust laws and ordinances directed against Japanese Americans.

I was pleased to coauthor the measure which repealed the order permitting the tragic incarceration of loyal Japanese Americans during World War II. The work of Congressmen HOLIFIELD and MATSUNAGA in bringing this matter to the attention of American people deserves high praise and I was pleased to join them in this effort.

We have done much to change the philosophy which brought about and allowed the imprisonment in those camps.

But, what do we know about the prejudice that occurred after the war? What do we know about the effect of the imprisonment of Japanese Americans on their culture?

Despite their heroic efforts in defense of our country, they returned to their homes and farms to find that they had been confiscated.

They returned, not to a well-deserved hero's welcome, but rather, to find that Japanese-American names had been stricken from community-sponsored plaques and monuments that had been placed to honor the American dead.

They returned to find that life in the internment camps had broken down the heretofore greatest strength of the Japanese American group—family unity.

They found that family discipline, the keystone of Japanese-American social control, was lessened by the communal living imposed by incarceration.

The culminating effect of incarceration was the devastation of Japanese-American family life and social control.

## CHINESE-AMERICAN HISTORY

Lured to America by the gold rush of 1848, within 3 years there were 25,000 Chinese in California. To ease their fears of the strange ways here, they banded closely together—retaining their Chinese language, food, clothes, and customs. During almost the first 20 years of Chinese immigration to the United States, the Chinese led lives of hard work and respect. But during the depression of 1876, after the transcontinental railroad was completed, a scapegoat was needed. The Chinese became that scapegoat.

The Chinese—not Chinese Americans because they were denied citizenship—were stoned, robbed, beaten and massacred. Special taxes were levied to be paid almost entirely by the Chinese. In 1882, Congress passed the first of the infamous Chinese exclusion acts which suspended Chinese immigration for 10 years. When Chinese immigration was reinstituted, only a little more than 100 Chinese were allowed to immigrate to this country per year. It is around this time in Chinese-American history that the phrase "not a Chinaman's chance" came into common usage.

When the obvious prejudice against Chinese Americans let down after World War II, almost one out of five Chinese Americans began work as an engineer, doctor, scientist or teacher. Yet exclusion laws were not even repealed until 1943, after China and the United States became allies.

But even with the many contributions of Chinese Americans—ranging from art to acupuncture—discrimination toward Chinese Americans remains. In one of the Chinese Americans' largest communities, San Francisco's Chinatown, one-third of the families earn less than the Federal poverty level, due primarily to Chinese Americans being excluded from many jobs because of their race.

## FILIPINO AMERICAN HISTORY

History has not only been unjust to the Japanese and Chinese American, it has also unjustly treated other Asian American groups.

Filipinos were brought to America in order to meet an acute need for cheap farm labor and, like his Asian brothers—the Japanese and Chinese—he was subjected to exploitation.

In the late 1920's, as the Depression approached and the competition for jobs increased, an anti-Filipino feeling developed which resulted in riots against the Filipino in Watsonville, Exeter, and Tulare, Calif., and Yakima, Wash. According to the Filipino American Position Paper; in Los Angeles, around the turn of the century, the chamber of commerce described Filipinos as the "most worthless, unscrupulous, shiftless, diseased semi-barbarians that ever came to our shores." Again, according to the same paper; in San Francisco, a judge during the same period called Filipinos "savages who were taking the jobs and women from decent white boys."

## KOREAN AMERICAN HISTORY

The ability and ingenuity of many Korean immigrants was never fully realized due to educational, cultural, and language barriers. The resources brought to this country by Korean Americans, since they began immigrating to this

country during the 1920's, have never been tapped to their full potential.

When the national origin quota was enacted in 1924, the immigration of Koreans to America was limited to less than 750 annually until 1956. After 1962, a significant number of Korean immigrants began to arrive in America.

#### SAMOAN AMERICAN HISTORY

The attitudes which have resulted in the prejudice and bigotry toward other Asian Americans have certainly not escaped the Samoans who have adopted this country as their own.

Despite their loyalty to this country, their penchant for work, their proficiency in learning and adapting, their strong family-oriented society; the Samoan Americans have found themselves victims of the same neglect leveled toward other Asian immigrants to America.

While their history in the United States has not been as long as others, they, too, have met social, political, and economic discrimination.

And these attitudes have, unfortunately, carried over to today.

#### EMPLOYMENT

Contrary to public opinion, the Asian Americans, like other minority groups, do experience prejudice in the job market.

Just last month, a five-member task force appointed by the Los Angeles County Board of Supervisors accused county officials of racial and ethnic bias toward Asian Americans. During a 2-year study in the area, the Los Angeles County task force found that Asian Americans were not being actively recruited and advanced as merited by their skills and ability. Solutions recommended by the task force include; the employment of an Asian-American recruitment analyst; the recruiting of minorities in all apprenticeship programs; and increasing the number of apprentices in all departments.

I give my full support for increasing the number of qualified Asian Americans employed by the county government in necessary positions.

But involvement on the county level alone is not going to solve the problems of the Asian Americans. Due to the magnitude of the problems, the Federal Government most certainly has an obligation to provide more employment for Asian Americans than it is now providing.

For example, a 1965 study by the California Department of Industrial Relations found that the Filipino at \$2,925 had the lowest annual income of any ethnic group in the State.

For those Asian Americans who are eminently well qualified—for those who have overcome the barriers to quality education—even for them, advancement is stifled by the Federal Government.

The most recent U.S. Census Bureau figures show that Asian Americans represent 1 percent of the U.S. population. The almost 21,000 Asian Americans working for the Federal Government represent less than 1 percent of the Federal work force; but it is in the higher grades that the real discrimination takes place. In the upper echelons of Federal em-

ployment, the Asian American is virtually excluded.

Out of 5,755 GS-16, GS-17, and GS-18 positions, only 16—or less than three-tenths of 1 percent—are filled by Asian Americans, according to recent Government statistics.

In the Postal Field Service, no Asian American is as high as a level 16.

Mr. Speaker, this lack of advancement in the public sector no doubt carries over into, and has considerable influence upon, the private sector of the economy. However, in addition, one of the most difficult obstacles I found was the noticeable lack of available information on job hiring procedures in the private sector regarding the Asian American.

#### THE AGED

Elderly Asian Americans perhaps face the most severe problems in the community.

According to the most recent White House Conference on Aging, "elderly Asian Americans are suffering from unprecedented problems that are devastating the lives of these aged people."

Because of the language barrier and the lack of bilingual staff in social service agencies, the elder Asian American is not acquainted with the available benefits such as social security, old-age assistance, health care, housing and recreation. In addition to cultural differences, some Asian Americans face other circumstances peculiar to their races. For instance, sickle cell anemia affects Samoans and its detection is combined with cultural problems for the Samoans.

When we realize that the suicide rate among Asian-American elderly in certain areas is three times the national average—when we realize that studies show that 34 percent of Asian American elderly have never had a medical or dental examination; it should be obvious that the problems facing Asian-American aged are, according to the White House Conference, "overwhelming to the point that it is impossible for the Asian American aged to look only to their families for help."

The problems of the aged are particularly acute with the Filipino American, who is, generally, older than the national median. While the median age of the white American is 26.6 years, the median age of the Filipino American is 40.9 years. As a result, we can readily see that Americans of Filipino ancestry are in greater need of programs designed to meet the special problems which confront the aged.

But, what is the Federal Government doing in the Asian American community to relieve these problems?

Between 1969 and 1971, grants to communities to aid the aged totaled \$32 million. According to the White House Conference, "of this \$32 million, not one dollar was given to Asian-American communities for their aged problems." The reason for this lack of assistance goes back to the myth that Asian Americans do not need Federal help. Again, according to the Conference, the reasons for the lack of Federal help "according to Government officials was that, Asian Americans do not have problems."

During last year's Project FIND—a

Federal effort to locate elderly persons eligible for food stamps or commodity assistance—limited attempts were made to locate aged Asian Americans. In both the Los Angeles and San Francisco areas information in languages of Philippine, Tagalog, Chinese and Japanese was distributed to Asian American communities by the American Red Cross. But Red Cross officials in Los Angeles say few Asian Americans returned the necessary cards to receive food stamp or commodity assistance. They attribute the lack of response to cultural differences and new arrivals to the country who did not receive the information because they were not yet on social security mailing lists.

But the food stamp program is not acceptable to many Asian Americans because, again according to the White House Conference on Aging, it presently excludes the elderly Asian American from purchasing imported ethnic foods—the only type of food many aged Asian Americans include in their normal diets. Special dietary and cultural preferences of older Asian Americans should be included in the Federal food stamp and commodity assistance programs.

Mr. Speaker, the facts are, that elderly Asian Americans have unique problems, problems unlike those encountered by other groups, and, they are problems that must be solved by Federal action.

#### YOUTH

As in all countries, the hope of the future rests with the younger generation. Yet, in the Asian-American community, the young are not receiving the special attention that should be accorded the leaders of the future.

