votes? Unless that is included in the request, as the Senator knows, the Sergeant at Arms, under the regulations, is ordered——

Mr. GRIFFIN. What has been the general practice when Senators ask for such permission?

Mr. ROBERT C. BYRD. Unless Senators ask that specifically, the staff members will have to leave the floor. Perhaps the Senator would want to include roll-call votes in this instance.

Mr. GRIFFIN. I do include that.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 12 o'clock noon on Monday. The distinguished senior Senator from Georgia (Mr. TALMADGE) will be recognized for not to exceed 15 minutes. After Mr. TALMADGE has completed his remarks, the distinguished Senator from Michigan (Mr. GRIFFIN) will be recognized for not to exceed 15 minutes, after which the junior Senator from West Virginia (Mr. ROBERT C. BYRD) will be recognized for not to exceed 15 minutes. There will then be a period for the transaction of routine morning business not to exceed 30 minutes, with statements limited therein to 3 minutes each.

At the conclusion thereof, the Senate will proceed to the consideration of S. 398, the Economic Stabilization Act, on which there is a time agreement. Yea-and-nay votes can be expected. It is anticipated that the Senate will not complete action on that bill on Monday, but it is hoped that on Monday it will be possible, perhaps, to reach an agreement as to an hour at which the Senate can dispose of the bill on Tuesday. In any event, it is hoped that the bill will be disposed of on Tuesday.

The leadership hopes that committees will take advantage of the Friday adjournment so as to clear bills and resolutions for early floor action.

ADJOURNMENT UNTIL MONDAY

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 12 o'clock noon on Monday next.

The motion was agreed to; and at 6:45 p.m., the Senate adjourned until Monday, March 19, 1973, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

TREAT DISEASE, NOT SYMPTOMS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1973

Mr. HARRY F. BYRD, JR. Mr. President, an interesting analysis of the financial condition of the Federal Government is contained in an editorial published in the February 7 edition of the Tulsa Tribune.

The editorial points out that we have serious problems with foreign trade and tariffs, that there are recurring runs against the American dollar and that—

We have tried in lots of ways to patch the holes in the ship of state.

These efforts to patch holes have not been successful, the editorial says, because we have not attacked the basic problem: The excessive spending of the Federal Government, which leads to huge deficits and weakens the dollar all around the world.

The dollar will not be strengthened, and inflation will not be brought under control, until we succeed in putting a lid on Federal spending.

The editorial writer of the Tulsa Tribune is Mr. Charles Saterlee.

I ask unanimous consent that the editorial, "Treat Disease, Not Symptoms," be included in the Extensions of Remarks.

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

[From the Tulsa Tribune, Feb. 7, 1973]

TREAT DISEASE, NOT SYMPTOMS

We have struggled with foreign trade and tariffs. We have read of recurring runs against the American dollar. And we have tried in lots of ways to patch the holes in the ship of state.

But we have steadily refused to admit that we were treating symptoms instead of the disease. The disease is the basic financial instability of the American economy, made worse very year by excessive government spending. That leads to deficits, high taxes and distrust of the dollar around the world.

Our current national debt is about $465 billion. Under the President's proposed new budget this would rise to $505 billion. And we must pay interest on that debt. A half-trillion in national debt is a figure so large that the mind has trouble coming to grips with it.

But put it this way. Of every dollar in federal taxes you pay, 17 cents goes to pay interest on federal debt.

The figures have been brought into merciless focus by Virginia's Sen. Harry F. Byrd Jr. The Byrds, father and son, have frequently been mavericks in the Senate. They usually deal in unpalatable truths while others are talking about the great new world that's just around the corner. Here's what Sen. Byrd told his Senate colleagues the other day:

"Out of the total national debt, 25 per cent will have been incurred in a five-year period. In that five-year period, one-fourth of the total national debt will have been incurred.

"That means that the other 75 per cent was incurred during a period of well over a hundred years, during which time we fought the Civil War, the Spanish-American War, World War I, World War II, the Korean War and part of the Vietnam War."

Byrd displayed statistics from the Treasury Department showing that in the comparatively modern period from 1955 to fiscal 1974, the nation's debt interest rose from $6.4 billion to $26.1 billion a year.