As in other communities, the Asian American community has been wracked by drugs. In 1971, over 3 deaths of Asian-American youth were attributed to an overdose of drugs in the Los Angeles area. The drugs causing the deaths were not the usual heroin overdoses, but were primarily amphetamine overdoses. Experts in the drug abuse field say the Asian-American youth are not using community drug programs, possibly because of cultural differences.

#### EDUCATION

In order to meet the needs of rising expectations, Asian-American children must receive a quality education—an education designed to bring the Asian American economic and social success.

This has not been the case in the past.

According to the most recent available figures from a 1965 study by the California Department of Industrial Relations, median school years completed by Filipino Americans was 8.7 years.

Perhaps the reason for this alarming dropout rate is the language barrier. Obviously, it is difficult, if not impossible, to compete if the language is not understood.

The New York City Chinatown Planning Council estimates that 90 percent of new arrivals to the United States do not understand spoken English. And, in San Francisco's Chinatown, over 70 percent of the new population lack a knowledge of English.

In Pasadena, Calif., 15 percent of the Japanese Americans in the school system identify Japanese as their first language.



Gang warfare in both Los Angeles and San Francisco's Asian American concentration areas has resulted in several deaths in recent years.

But, the myth that Asian Americans "do not have problems" persists. Very often we find that programs are not aimed at helping Asian Americans. Equally often, we find research has not been conducted to determine the depth of these problems.

In fact, from 1969 to 1971, the Department of Health, Education, and Welfare authorized \$30.7 million in research and demonstration grants to minority communities for child welfare, rehabilitation, and special health projects; but none of these grants were made available to Asian-American communities.

No doubt, the Asian American has been discouraged and frustrated by the lack of Government empathy. They see Federal programs helping other minorities, but they feel that they are neglected. They see that special college programs, designed for minorities from disadvantaged areas, are not available to Asian Americans.

Two years ago, only five Filipino Americans from the Seattle area—an area with over 7,000 Filipino-American residents—graduated from the three local universities which graduated approximately 9,000 students that year.

Yet, the Government continues to turn its back on the needs of the Asian American student largely due to the myth that "all Asian-American students do well in school and, thus, do not need Government help."

It is particularly disturbing when we realize the Emergency Desegregation Act, as recommended by the administration in 1970, by definition, excluded Asian-American communities from the benefits of this act—despite the fact that schools in Asian American communities are in desperate need of Federal assistance.

Fortunately, the Congress corrected this oversight, and allowed Federal funds to aid the schools in the Asian-American community.

Asian American youth are attempting to help other youths by developing self-help centers, but they certainly cannot solve problems of this magnitude without assistance.

#### CONCLUSION

Only Federal action can begin to investigate, isolate, and rectify the many inequities and problems relating to the Asian American population.

In order to direct Federal action to the specific needs and problems in the Asian-American community, Congressman MATSUNAGA and I have reintroduced H.R. 261, a bill which would create a meaningful and effective Cabinet Committee for Asian American Affairs.

This proposal would establish a high-level committee with the specific task of identifying the problems of Asian Americans, developing solutions to those problems, and correcting the injustices that presently confront the Americans of Asian ancestry.

## THE FILM INDUSTRY IN SOUTHERN CALIFORNIA

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. WALDIE. Mr. Speaker, foreign competition, the development of advanced film making techniques, and certain changes in the fundamental philosophy of motion picture production have imposed tremendous hardships upon the film industry in southern California. The plight of the industry in general is perhaps best demonstrated by the fact that since 1966, employment in the southern California industry has decreased in many instances by 50 to 80 percent, leaving thousands jobless. Needless to say, Mr. Speaker, hundreds of highly talented, experienced film production personnel are currently unable to find a market for their skills.

The idea that so many individuals possessing such a variety of technical skills and creative abilities cannot find appropriate employment is tragic enough, Mr. Speaker. However, the realization that the U.S. Government is in a position to employ the talents of this alluring industry, and has not done so, serves to compound the frustration of those who are unemployed, as well as that of those who are genuinely concerned about the well-being of this vital aspect of California's economy. In short, Mr. Speaker, I submit that the U.S. Government has not made a serious attempt to utilize the vast skills and resources of the southern California film industry.

Instead of using the private sector, the Government has developed its own massive radio-television-motion picture producing capability. For example, the U.S. Air Force produces 97 percent of its audio-visual materials itself; the Department of Justice produces 76 percent of its material "in-house." Thus, Mr. Speaker, while these Government agencies are manufacturing film-related materials within their own department, with their own nonunion, nonprofessional personnel, the southern California film industry remains floundering in depression.

I feel, Mr. Speaker, that the Federal Government must now begin to make a concerted effort to utilize the private segment of the film industry, for a variety of reasons. Not only will it help the alluring industry, but it will also have beneficial results for the Government. Presently, even though we are spending millions of dollars on film-related enterprises, there is a tremendous amount of waste, duplicity of effort, and little organization. The Federal Government is the largest single producer of film in the country. If only, the private sector was used more extensively by the Government, the film production process would undoubtedly be made more efficient. For example, currently, there is no attempt to standardize equipment within the various Government agencies.

Many of the agencies use video tape that is not compatible with major network machines, or even with other machines in their own department. Some

agencies use 16 mm. film, some use Super 8, and others use 35 mm., but there is little attempt to standardize their various productions so that they could all be compatible with the equipment of other agencies. In addition, there is immense duplication of both facilities and subject matter. For instance, six of the seven agencies within the Department of Health, Education, and Welfare possess their own facilities and equipment. Each branch of the armed services also has their own overlapping facilities. I ask, Mr. Speaker, would it not be more practical for these various agencies to use the facilities now sitting dormant and unused in the professional studios of southern California?

Indeed, not only would it be more practical, but it would, most likely, result in productions of better quality, since the production process would involve knowledgeable union personnel who have been trained specifically in this field, not the untrained members of the individual agencies. The competence of the professionals of the film industry, I am sure, far surpasses the technical inexperience of the audiovisual experts in the Government.

For these reasons, Mr. Speaker, I urge the Federal agencies involved in film production to make a greater effort to utilize the existing filmmaking facilities and professional talent in the private sector of geographic areas like southern California. The Office of Management and Budget Circular A-76 states that, whenever possible, the Federal Government should contract for its work to be performed by private industry. Generally, this has not been applied to filmmaking matters, but I think it is high time that we begin.

I would also like to add, Mr. Speaker, that this problem has become so complex that there can be no easy answers. At the present time, the Telecommunications Office, in conjunction with the Office of Management and Budget, is undertaking an exhaustive study of this entire matter. I am looking hopefully to the completion of this research project, so that, with a deeper understanding of the problems involved in governmental audiovisual production, we may work toward even more enlightened answers.

## CHARLIE HALLECK HONORED BY INDIANA NATIONAL GUARD

### HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. PRICE of Illinois. Mr. Speaker, one of the best known and highly respected former Members, Charlie Halleck of Indiana, was recently honored by the Indiana National Guard in ceremonies marking the opening of a new armory in his home town of Rensselaer. Highlight of the ceremony was the dedication of the drill hall to our former colleague.

A bronze plaque was unveiled, bearing a bas-relief likeness of Charlie and the following inscription:

This hall is gratefully dedicated to Charles Abraham Halleck in honor and tribute to a great hoosier statesman, scholar and loyal citizen-soldier, in recognition of his outstanding service and leadership to the state of Indiana and the nation as a member of the United States Congress, where he served longer than any hoosier in history—and for his consistent support of an always ready national guard.

Be it recorded for posterity: This eminent son of Indiana has given a lifetime of singular service to the cause of America's freedom, never wavering in his devotion to duty.

Mr. Speaker, let me say that as one who worked with Charles Halleck to establish the Committee on Standards of Official Conduct, I concur completely with the tribute paid to him by the Indiana National Guard.

May I also add that he is enjoying his retirement, trying to outwit fish in lakes and streams here and there, and hoping to avoid baited fields when he hunts for doves.

Under leave to extend my remarks, I offer a press report of the dedication ceremony honoring our former colleague, which contains his remarks—so typically down-to-earth—that we who know him would expect:

DEDICATE ARMORY SATURDAY; DRILL ROOM "HALLECK HALL"

The new Army National Guard Armory at Rensselaer was dedicated Saturday as dignitaries representing local, state and national military departments honored former congressman Charles A. Halleck by naming the drill hall in the facility in his name, and unveiling a bronze plaque commemorating the event.

The dedication climaxed many years of planning for the replacement of the old National Guard Armory building located at the corner of Cullen and Harrison streets in downtown Rensselaer, and which was completed about 1930. Previous to this location, the local National Guard had held their meetings on the second floor of the old Wrights Furniture store, (which was destroyed by fire) at the corner of Washington and Front streets.

Dr. Theodore C. Marrs, deputy assistant secretary of Defense (Reserve Affairs), gave the dedication address. He prefaced his remarks by reading congratulatory letters on the naming of Halleck Hall from distinguished people unable to attend the ceremony, and including one from President and Mrs. Nixon.

Dr. Marrs briefly traced the history of the National Guard, and noted that its path was not always smooth. The Guard, he said, is a vital part of the total force approach and is the initial and primary force along with the reserves which is called upon and is ready in the event of emergency.

Dr. Marrs said that the National Guard is adding to its equipment, which is now showing overall a net increase of about \$500 million a year. He said that the Rensselaer armory is a part of the community, and it is at the service of all the people when not being used for training purposes. (A Jaycee-sponsored dance was held in conjunction with the National Guard on Saturday evening.)

Following Dr. Marrs address, the main lights in the drill hall were turned out and a bronze plaque proclaiming Halleck Hall was unveiled and spotlighted.

In his response, former congressman Charles Halleck reminisced a bit about his boyhood and had this to say:

"A long time ago someone said, 'A prophet is not without honor save in his own land.' Surely that cannot be said of me.

"Born in DeMotte of wonderful parents

who gave me a heritage surpassed by none. Raised in Rensselaer and educated in its public schools by able and dedicated teachers. Given rewarding and honorable work by Alf Donnelly of the Globe Union Farm where the pay was small but where juvenile delinquency did not exist—by Leslie Clark and Gen. George Healey of the Rensselaer Republican, delivering the paper in the northwest part of town, teaching me the absolute necessity of responsibility and enabling me to pay Charlie Steward for my first bicycle by dutifully taking to him on every Saturday my 60¢ until my bike was paid for, again teaching me responsibility and the joy of reward from honest work—by Wils Harris in the creamery, by surveyor Bostwick, by August Bennema and Bill Babcock on his dredge, where I learned, working nights in Barkley Township that you could survive on fat salt pork with gravy on bread—and by others, too, all of which made it possible for me to earn and save much of the money which paid for my higher education at our great Indiana University.

"Add to all this the teaching by my church of the eternal verity of Christian principles, the rugged and bulldog tenacity taught me by football and the upright character of my coach, Floyd Meyers, clients who sometimes could and did pay when I came back to Rensselaer to practice law, and then by the unflagging and loyal support of voters who supported me in politics, first for Prosecuting Attorney, and then, in a wider field, for Representative in Congress. Often I have said that no man can do much in Congress without the support of his people back home.

"Now, more particularly for this occasion I must recall the great nature for me of learning the discipline of the manual of arms and close-order drill with old Company M under the captaincy of Herman Tuteur and the drilling by that old master, Martin Sauser, all while I was too young to really belong to the Company. That early training stood me in good stead during my short stint in the U.S. Army during WWI and later in the Reserve Officer Training Corps at Indiana University when I acquired a Reserve Commission in 1922 which I maintained for many years.

"Through the years some honors have come my way but none more deeply and sincerely appreciated than this one today, here in my hometown. You know, Rensselaer was our home, has always been our home and will always be our home, Blanche and I love Rensselaer, Jasper County and Indiana. We are and always have been proud to say, 'We are Hoosiers.'

"And so to the Indiana National Guard, to you members of the Armory Board and to all who have made this day possible, I say, thank you."

Master of ceremonies for the dedication ceremony was Brigadier General Kenneth E. Keene (retired), a member of the State Armory Board. Captain Robert O. Jackson, vice president of the State Armory Board presented the keys to the building to the State Adjutant General, Brigadier General Alfred F. Ahner who made the charge to the unit and in turn presented the keys to Brigadier General Robert G. Moorhead, commander of the 38th Int. Division. Lt. Charles L. VanHyte, commander Det. 1, Co. B, accepted the keys on behalf of the local unit.

Other participants in the dedication ceremony were Mayor Emmett Eger of Rensselaer (who presented Mrs. Halleck with a bouquet of roses for the occasion), the Rev. James Hilton of Rensselaer Christian church, who gave the invocation and the Rev. Fr. Richard Reidel, pastor, St. Augustine Catholic church, who gave the benediction. The Rensselaer Central High School band under the direction of Michael J. Marquess, entertained before the program and played the National Anthem. Wives of guard unit members served refreshments following the ceremonies. A color guard from Co. B. posted the colors.

Previous to the dedication ceremonies, a luncheon honoring Congressman Halleck was given by the State of Indiana Military Department at Curtis Creek Country Club.

The new armory was completed on November 10 by the general contractor, Larson Danielson Construction company of LaPorte. Architect and engineer was Fleck, Burkhart, Shropshire, Boots and Reid Associates, Indianapolis. Representatives of both firms were at the dedication.

The new building, located east of Rensselaer on State Highway 114 south of the Rensselaer Central High School is the most modern building of its type, containing three air conditioned classrooms and offices, an air-conditioned library, kitchen, supply and storage rooms, arms vault and locker room.

Out of town guests at the dedication included Dan Danielson of Larson-Danielson Construction, Max Boots, Len Wolfson, representing the architect and engineer, Theodore L. Sendak, attorney general of Indiana and retired colonel USA reserve, Colonel Jack P. Money, member state armory board, Col. Judson H. West, member state armory board, Robert G. Allett, former assistant to Congressman Halleck, Fred Heckman, WIBC Radio, Dr. Harold J. Halleck and Mrs. Halleck of Winamac, Brig. Gen. Robert M. Leich, Col. Morris Foist, John Marsh and Walter Roroda, DeMotte.

#### RARICK REPORTS TO HIS PEOPLE ON CUTS IN THE RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. RARICK. Mr. Speaker, on one of my recent television reports to my constituents, I was pleased to have as my guest, J. Phil Campbell, Under Secretary of the U.S. Department of Agriculture. The farmers in other parts of the country should find Mr. Campbell's remarks of interest. I insert the following transcript of the program:

#### TRANSCRIPT OF PROGRAM

My correspondence has been running very heavy on the subject of budgetary cuts by the Office of Management and Budget of the Executive Branch at least on several agricultural programs which were passed by Congress and signed into law by the President.

To date most of this correspondence deals with the REA cut back and the REA program—Rural Environmental Assistance Program, REAP which was discontinued. Other affected farm programs which were apparently lacking public outcry to date were the newly passed Rural Development Program and the Disaster Loan Program which has been of great assistance to farmers of our area following hurricanes.

As your Congressman and as a member of the Agriculture Committee, I have written to the President urging that, notwithstanding the recommendations of OMB, he reinstate funding of these programs at least at budgeted level. I have also answered your letters and wires giving whatever information is available as to the chance of regaining these federal fundings and what the future looks like for agriculture in our area. The federal role in agriculture is vitally important to assure the American people a readily available food supply at reasonable prices, and I feel that this can only be done by conserving our food producing lands and aiding our farmers and rural citizens. So that our farmers and those of you who have



expressed concern over the cuts in federal spending in the agricultural sector might have a better opportunity to hear first-hand explanations of what is going on in Washington and what is developing as a power struggle between the President and the Congress, I have invited the Honorable J. Phil Campbell, who is Under Secretary of the U.S. Department of Agriculture, to appear as my guest today. Secretary Campbell has graciously accepted and agreed to questioning relating to the cuts in funding for the various agricultural programs.

Mr. Campbell is from Georgia, where he was formerly State Commissioner of Agriculture and is now entering his fifth year of service with the U. S. Department of Agriculture. He is therefore most knowledgeable of the inner workings of his department in presenting the executive's views of what is taking place in government.

Mr. Secretary, I certainly want to welcome you into the homes of Louisianians. I am indeed happy that you have scheduled the time to appear in person to talk to our farmers and rural citizens about problems which concern them—especially the various cutoffs of federal funds in agriculture.

And so, bypassing any constitutional questions posed, let me read a letter typical of what I am receiving from constituents explaining concern over the agriculture cutoffs.

This letter came from a gentleman with a Soil and Water Conservation Committee in my district. He indicates dissatisfaction at the REAP cutoff by saying that the land users in Louisiana lean heavily on REAP; that is the Rural Environmental Assistance Program funds for conservation work. Soil and Conservation districts fully support REAP and feel that the program should be continued. Mr. Secretary, what is the reasoning behind the Administration's position on REAP?

CAMPBELL. Congressman Rarick, let me first thank you for inviting me to appear briefly to discuss these so called cuts with your constituency in the State of Louisiana. I would like to add one further word to what you said about me personally in introducing me. I would like to say that before being Commissioner of Agriculture in Georgia, I was a small dairy-cotton farmer in the north Georgia hills where it's much harder to make a living than down in south Georgia which is farmer's paradise and the most cows I milked was 29 and the most cotton I ever planted was 28 acres. So, with that background, starting in the days before we had an REA when I used to have to haul milk to town, went to college by lamplight and when we didn't have a Production Credit Association which would help us with credit, I wish the farmers to know that I truly do feel as though I understand the problems right on the land because I came from the farm-end of the Commissioner's Office and then on into Washington.