The current national debt amounts to about $2,500 for every man, woman and child in the nation. Thus, a family of four is in hock for government debt to the tune of $10,000. As Sen. Robert C. Byrd of West Virginia pointed out, that amounts to $505 for every minute since the birth of Christ.

The Virginia Byrd pointed out, "When 13 governors appeared before the Finance Committee last year to argue in favor of revenue sharing (a new outlay of about $30 billion) I put the challenge to the governors: Can you name any state in the Union, any one of the 50 states, that is in as bad a shape financially as is the federal government? None of them could name a state."

The lesson is clear. The dollar is only as strong as the economy it represents. That's why foreign investors shy away from the once-invincible dollar. At home, the activity generated by that federal spending pushes inflation ever-higher, making pay checks more inadequate. That touches off more pay raises, price hikes and inflation.

Virginia's Byrd declares: "I say there is no revenue to share. The only thing we can share with the states is the deficits."

But the lesson is deeper. Unless we can put our house in order, unless we can live within our means, we are heading straight toward the shoals of ruinous inflation and the chaos that goes with it. No matter how worthy the cause, we must refuse endless new spending plans. The alternative is wreckage of family security. And that means all of us.

LET US GET AMERICA BACK TO WORK

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1973

Mr. GOODLING. Mr. Speaker, Thomas Carlyle once commented as follows:

The glory of a workman, still more of a master-workman, that he does his work well, ought to be his most precious possession; like the honor of a soldier, dearer to him than life.

Some sociologists in our midst feel that the multitude of problems that are encompassing us today can be attributed to the fact that we, as individual workers, are giving but shallow attention to the work ethic. The result, they claim, is a great vacuum into which is drawn a host of human negatives; that is, things like reduced productivity, uncertainty, and worry. It was Dr. Charles H. Mayo who said—

Worry affects the circulation, the heart, the glands, the whole nervous system. I have

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never known a man who died from overwork, but many who died from doubt.

The solution to this problem of casual living is, of course, to be found in developing a consciousness of the value and necessity of work for dynamic living. This subject is treated splendidly by an editorial comment of Mr. James D. McClary, president of the Associated General Contractors of America, which appeared in the March 1973 issue of the Constructor magazine. Because Mr. McClary's comments are significant and timely, I insert them into the RECORD and commend them to the attention of my colleagues:

LET'S GET AMERICA BACK TO WORK

It is not difficult to find out what is wrong with America. Even if one doesn't ask, someone is always at hand, in person, or through the news media, to provide that information. These detractors, with their lists of our inadequacies, are vocal, and they are loud. Many, for their own reasons, are vigorously working for our downfall and the ultimate destruction of our country. They deliberately prey on any feelings of insecurity they encounter.

Most Americans love their country and except for occasional feelings of frustration, know that while our system is not perfect, no one has ever devised a better one.

A review of our history might indicate we have more unrest, dissatisfaction and complaint than at any previous time, that there is an undercurrent of uneasiness, but at the same time there are more of us with better communication than ever before, too.

In my judgment, there is one underlying condition—one valid root cause for most of the problems we are experiencing. We no longer want to work! There is a tragic air of indolence throughout the land. We are entranced with the ideal of leisure time. One observer has redefined work as "an unfortunate interlude between weekends."

Most of our ills can be traced to this source. You see it expressed in the loss of productivity, increased costs, restrictive work practices, poor management, uneconomic use of resources, devaluation of the dollar and inflation. Other outgrowths are unemployment, economic unrest, loss of pride of craftsmanship, shoddy products, reduced profits and lowered effective income. The list is almost endless.

The founders of this nation knew the value of honest labor, understood that nothing can be produced without effort, and recognized that a fair profit is the reward of accomplishment. They knew their individual well-being and economic freedom were possible only through a free enterprise system functioning within the framework of a republican form of government.

The woolly-minded, well-meaning do-gooders as well as the destroyers, have with too much success attempted to convince a great people that the old ways and time-honored principles no longer apply. Their premise is, "if it has worked so well for so long, there must be something wrong with it, so change it."

Construction people know how to work and work hard. We know the pride of accomplishment—the good feeling of a job well done. We're deeply concerned that we may well be the last of the individualists.