But in so far as REAP is concerned, let me first state that President Nixon is making every effort to prevent a tax rise at the federal level and to keep federal spending within the bounds of reason and not have budget this fiscal year that will go beyond \$250 billion of spending. As a result, he is carrying out cuts across the entire federal government not just in Agriculture. In Health, Education and Welfare, in HUD, in Defense Department, in OEO, many of which the farmers would very much approve, Mr. Congressman, there are many of these programs that I know the rural people look with disfavor on. On the other hand, since we're going to have cuts throughout the federal government, Agriculture must take its part somewhere. Very frankly, the REAP program has been an extremely excellent program in the 30's and 40's, in its early days. It is still a good program but on the lower end of priorities with regard to federal expenditures when looking after the welfare of the farmers which this last year was \$19 billion dollars setting an all time high with anticipa-

tion of a repeat during this next 1973 season. So the amount of money that has been cut is rather small when you look at the income—the total amounts to \$140 million out of \$65 billion gross income. And for the State of Louisiana it actually amounts to \$2.9 million when spread back out into your counties and then back to the farm. It really reduces down to an average payment for farmer participating to \$239 with only 20% of the farmers participating in any one given year and that 20% tending to be the same 20% the next year. So we have a program that is on a low priority list when it comes to the welfare and the well being of the farmers. We feel as though they will carry out these conserving practices to build up their soil without this small payment. Very frankly, I must say that when I was a dairyman in the Georgia State Legislature I ceased participating in this program although I needed the money as much as anyone but I frankly was too busy to go to the courthouse as many times as necessary to participate in the program. And it's a good program but it's on a low priority when you look at the total complexion of what's good for the welfare of the farmers. This is a cut, I must admit it.

RARICK. Mr. Secretary, another one of the cutbacks generating considerable mail from my constituency is regarding the REA action. The main concern seems to be stopping the 2% money and granting them loans instead—guaranteed loans, under the Rural Development Program. Would you comment on this change?

CAMPBELL. Yes, I'd be happy to comment on the REA situation. As I mentioned a moment ago, I began farming when I had no electricity and I farmed back in Georgia. My homeplace is on REA and no one appreciates electricity more than I. And I must say that if the people out in the country fully realized what we've done I feel as though they will accept what we've done. I like to relate REA to the Farm Credit Administration. These both began about the same time. The Farm Credit Administration has been able, through the years, to become totally independent of the government. I'm talking about the Federal Land Bank Production Credit Association. They no longer even have their offices in the United States Department of Agriculture. They've left us and they've gotten into one of the new buildings overlooking the Potomac down here within sight of the Capitol, completely independent of the government. The quicker the REAs, and I'm speaking as a farmer on the line now, also become independent of the government, the better off the REA will be. And they will cease to have the criticism that is thrown at them from so many different quarters and from so many different circles. But actually we have not cut the amount of money available to the REA's. In the last four years, we in this Administration have doubled the amount of money. For almost ten years the REA's have averaged about \$350 million per year for loans to local co-operatives. We have increased this total amount of money available in this administration including this latest action to over \$700 million with a \$200 million increase with this most recent action by the Office of Management and Budget. But in the process we have restructured the places where the money comes from and also the amount of interest that the local co-ops have to pay raising it from the 2% to the 5%. Well, I personally . . .

RARICK. Where, Mr. Secretary, would they get the money?

CAMPBELL. The money will be . . . comes from the money markets in New York the same as the Farm Credit Administration instead of directly out of the Federal Treasury which adds to the inflation by increasing the national debt and the national red ink. When we go to guaranteed loans instead of direct Treasury this is not charged back against the Treasury and as a consequence we do not

have as much red ink on our books and we reduce the inflationary pressures. And no one is hurt by inflation more than the farmer.

RARICK. And the present program is on a guaranteed . . .

CAMPBELL. The guaranteed loan basis rather than the direct loan allowance. And as I say this relates in the same way to the Farm Credit Administration who also go to the money markets in New York for the production credit money and Federal Land Bank money. And the REA cooperatives own a financing set up of their own wherein they're beginning to generate their own capital. Also, the bank of co-operatives of the Farm Credit Administration has begun to make loans so the REAs have more sources of money than they've had before, in addition to private sources they might use such as insurance companies and local banks.

RARICK. Has the Administration or the Department changed its thinking on the REA Electric Bank concept which was defeated in Congress several years back?

CAMPBELL. Yes, instead of the bank which was promoted by the REA's they came along with this co-operative lending service that they put together themselves, "in house" so to speak and it now is lending. I actually have the figures here—\$94 million this year. They've been in operation for 2 years and this is in lieu of the bank which did not pass Congress. But as a result of not passing the bank which they desired they did form this co-operative CFC, in addition to the money that we guarantee to them through guaranteed loans.

RARICK. It is safe then for our listeners to assume that the REA funding has not been cut off, or cut back. In fact, as you say, they have more funding available under the present program than previously?

CAMPBELL. \$714 million this fiscal year as compared to an average of \$350 million for the past 15 years.

RARICK. Mr. Secretary, another inquiry I have received relates to the stopping of disaster loans.

CAMPBELL. We have been in a very difficult situation here. We had operated a disaster loan program to the farmers in the magnitude of \$75 to \$125 million each year with 25% to 40% of the counties of the United States being declared disaster by the Secretary of the Agriculture. However, with the Agnes legislation and the expansion of a forgiveness feature to forgive . . . \$5,000 of each loan, this ran us out the window on dollar volume. This was going to approach \$1 billion forgiveness money this year and it was going to stretch the credibility of farmers with the American public and frankly with the Congress too. The Secretary took the action of closing out the forgiveness. We still make FHA loans to farmers who need the money and we have all the money available necessary to make a regular FHA loan. All we've done is pull out the forgiveness feature.

RARICK. In other words, our farm people have the same disaster program except it's a loan without any forgiveness on money loaned?

CAMPBELL. That's correct, yes. Because we found people that never farmed really who were out in the country classified as farmers, many who were millionaires getting this \$5,000 who owned race horses.

RARICK. Mr. Secretary, our time is rapidly expiring but I have had inquiries from the dairy people in our district with regards to the residing cost of feed grain and the corresponding increase in the cost of operation and the price of milk. The dairy farmers want to know what will be done to balance out either the price of the feed grain that they must feed the cattle or to increase the price of milk. Would you . . .

CAMPBELL. Well, unfortunately, there is very little at the present moment that can be done about the price of feed grains because we had bad harvesting weather for soybeans and corn in that belt and it slowed

down and a 10% shortage escalates the price upward although we already had a somewhat short supply. The only answer that I know is for the farmers to see if they can substitute other types of feed for the high priced concentrate and go more into roughage and pasture in order to get through this situation. It should correct itself next harvest time.

**RARICK.** Thank you very much Mr. Phil Campbell, Under Secretary of Agriculture for being our guest today for explanations to our Louisiana viewers on problems affecting U.S. Agriculture.

#### MICHIGAN HOT DOG PRICES

### HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

**Mr. NEDZI.** Mr. Speaker, the State of Michigan is proud to maintain higher standards than the Federal regulations on hot dogs and sausages.

An up-to-date survey conducted by the Michigan Department of Agriculture reveals that prices for hot dogs made to the State's strict standards averaged 2 cents a pound cheaper than hot dogs containing animal byproducts such as tripe, beef lips, salivary glands, and other offal.

The point is that the use of animal byproducts results in poorer quality while achieving no price saving. Michigan's quality manufacturers better serve consumers in both regards, product and price.

My constituents probably produce and consume more and better sausages than any area in the country. The so-called hot dog war is, justifiably, a serious matter with them.

Under leave to extend my remarks in the RECORD, a press release in this matter, issued by the Michigan Department of Agriculture, follows:

#### CONSUMER PROTECTION NEWS

**B. Dale Ball,** director of the Michigan Department of Agriculture, today branded as "false and misleading" the claims by opponents in the hot dog war that comminuted meat products made to Michigan standards cost more than those which contain animal by-products.

Ball based his charge on information obtained last weekend in a two-day survey of comminuted meat products and prices in 58 stores in Michigan and neighborhood states:

"Our inspectors found that prices for hot dogs made to Michigan's strict standards were actually averaging two cents a pound cheaper than for those containing animal by-products, such as tripe, beef lips, pork stomachs and other offal. Average price for hot dogs made to Michigan standards and containing only pure skeletal meat was 87.1 cents per pound. Average price in neighboring states for hot dogs containing animal by-products was 89.2 cents per pound.

"Our survey was designed to avoid any stores which had special sales, and it covered comparable stores in cities of comparable size," Ball said, "so our comparisons are valid."

A total of 47 stores in Indiana, Illinois, Wisconsin and Ohio were visited, along with 11 in Michigan:

"Inspectors brought back samples from five stores in Gary, four in South Bend, Indiana; eight suburban Chicago stores—in Harvey, Riverdale and Calumet Park, Illinois; 17

stores in Green Bay and Marinette, Wisconsin; five in Findlay, eight in Lima, Ohio.

"The Michigan samples came from four Benton Harbor area stores, two in Taylor, three in Kalamazoo, one in Menominee, and one in East Lansing," Ball reported.

"Price distortions designed to alarm and mislead consumers cannot be allowed to go unchallenged. USDA has released information which indicates consumers are writing to ask that these unsavory by-products, illegal in Michigan, be permitted. These consumers mistakenly believe this will insure lower prices.

"Not true—and don't you believe a word of it," Ball declared. "Our survey shows you can have comminuted meats made with pure skeletal meat only, without increasing prices.

"Our opponents are spoon-feeding false information to the public in a futile attempt to win through distortion and innuendo what they can't win in the courts and the Congress. I find that contemptible," he said.

"Here's what's really happening to prices. Our inspectors bought Serve 'n Save hot dogs, packed by Inter-American Foods, Inc., of Cincinnati, Ohio, at a Kroger store in Taylor, Michigan. The hot dogs were made to Michigan's strict standards, and the price was 69 cents a pound.

"Serve 'n Save hot dogs, made by the same company, were also being sold in the Kroger store at South Bend, Indiana. But these hot dogs contained beef lips, pork stomachs, beef tripe, pork spleens, and cereal (all illegal in Michigan) and the price was 89 cents a pound.

"Exactly the same product, made by the same company, was available in a Kroger store in Harvey, Illinois. It contained all the by-products, and again the price was 89 cents a pound."

Ball cited another example:

Serve 'n Save bologna, manufactured by Inter-American Foods, Inc., of Cincinnati, Ohio:

Made to Michigan standards and purchased at Kroger's in East Lansing, price 89 cents a pound.

Made to federal standards and containing beef lips, pork stomachs, beef tripe, pork spleens, and cereal (all illegal in Michigan), purchased at Kroger's in Lima, Ohio for 89 cents a pound, and purchased at Kroger's in Harvey, Illinois, for 89 cents a pound.

"Consumers aren't stupid. Any housewife, given the facts of this case, can figure it out for herself. Comminuted meats containing all that offal are selling for just as high prices, or higher, than comminuted meats made to Michigan's stricter standards," the director continued.

"Some of the big national packers have made noises about how they don't really use all those undesirable animal by-products. And that's a lot of baloney.

"In Harvey, Illinois, you can buy hot dogs that contain beef lips, beef tripe, pork salivary glands, lymph nodes and fat, and soy protein concentrate. That's what it says right on the label and the price is 89.5 cents per pound. That's a pretty high price for offal. I know you can buy it—our inspector did, just last Friday, and we have the sample.

"I am shocked that USDA chose to release information on its proposed administrative rule change before the February 21 deadline for filing responses. I can't recall another time when such information was released before all the comments had been received.

"It looks to me as though USDA was sending up a trial balloon, suspiciously like a hot dog made to federal standards—stuffed with unsavory ingredients, listed in fine print," Ball said.

"USDA has been reported as stating that about half the letters received support the use of such by-products. If it's true, consumers who take that position are not fully and accurately informed about the subject.

"Michigan consumers who are writing to

USDA in support of the Michigan Department of Agriculture position are educated consumers. They have the facts, and I think they understand the issue. I don't believe they can be misled by such tactics."

#### FOOD PRICE EMERGENCY

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

**Mr. ROSENTHAL.** Mr. Speaker, food prices are continuing their undeterred rise to astronomical levels while the President once again assures us they will be leveling out by the end of the year. We are now in the fifth year of such promises from the administration and there is still no relief in sight, but Mr. Nixon still refuses to put any controls on food prices.

Such inaction in the face of the Nation's food price emergency may be the most incredible dereliction of duty by an administration in recent history.

If the administration will not act, the Congress must. Therefore, Mr. Speaker, I plan to introduce legislation to make it illegal for retailers and wholesalers to set food prices which do not bear a direct and reasonable relation to food prices.

Data from the Bureau of Labor Statistics and Department of Agriculture show that retail food prices—particularly for meat—frequently rise at a much quicker pace than farm prices and fall at a much slower rate when producer prices decline. An analysis of data on beef prices reveals that from November 1971 to November 1972 the price spread between producers and retailers had increased almost 35 percent, from 33.9 cents a pound to 45.7 cents.

During 1972 beef prices could be divided into four cyclic periods when prices were either increasing or decreasing at retail:

During the 13-week period from November 20, 1971, through February 12, 1972, producer prices increased 5.9 cents while retail prices rose 10.1 cents;

During the 8-week period from February 12 to April 8, 1972, producer prices fell 7.3 cents while retail prices fell only 2.3 cents;

During the 13-week period from April 8 to July 8, 1972—a period when the Secretary of the Treasury encouraged retailers to reduce margins and the Price Commission held hearings into high meat prices—producer prices increased 10.1 cents while retail prices declined only 3.5 cents.

This data shows that some food retailers maintain artificially high food prices by exploiting price fluctuations at the farm level and not passing along price decreases to consumers. But no one link in the food marketing system is wholly responsible for our inflated food bills.

I am not charging food retailers and wholesalers with profiteering, but I do wish to point out that with the manipulation inherent in today's food merchandising, there is an ever decreasing relationship between the price a farmer re-



ceives for his products and the price a consumer pays at the supermarket. Supermarket pricing practices—including the juggling of profit margins and the use of "specials" and "loss leaders"—have effectively repealed the laws of supply and demand and dictate the eating habits of millions of Americans.

The January consumer price index for food is only a preview of things to come. The December 1972 and January 1973 wholesale price index for food—5.2 and 3.3 percent, respectively, will not be felt at the supermarket for a month or two. Between February 1972 and February 1973, wholesale prices in New York City for flour have increased 26.3 percent; coffee prices 36.4 percent; eggs 52.7 percent; chicken 40.4 percent; pork 37 percent, and beef 15.2 percent.

Increases in the cost of chicken and eggs can be traced in large part to the United States-Soviet grain deal which helped increase the wholesale price of soy bean meal 163 percent between February 1972 and February 1973. Wheat, corn, and barley prices during this same period increased approximately 35 percent, which accounts for the higher retail prices of hogs and steers.

The dollar devaluation on February 15 greatly increased the foreign demand and, hence, the domestic price for many U.S. food commodities. Since February 15, wheat prices are up 9.3 percent; corn, is up 7.2 percent; soy beans 5 percent; pork bellies 7.9 percent; grade A chicken 3.8 percent; hogs 2.3 percent; beef 3.1 percent; Maine potatoes 8.2 percent; and eggs 5.5 percent.

Consumers are no longer interested in the Nixon administration's rhetoric of "promise but not performance" in the food price area. The USDA's stewardship of the Nation's food supply and the administration's handling of the economy have been catastrophic. Congress must face up to this challenge even if the administration is unwilling to. Two things must be done immediately:

First. The Meat Import Quota Act—which limits the importation of foreign beef—must be repealed, not simply suspended; and

Second. Reasonable price restraints must be placed on products at the farm level.

Along with 32 of my colleagues, I have already introduced legislation to abolish the meat quota law (H.R. 1664) and to refreeze meat prices at November 1972 levels (H.R. 1662).

#### LEGISLATION TO ASSIST OLDER AMERICANS

### HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. HEINZ. Mr. Speaker, as a Member of Congress who worked on behalf of and voted for last year's comprehensive older American services amendments, I was most disappointed last October 30, when President Nixon was forced to veto this legislation because it

was a part of a much more expensive spending package.

With the basic authorizing legislation having expired at the end of 1972, it is imperative that Congress act quickly to adopt reauthorizing legislation which improves and expands programs serving senior citizens. I do not believe, Mr. Speaker, that older Americans would be well served by further delay resulting from the growing feud between Congress and the President over congressional responsibility and the limits of executive power. Rather, it would be better for all concerned if Congress were to act immediately on those provisions of the older Americans legislation on which a broad consensus of agreement already exists.

To this end, Congress should enact with no further delay those sections of the legislation on which the agreement of both Congress and the President is likely. I am therefore proposing today legislation in the same form agreed to by the House on July 17, 1972. This proposed legislation does not contain those sections added by the Senate, some of which the President objected to in his veto message last October 30. The sections to which the President specifically objected would have established a community service corps for older Americans and manpower training programs for both middle-aged and elderly workers.

While I endorse the intent of those two programs, their inclusion in the final version of the older Americans legislation is likely to bring a veto, delaying even further extension and improvement of these vital programs. Congress would be much wiser and our elderly constituents would be much better served if the sections which are the focus of disagreement were considered separately by the Congress in the broader context of manpower planning and the President's special manpower revenue sharing proposal.

Therefore, Mr. Speaker, I offer this legislation as a reasonable and necessary partial solution to the problem. If this proposal is quickly adopted by Congress, elderly Americans' programs will not be held hostage in the growing split between Congress and the Executive.