We have a job to do, now, of a different sort, one for which there will be no contract or direct payment. There is a movement to be started—one needs that direction—a parade that needs to be led. We can, by our example, provide that direction and leadership.

For our own good, for the good of our children and their children, for our Nation—

Let's get America back to work!

REVIEW OF QUALIFICATIONS OF FEDERAL JUDGES

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1973

Mr. HARRY F. BYRD, JR. Mr. President, the February 23 edition of the Mexico, Mo., Ledger included an editorial on the subject of lifetime tenure for Federal judges. The editor of the Ledger is Robert N. White II, a newspaperman of national stature.

The editorial states that—

Federal judges have increasingly become more than judges.

I think that is undoubtedly true. All too many members of the Federal judiciary have gone beyond their proper sphere of interpreting the law and have moved into the field of making the law, which is supposed to be the domain of the legislative branch of our Government.

I have proposed that in order to restore a proper separation of powers among the branches of the Government, and to make the judiciary more accountable, Federal judges be subject to reconfirmation by the Senate every 8 years.

Federal judges now serve for life. I see no reason why any official in a democracy should have lifetime tenure.

I ask unanimous consent that the editorial, "A Judge for Life," be included in the Extensions of Remarks.

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

EDITORIAL REVIEW—A JUDGE FOR LIFE

Sen. Harry Byrd of Virginia has a good idea.

He has proposed a Senate review every eight years on the qualifications of Federal court judges.

Right now, Federal court judges are appointed for life.

Some, maybe even most, are excellent.

But some are not.

Listen to Sen. Byrd:

"It is time that we made federal judges more responsible to the people. Too many have assumed more and more power—and have run rampant in asserting authority over the daily lives of all Americans. . . . In recent years, the federal courts have acted under the premise that the Constitution is whatever the judges say it is. . . .

"Prayer has been swept from our schools; the historic right of a legislature to restrict itself has been abolished; sociological treaties have replaced the common law; traditional equity powers have been enlarged to allow rule by judicial fiat," Byrd says.

"Mr. Justice Cardozo once noted that if judges are permitted to substitute their personal sense of justice for rules of law the reign of law will end and the rule of benevolent despots will begin.

"Is not that about where we find ourselves today?

"The revolution which began in the Supreme Court has permeated the lower federal courts. Judges of these courts have, in many cases, arrogantly assumed unto themselves the prerogatives of lords of the Middle Ages. Nothing in our system at present exists to control these judges. They have lifetime appointments. Their passions of the moment are unrestrained. . . .

"Our Federal judge has stated that he is contemplating the consolidation of the school system of two counties and one city. If this can be done, what is to prevent the judicial enforcement of total mergers of cities and counties?

"I fully support the concept of an independent judiciary," Byrd says. "The legislation I introduced simply provides a method by which the courts might be made more accountable to the people."

We agree with Senator Byrd.

Federal judges have increasingly become more than judges.

NO-FAULT AUTO INSURANCE

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. PRITCHARD. Mr. Speaker, the existing system of automobile insurance serves neither the accident victim nor the insuring public. It is inefficient, costly, and incomplete. It allocates benefits poorly, discourages rehabilitation, and overburdens the courts. It does little to minimize crash losses.

In the past 6 years premiums have increased by more than 70 percent; accident victims are compensated only 42 cents for every dollar of loss; more of the premium pays for attorney fees, court costs and insurance company overhead than is used to compensate accident victims; and delays in payments to accident victims averaged 16 months in duration and constituted a major burden on the Nation's already overloaded court system.

In 1970, automobile owners paid over $5.5 billion to repair cars damaged in accidents of which $4.6 billion was reimbursed by insurance companies who had collected $7.9 billion in premiums for this coverage. The remaining $0.9 billion in repair cost was absorbed by the car owners themselves.

In the 92d Congress, Senator MAGNUSON introduced reform legislation which would have restructured the tort liability concept in auto accident compensation by setting up a nationwide system of first-party no-fault auto insurance. Under this legislation a policyholder would be compensated immediately and fairly by his insurance company without lengthy and expensive court proceedings to determine the party at fault in the accident. The potential reduced legal fees would result in lower insurance costs, which in turn could be passed on to the policyholder in the form of lower premiums, improved coverage, and more equitable benefit payments.