#### GOVERNMENT WASTE AND THE OFFICE OF TELECOMMUNICATIONS POLICY

### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. LEHMAN. Mr. Speaker, we are all aware of the recent remarks by Mr. Clay Whitehead, Director of the President's Office of Telecommunications Policy. Senator ERVIN has characterized Mr. Whitehead's proposal as a thinly veiled attempt to create governmental censorship over broadcast journalism.

Before Mr. Whitehead's speech, no one had ever heard of the Office of Telecommunications Policy. It was created in 1970 to serve as the President's principal adviser on telecommunications, for-

mulate policies and standards therefor; help formulate national telecommunications policies, and assure that the executive branch views are effectively presented to the Congress and the Federal Communications Commission on telecommunications policy.

Now that we have seen a sample of its work, the question which immediately comes to mind is why the American taxpayer should continue to support an organization whose apparent true purpose is to destroy the freedom of our national broadcast media.

At the present time, Mr. Whitehead's office staff totals 65. We are paying 60 percent of these people salaries in excess of \$20,000 a year. At least five are receiving \$36,000. Apparently, attacking the media requires a large and very well-paid staff.

Even more interesting in this present era of impoundment and budget austerity is the Office of Telecommunications Policy's budget. This Office is to enjoy a 10-percent increase in its budget authority for next year while many domestic programs must face severe cutbacks.

Perhaps the \$3.27 million for this Office could better be used to help prevent a hike in medicare costs for the elderly or ease the cutback in education for the handicapped or help save the community mental health program.

This year Congress must take the lead in reshaping our national priorities. As we go about this task, let us take a good look at the costs and the benefits of the President's Office of Telecommunications Policy.

#### VETERANS' PENSIONS

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. BOB WILSON. Mr. Speaker, I am today introducing two veterans' pension bills. I am certain that all of us have received mail from veterans and their widows regarding the reduction in their pension checks as a result of the 20 percent increase in social security benefits last fall. To the elderly pensioner this reduction is often of critical importance and many cannot understand how it is possible for the Government to give with one hand, while taking away with the other.

Late in the 92d Congress, the Senate approved legislation to increase the earnings limitation for old and new law pensioners and parents receiving Dependency and Indemnity Compensation, but the House did not consider this proposal prior to adjournment. I am today introducing legislation identical to the Senate bill. Congress should give this legislation priority attention and I respectfully call upon the chairmen of the House and Senate Veterans' Affairs Committees to schedule hearings as soon as possible.

In addition, I have reintroduced my bill from the 92d Congress dealing with

the special needs of World War I veterans. This bill would provide \$135 per month for unmarried veterans and \$150 per month for married veterans, compared to the present \$78.78 for old law pensioners. Widows covered by the bill would receive \$100 per month, nearly double the present \$50.40. The income limitation for old law pensioners would be increased to \$3,000 for single veterans and \$4,200 for married veterans, an increase of \$800 and \$700 respectively.

Those who served in World War II and subsequent conflicts have been provided additional Government aid in terms of education, home-loans, and so forth which were not available to the veterans of World War I. These GI bill benefits have made a major contribution toward helping these former servicemen make their way in the civilian world. The returnees of 1918 had no such programs; however, and I feel it is only fitting to provide some additional measure of financial security in their last years. Many of these elderly veterans exist on the fringe of poverty and privation. The extra funds and earnings limitation increase provided by my bill could make the difference between financial self-sufficiency and the necessity to resort to welfare.

I urge the House to schedule prompt consideration of both these bills.

**THE NIXON ADMINISTRATION'S  
PROPOSED WEAK SURFACE MINING  
BILL DESPITE PLEAS OF  
ENVIRONMENTAL PROTECTION  
AGENCY TO SUBMIT STRONGER  
BILL**

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. DINGELL. Mr. Speaker, in the CONGRESSIONAL RECORD of February 21, 1973, I inserted remarks noting my concern with the administration's weak surface mining bill as being proposed to the Congress.

Today I wish to include, for the benefit of my colleagues, newspaper reports on this subject from the Louisville, Ky., Courier-Journal & Times and one such report from the New York Times.

The articles follow:

[From the Louisville (Ky.) Courier-Journal & Times, Feb. 14, 1973]

**INTERIOR STILL NEGLIGENT ON STRIP MINING,  
GAO SAYS**

(By Ward Sinclair)

WASHINGTON.—Last August the General Accounting Office (GAO) made public a scathing report chiding that coal was being strip-mined on thousands of acres of public land in violation of Interior Department environmental and reclamation requirements.

The culprit, in the eyes of the GAO, was the Interior Department itself for failing to adequately and in some cases, even minimally, enforce its own regulation on public and Indian lands.

For its part, Interior responded that the GAO report was inaccurate; that any shortcomings were "clerical" more than "dereliction," and that the regulations are "now fully implemented."

That response did not satisfy Reps. Henry Reuss, D-Wis., and Gay Vander Jagt, R-Mich., chairman and ranking Republican, respectively, of the House Conservation and Natural Resources Subcommittee.

They instructed GAO, the congressional fiscal watchdog agency, to keep watching Interior and to find out if the department's responses held water.

GAO did just that and yesterday Reuss and Vander Jagt reported that GAO found things just as bad the second time around as it had the first—and contrary to Interior's claim, its regulations "are a long way from being fully implemented."

**RUCKELSHAUS ALSO CRITICAL**

What is involved is an estimated 1.6 million acres of public land on which coal exploration or mining leases have been granted to private firms and some 700,000 acres of Indian land under exploration or mining permits.

In this second round of debate over the government's handling of public lands, Reuss and Vander Jagt brought in a new ally who joined in the criticism—William D. Ruckelshaus, administrator of the Environmental Protection Agency (EPA).

In a letter to the subcommittee, Ruckelshaus said he thinks Interior's "major problems" stem from "a lack in its mineral programs of personnel trained to perform environmental analysis, and absence of a detailed inventory of public lands and resources, and lack of enforcement of environmental stipulations and restoration requirements . . ."

Reuss and Vander Jagt said that deficiencies cited by IPA, GAO and the Council for Environmental Quality "have not been corrected . . . Until adequate steps are taken to correct them, the program will continue to be mismanaged and ineffective."

They added, "Rather than the department's shrugging off these deficiencies and refuting the GAO's findings, we believe that the public interest would be better served by its taking immediate and accelerated steps to correct these shortcomings and administer the program efficiently."

Reuss and Vander Jagt, in a letter to Interior Secretary Rogers C. B. Morton they made public yesterday, called for an explanation of actions taken or contemplated to tighten up strip-mine administration and to beef up federal funding for enforcement programs.

Interior, in its response to the original GAO charges, claimed that there had been no specific federal funding for these enforcement programs. The two congressmen urged Morton to seek full funding in the next fiscal year.

They noted that the department, at least during fiscal years 1970 and 1971, had not asked Congress for money to implement the 1969 regulations, even though Congress had appropriated all money asked for by the Bureau of Land Management.

The congressmen also were strongly critical of Interior's policy of not permitting public comment on pending permit and lease applications and on exploration plans.

"The department's position is unsound," they said. "Public participation should be encouraged, not stifled. There is no justification for the department refusing to establish a procedure which . . . affords an opportunity for public comment . . . on each and every coal permit and lease application."

Most of the GAO's new criticism was directed toward the Bureau of Land Management, which, it said, had failed to provide adequate environmental safeguards in its enforcement procedures; failed to provide an environmental impact statement on the overall coal leasing program; failed to fully examine mining applications; failed to conduct on-site examinations of proposed operations, and failed to fully clarify its own regulations and provide adequate technical guidance.

[From the Louisville (Ky.) Courier-Journal and Times, Feb. 15, 1973]

**STRIP MINE BILL TO BE OFFERED BY NIXON  
IS TOO WEAK, ENVIRONMENTAL CHIEF SAYS**

(By Ward Sinclair)

WASHINGTON.—The White House is about to send strip mine control legislation to Congress but the federal environmental czar, William D. Ruckelshaus, says it is not nearly strong enough.

In a Jan. 31 letter to the Office of Management and Budget (OMB), Ruckelshaus said the Nixon administration's strip-mine-control bill last year did not get serious consideration in Congress because of its shortcomings.

The new bill, he predicted, faces the same fate "if we fail to take a stronger stance than that which was taken in the earlier proposal. A strong administration position will demonstrate our commitment to solving this problem which is so highly visible."

(The New York Times Service reported yesterday that the administration bill—which "does not appear to be as strong as the one ignored by Congress in 1972"—is expected to be introduced in Congress today with President Nixon's special message on natural resources and the environment.)

Ruckelshaus, administrator of the Environmental Protection Agency (EPA), said he was "concerned" with the direction the administration is moving "as a result of recent OMB-interagency staff meetings on these issues."

His letter noted that EPA had proposed "extensive revisions" on the pending administration bill, based in part on what he called "several excellent provisions" brought up during strip-mine hearings in the last session of Congress.

Among those recommendations by EPA was one that would have sharply limited mountainside stripping of the type that predominates in the Eastern Kentucky coalfields. EPA proposed limitations on mining on slopes steeper than 20 degrees.

The apparent failure of EPA and Ruckelshaus to make their voices heard in the inner circle of the White House came to light yesterday when Rep. John Dingell, D-Mich., made public a letter he sent to Russell E. Train, chairman of the White House Council on Environmental Quality.

Dingell, an environmental activist in Congress who is chairman of the House subcommittee on fisheries and wildlife conservation service, also made public large segments of the Ruckelshaus letter to OMB. Dingell told Train that the administration bill "is a weak bill that will appeal to the mining interests, but not to the public."

He urged Train to pressure the administration to abandon the "weak and ineffective version" drafted largely in the Department of the Interior and support legislation that will "effectively prevent further environmental damage caused by surface coal mining."

Last year, strip-mining produced more than half of the country's coal, with much of it mined in states where reclamation and mining regulations are weak or poorly enforced. The House passed a strong Federal coal stripping control bill, but the issue died when the Senate failed to act.

Dingell charged in his letter to Train that "OMB is listening to the mining interest agencies of Interior and Commerce, but not to the environmentally concerned agencies, such as EPA . . . That is what happened in the last Congress, and as Mr. Ruckelshaus noted, the administration's proposal was not given much weight."

Dingell, sponsor of a strip mine control bill this year, conceded that the administration draft has "some good features," but he said they are outweighed by other features that are weak or of questionable value.

He listed a dozen specific criticisms of his own and then cited seven EPA recommenda-



tions that apparently were discarded by the Administration.

These were some of his points of criticism about the new bill.

It scatters government enforcement efforts by applying to all minerals, rather than concentrating on coal as did the House-passed bill; it allows two years for states to set up environmental controls on stripmining, with no interim regulatory procedures.

State regulations would not apply to federal and Indian lands, but there is no adequate federal enforcement activity or power to control mining activity on those lands.

No provisions are included for action if the federal government fails to approve or reject a state plan within the proposed 180-day time span, nor are there provisions for public participation in review and approval of state regulations. "Incredible," Dingell called it.

Although a federal regulatory program is authorized if a state fails, there is no specific provision for federal action to take over regulation within that state.

Environmental, economic and social conditions are to be taken "into account" in restoring a mined area. Dingell said the public interest—not the operator's economics—should be the overriding consideration and that economics should be considered before and not after mining starts.

There is no provision for restoring abandoned mined areas; the citizen is not given the right to sue violators of federal or state regulations; there is no provision for federal inspectors to enforce the law, nor is there a provision for damage suits against coal operators who won't comply with the law.

Some of the Ruckelshaus-EPA recommendations apparently vetoed at the White House would have set up regulations "in the shortest possible time" because a two-year delay is "needlessly long"; set up a series of minimum performance criteria for mining operations; set up an interim federal control program that would remain in force until a state plan was finally approved.

Ruckelshaus also wanted to allow restoration of abandoned mined areas and he wanted to require that restoration on new mining put the land in a condition "at least equivalent to its original uses."

[From the New York Times, Feb. 15, 1973]  
NIXON AIDES SAID TO DRAFT, WEAKER STRIP MINING BILL

WASHINGTON.—Advocates within the Nixon Administration of stiff regulation of strip mining have suffered nearly total defeat in their efforts to draft a strong control bill.

Although President Nixon said in a national radio address today that he would reintroduce in Congress this year a proposal for the "enlightened regulation of surface and underground mining," the Administration's new strip mine measure does not appear to be as strong as the one ignored by Congress in 1972. The House passed a different bill, one that was much more restrictive, by a vote of 267 to 75 last fall, but the Senate did not act on it.

Copies of a final draft of the Administration bill were circulating in Washington today, and it is expected to be introduced without significant change in Congress tomorrow with the President's special message on natural resources and the environment.

One official familiar with the drafting of the bill, which was controlled by the Office of Management and Budget, called the final Administration proposal "ridiculous." And it was learned that William D. Ruckelshaus, administrator of the Environmental Protection Agency, had warned the budget office two weeks ago that its bill would simply be "set aside" by Congress.

Mr. Ruckelshaus' warning, in a memorandum to the budget office, was disclosed in a letter released today by Representative John

D. Dingell, Democrat of Michigan and chairman of a House subcommittee on fish and wildlife conservation.

Mr. Dingell's letter, to Russell E. Train, chairman of the President's Council on Environmental Quality, said that Mr. Ruckelshaus's comments had been largely ignored by the bill's drafters. He said that the Administration had produced an "incredible" and a "weak" bill "that will appeal to the mining interests, but not to the public."

Without explaining how he had obtained Mr. Ruckelshaus's memo, which was dated Jan. 31, Mr. Dingell quoted him as saying:

"I am concerned with the direction in which the Administration appears to be going as a result of recent O.M.B. interagency staff meetings on these (strip mine environmental) issues. It is clear that Congress will again set aside the Administration's bill if we fail to take a stronger stance than that which was taken in the earlier [1972] proposal."

"A strong Administration position will demonstrate our commitment to solving this problem, which is so highly visible."

"This can be accomplished with minimal Federal costs. I urge that the Administration move aggressively to provide the strongest program to deal with this serious environmental problem [the rapid spread of strip mining] and that full consideration be given to the points which I have outlined . . . which are detailed in the E.P.A. proposal."

An examination today of the Administration's proposed bill showed that few, if any, of the points pressed by Mr. Ruckelshaus and by some officials of the Interior Department and the Appalachian Regional Commission had survived the budget office's legislative pruning. The bill reflected views put forward vigorously by the Commerce Department, which were also those of the coal mining industry.

Coal industry spokesmen, who have cited the "energy crisis" and the dollar drain entailed in large, emergency purchases of foreign oil generating electric power, have now added to their arguments against strip mine reclamation the contention that tough Federal strip mine controls could drive coal from the energy market.

Carl E. Bagge, president of the National Coal Association, recently asserted that overzealous strip mine regulation could make coal mine operators "an endangered species." And the Administration's strip mine bill appeared to reflect this position.

A special energy message to Congress, expected later from Mr. Nixon, is believed likely to advocate a rapid expansion of strip mining, particularly in such Western states as Montana, Wyoming and North Dakota. The Administration's strip mine bill would not stand in the way of this.

One conservationist charged today that the Administration's bill would hasten Western coal stripping. Louise Dunlap, a spokesman for the Environmental Policy Center, an environmental lobby, said, "This bill would accelerate strip mining in the most sensitive ecological areas."

"The coal companies will dig while the digging is good," she said. "They will move first on the land that is most ecologically fragile and least capable of reclamation, because that's what this bill would let them do. They know that later, if there is a good law, they could not do it."

Documents submitted by the representatives of Government agencies assembled here in recent weeks at closed meetings of an O.M.B. panel on the strip mine bill showed that the Commerce Department, through its general counsel, William N. Letson, had prevailed in making the final draft weaker than an earlier working version.

For example, in the O.M.B.'s proposed language in earlier draft versions, "reclamation" of strip mined areas was defined as "restor-

ing a mined area affected by a mining operation to its original or other similar appropriate condition, considering past and possible future uses of the area and the surrounding topography, and taking into account environmental, economic and social conditions."

Critics of this original language said that it was vague and contained a closing "escape clause" that made it doubtful, for example, that strip mine regulators could ever require reclamation that might cost \$1,000 an acre on arid Western land that was valued at only \$30 an acre for grazing.

But the final Administration bill inserted another requirement that reclamation also be at "reasonable cost," otherwise undefined.

The Administration's bill proposes that Congress give the states two years from the date of the bill's enactment to adopt their own strip mine regulations if they choose to do so.

In states that do not act, the Secretary of Commerce would "promptly"—the term is undefined—impose direct Federal regulation. This process might consume at least a third year.

The Administration's bill contains no proposal for the reclamation of "orphan lands"—the tens of thousands of acres of abandoned, unreclaimed strip mine pits left by earlier, unregulated mining. Nor does it contain "slope controls"—a prohibition against future strip mining on hillsides of greater than, say, 14 or 20 degrees.

Also, there is no prohibition against the abandonment of "high walls," the vertical scar of a strip mine's final cut.

#### EMERALD CREEK WATERSHED

#### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. WALDIE. Mr. Speaker, today I am introducing legislation that will provide for the protection of the Emerald Creek watershed area adjacent to the Redwood National Park in northern California. Today we are faced with the potential loss of a national heritage, the magnitude of which will initiate increasingly severe repercussions if action is not undertaken on the part of the Congress. Emerald Creek is one of the last virgin redwood watershed areas in our Nation. It is my hope that the passage of legislation that I am introducing will preserve this area for posterity.