In June 1972, the Senate Commerce Committee, chaired by Senator MAGNUSON, reported a no-fault bill, but unfortunately the full Senate did not begin deliberations on the legislation until August. When the bill was taken up on August 8, 1972, opposition, backed by strong lobbying against no-fault, succeeded in blocking further consideration of the bill However, the battle is not over.

Senator MAGNUSON has reintroduced his bill (S. 354). I believe it is important that it pass during the 93d Congress. The public cannot afford to wait longer.

NEGRO HISTORY WEEK

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1973

Mr. CLAY. Mr. Speaker, during the past several weeks, the St. Louis American newspaper has carried a series of articles featuring famous black Americans, to commemorate Afro-American history week, February 11–17. In the last 2 weeks they have spotlighted Frederick Douglas and Mary McLeod Bethune. This week Harriet Tubman, Sojourner Truth, and Carter Godwin Woodson are honored.

The article follows:

NEGRO HISTORY WEEK

HARRIET TUBMAN

Born a slave in Maryland, she escaped when she was about 25 years old. Not content to have won freedom for herself, she returned to the South at least 19 times to lead 300 slaves to freedom on the Underground Railroad.

Rewards of up to $40,000 were offered for her capture, but she was never taken, nor did she ever lose a passenger on her Underground Railroad.

During the Civil War, Miss Tubman served as a scout for the Union Army. After the war she settled in her Auburn home, which had frequently been used as a way-station on the underground. Miss Tubman converted it into an old people's home. It is maintained today by the African Methodist Episcopal Zion Church.

The town of Auburn has installed a memorial plaque to Miss Tubman in its courthouse. She is buried in Underwood Memorial Cemetery.

SOJOURNER TRUTH

Like Harriet Tubman, Sojourner Truth was a former slave who became a leader in the battle against slavery, but otherwise the two women were extremely different.

Harriet Tubman was a small woman; Sojourner stood over six feet tall.

Harriet escaped to freedom: Sojourner was freed under New York's gradual emancipation act. Harriet attacked slavery directly, going back into the South repeatedly to lead others to freedom; Sojourner fought her battles from the lecture platform and in the courts.

There is some evidence that Sojourner gave help to slaves escaping through the Underground, but the only slave she actually freed herself was her son, and he was freed through court action. Her lecture activities brought her almost instant fame. Although she was illiterate, she had the power to captivate her audience. Her withering replies to hecklers became lengendary, though in one famous instance she became a heckler herself and stopped Frederick Douglas cold. In the last days before the Civil War, Douglas, disillusioned with the slow progress of the antislavery cause, called for slave uprisings. Sojourner, sitting in the back of the hall, rose and shouted: "Frederick, is God dead?"

Douglass later wrote that he replied, "No. And that is why slavery must end in bloodshed."

William Lloyd Garrison, who was present, insisted that Douglass could make no answer at all.

After the Civil War, Sojourner Truth was active raising funds to assist the freedmen and in the cause of women's suffrage. She settled in Battle Creek, but continued traveling on lecture tours until a few years before her death in 1883. She was about 85 years old.

CARTER GODWIN WOODSON

Carter Godwin Woodson was born in rural West Virginia in 1875; he was one of 9 children in a very poor family. His parents had been slaves before the Civil War. Carter had to work so hard on the farm that he was not even able to go regularly to the five-month country school. He was 21 years old when he graduated from high school, and much of his learning came from his own study.

The young man was scholarly and ambitious. He studied at several colleges and made an excellent record. In 1912 he was awarded his highest degree, the Ph.D., from Harvard University, the oldest college in the United States. He traveled to many places, some of them in Europe, Asia, and the Philippines. He held teaching positions, principalships, and several educational posts of great prestige in universities.

What were Woodson's accomplishments?

Dr. Woodson was a successful educator but his principal interest was research and writing about the past of the Negro. In 1915, in Chicago, he was successful in getting four other black men to help him establish The Association for the Study of Negro Life and History.

Before he died in 1950, Dr. Woodson had also founded a publishing firm and two journals. In 1926 he launched Negro History Week in order to emphasize the omission of the history of black Americans from the United States history textbooks. He wrote many books and articles which are still widely read. He also published textbooks on Negro History for schools and colleges.