Figures on the amount of redwood acreage are misleading, Mr. Speaker. There are approximately 150,000 acres that have been placed under the protection of State and Federal control. About half of this total amount is prime redwood acreage. Because of this, many contend that we do not need to increase the amount of land that has already been incorporated into park areas. According to these people, there is no need for further concern. Mr. Speaker, I beg to disagree with them. There is the need for further concern, both in the context of the present and the future. In times such as these where a great amount of emphasis is placed upon progress, it is most beneficial to our Nation that its people become ecologically aware of the danger of extinction that is increasingly

present to the wildlife and natural resources that abound within our Nation.

Mr. Speaker, if many of our citizens had become aware of the dangers that occurred because of the lifestyle that was prevalent in our Nation, during years past, we would not have to concern ourselves with the question that is presented to us today. The contention of many that we no longer have need for concern, such as Emerald Creek over the future areas would be true if prior selection of areas to be preserved had been guided by ecological considerations. What we have come to see is that little consideration was given to the natural divisions of watersheds, parks, and wilderness areas. These areas, Mr. Speaker, the Congress must correct.

Stone and Associates, a vegetation management consultant firm, was hired by the National Park Service to study the problem of lack of watershed areas. Their conclusion was that, to achieve true preservation of redwoods, total acquisition under ownership of entire watershed areas was necessary, thereby allowing park personnel to carry out the necessary management and the minimization of danger to the park from outside forces.

Furthermore, Mr. Speaker, a classic example of the inadequacy of partial watersheds preserves is the Rockefeller Forest in the Bull Creek watershed area of Humboldt State Redwood Park. In this park resided some of the finest old growth redwoods that have been discovered in California. Between the years of 1946 and 1955, the privately owned upper slopes of the Bull Creek were cut over in full accordance with the State regulations concerning the deforestation of redwood areas. A consequent forest fire consumed another large part of the watershed area. When unusually heavy rainfall occurred during the winter of 1955, excessive runoff and stream sedimentation resulted with an unprecedented flood from the devastated watershed area. Thus, Mr. Speaker, more than 500 magnificent redwood trees were destroyed.

The implication that the destruction of the upper watershed area prompted the destruction of the redwood areas was most obvious. Now, Mr. Speaker, we find that the visual blight and bareness of clear-cutting once again exists directly above the Redwood National Park boundary. Its existence serves as a sinister warning of the possibility of the recurrence of the disaster that occurred in the Rockefeller Forest in 1955. It serves as bleak evidence to our inadequate protection of the redwood species of trees.

Mr. Speaker, a consensus of experts, including those commissioned by the National Park Service, has recognized that the only solution to the problem of lacking virgin watershed areas is the preservation of the areas that remain in their entirety. Emerald Creek is the last remaining area.

Mr. Speaker, how does one translate the integrated, sensual, and the spiritual experience of the redwood wilderness? The esthetic experience of the woods is not easily conveyed. In viewing the area, there is little doubt that one can recog-

nize the intrinsic value to be gained in the preservation of Emerald Creek. Even if we, as Members of Congress, Mr. Speaker, could not avail ourselves to participate in the continued preservation of Emerald Creek, we should not deny those citizens who have been able to view it in its entirety, including those yet unborn.

The preservation of Emerald Creek and its inclusion into the Redwood National Park would enable the park to acquire its first natural prairies. If not for any other reason, the inclusion of the area would provide a wealth of historical information to many of our citizens. Within the area, Mr. Speaker, many foresters have noted the tremendous variety of vegetation that exists within the Emerald Creek area. Preliminary measurements indicate the existence of many near-record redwoods, Douglas-fir, western hemlock, madrone, and tanoak species.

It is of the utmost importance that a moratorium on logging within the area be imposed by the Congress. The moratorium would enable the National Park Service to survey the area so as to enact lines of demarcation for the new area scheduled for inclusion into the Redwood National Park. The Congress has authorized the National Park Service to purchase up to 4,000 additional acres of the surrounding areas of the park. This has never been done.

I feel, Mr. Speaker, that it is imperative that we include the Emerald Creek watershed area within the confines of the Redwood National Park. The unique and irretrievable qualities demand its preservation within the national park system. There is little time for action, Mr. Speaker, even less time for speech. This is why I have introduced legislation to protect Emerald Creek. I ask that my fellow colleagues, irrespective of party, consider the measure at hand. If we do not, there may never be another area of the magnitude of Emerald Creek in our great Nation.

#### VETERANS DAY

#### HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1973

Mr. FISH. Mr. Speaker, as you are aware, I, and many of my colleagues, have introduced legislation to return the celebration of Veterans Day to its traditional date of November 11. Many of my colleagues have eloquently argued for such a needed change, but I think the most eloquent exposition of the need for its return to the traditional date of November 11 is expressed by an article which appeared in the November 1972 issue of the American Legion magazine. In case it was not seen, I would like at this time to insert it into the CONGRESSIONAL RECORD, as I believe it carries a message which will have deep meaning for us all.

The article follows:

#### WHAT'S THE MATTER WITH NOVEMBER 11?

This year, as last year, "Veterans Day" is federally recognized as falling on "the fourth Monday in October," which was the 23rd of October in 1972. Out of respect for the federal recognition, the National Commander The American Legion agreed to participate in Oct. 23 observances in Birmingham, Ala., to which he was kindly invited by Raymond Weeks, director of Birmingham's Veterans Day observances.

Let us hope this is the last time that the fourth Monday in October, a perfectly meaningless date, will be recognized as Veterans Day anywhere. Let us hope that every state, and the federal government, will speedily act to restore November 11 as Veterans Day. It was on November 11, 1918, that the First World War ended.

At 11 a.m. of that day (the eleventh hour of the eleventh day of the eleventh month) all firing ceased, following the signing of the Armistice. Never was the number eleven so firmly stamped on an important moment.

Until 1953, this country celebrated November 11th as Armistice Day. By then another world war had ended and the Korean cease-fire had occurred, without the nation marking in any special way the dates that ended the hostilities of these savage wars.

Business pressures opposed adding two more holidays, so, in 1953, the name of Armistice Day was changed to Veterans Day, with the declared intent of making the WWI war-end date stand symbolically for the celebration marking the end of the next two wars also.

We all know the subsequent sorry history. There was no dollar sign in front of all those elevens. Thirty years of pressure by the travel and resort business to create long weekends so that it could make more money ended in Congress capitulating, to create Monday holidays out of Washington's Birthday, Memorial Day, Columbus Day and Veterans Day. And in the juggling, Veterans Day was even moved into October, for no reason that had anything to do with what it celebrates. Thus do the almighty buck and the passion for a few long weekends trample on tradition and ignore meaning.

Certainly if we are going to ignore VE Day and VJ Day and the Korean cease-fire and the hoped for Vietnam war-end, one is entitled to ask what is wrong with November 11th as the single day upon which to lump together their symbolic meaning. A war *did* end on that day, but no war we were ever in ended on the fourth Monday in October.

In at least six states, nobody sees anything wrong with November 11. Oklahoma and Mississippi refused to go along with the Monday holiday, and never moved Veterans Day off of Nov. 11. This year, at least four more states thought better of going along with the federal dollar reverence. They abandoned the fourth Monday in October to restore Nov. 11 as Veterans Day. They are Georgia, Illinois, Indiana and West Virginia.

At the Legion's National Convention this year, no less than 26 of our state organizations presented resolutions calling for the restoration of Veterans Day to Nov. 11, and of Memorial Day to May 30. Combined into one resolution, they passed the convention by a vote of 3,081 to nothing. The Legion will seek federal restoration of both dates, and one would hope that if Congress will not go along it will at least make clear what it is about Nov. 11 that it finds wrong. And May 30, too, for that matter.

Mr. Speaker, I would also like to insert a resolution which was unanimously passed by the 54th National Convention of the American Legion, strongly backing this change of date. Both the above article and the resolution speak more eloquently than I could say.



FIFTY-FOURTH NATIONAL CONVENTION, THE  
AMERICAN LEGION, HELD AT CHICAGO, ILL.,  
AUGUST 22-24, 1972

RESOLUTION NO. 31

Committee: Americanism.

Title: Restore Traditional Holidays To  
Their Rightful Dates.

Whereas, The Congress changed the an-

nual observance of traditional patriotic holi-  
days from their true established dates to a  
Monday; and

Whereas, The sole basis for changing such  
observance dates was to make a three-day  
weekend holiday, with no connection with  
the true anniversary and, in fact, in some in-  
stances made a distortion of American his-  
tory; and

Whereas, Such an arbitrary change dim-  
inishes the importance long attached to  
these historical events; now, therefore, be it

Resolved, by The American Legion in Na-  
tional Convention assembled in Chicago, Illi-  
nois, August 22, 23, 24, 1972, that The Ameri-  
can Legion urge the President and the Con-  
gress to restore the traditional patriotic holi-  
day dates long observed in the United States.