THE 25TH ANNIVERSARY OF TROOP 156

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. CORMAN. Mr. Speaker, on March 31, 1973, Troop 156, Boy Scouts of America, located in the San Fernando Valley of California, will celebrate their 25th anniversary. The troop is the second oldest troop in point of continuous service in the valley.

Since its inception, the troop has trained, developed, and graduated to manhood almost 1,000 boys. These boys have learned the meaning of group as well as individual effort and initiative.

Part of their success must be credited to hard-working scoutmasters. Dave Linsky, who has filled this role continuously for the last 18 years, strives to help Boy Scouts learn about life, how to improve and enjoy it. In addition to his many other awards he is the recipient of the Silver Beaver Award, which is the highest honor that can be given an adult for service to boys on a district level.

The troop's chairman of committees, Marvin Cox, has also given much of his time to making the troop's programs successful. He has worked with the Van Nuys Optimist Club which sponsors troop 156. We are indebted to this fine club for its constant support to the troop. Leonard Wohler, institutional representative of the Van Nuys Optimist Club, has been responsible for coordinating the troop's activities with the club.

With the help of such people, the parents, and the boys themselves, troop 156 has distinguished itself with outstanding service during the past 25 years. The value to the boys themselves is an enduring quality that will help them as citizens throughout their lives.

I extend my warmest best wishes to the boys of the present troop 156 and to all those individuals who have been responsible for its success in the past. I am sure this troop will continue its worthy and needed activities for the next 25 years.

TRIBUTE TO MRS. IDA CANNON

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. HUNGATE. Mr. Speaker, I am sure my colleagues will be interested in learning how the wife of one of our great familiar colleagues, the late Clarence Cannon of Missouri, has been honored.

Mr. Cannon always stated that he had served several years in Congress before he realized that they were voting for his wife instead of him. The Hannibal Courier-Post article about this tribute to Mrs. Ida Cannon follows.

NEWEST ELSBERRY SCHOOL NAMED FOR IDA CANNON

(By Edna Waggoner)

ELSBERRY.—The new Ida W. Cannon School in Elsberry was named and dedicated Monday evening with Mrs. Cannon, described as "Elsberry's first lady," cutting the ribbon to open the doors to parents, friends and district residents for a tour of the new school.

The $200,000 building, just completed, is an addition to the Clarence Cannon Elementary School.

Visitors at Monday's brief ceremonies heard a history of the building from Marlowe Briscoe, president of the Board of Education, and Supt. of Schools Louis Chaney.

Another board member, Perry Stonebraker, offered a prayer of dedication.

Mrs. Cannon is the widow of the late Congressman Clarence Cannon, who was speaker of the U.S. House of Representatives in which he served from 1923 until his death in 1964.

The Cannons' daughter and son-in-law, Mr. and Mrs. W. I. Pixley of St. Louis, were among guests at the dedication.

Mrs. Cannon has maintained a high interest and support in the Elsberry school system throughout the years in which she divided her time between the Cannon home at Elsberry and the work in Washington, D.C., as well as through the years since her retirement to the Cannon Farm at Elsberry.

The new Ida W. Cannon School and the Clarence Cannon School are built on the grounds of her family home, the Wigginton Family property, sometimes called Wigginton Hill. The property remained in the Wigginton family until 1948 when it was purchased by the Elsberry American Legion Post 226 and then sold to the Elsberry School District in 1953.

The new two-story eight-room school will provide class rooms for grades six through eight, in addition to special education classes and a band room.

Students and teachers were to move into the new Ida W. Cannon School today.

MY RESPONSIBILITY TO FREEDOM

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1973

Mr. McCOLLISTER. Mr. Speaker, last week it was my privilege to visit with an outstanding young lady from Omaha. She was here with the Veterans of Foreign War delegation from Nebraska, participating in the Voice of Democracy contest.

Linda Somberg, 16, the daughter of Mr. and Mrs. Larlon Somberg, had some unique ideas to share with us in Washington, and did a great job of articulating them. I would like to share her thoughts with my colleagues in the House, and insert Linda's speech in the CONGRESSIONAL RECORD:

MY RESPONSIBILITY TO FREEDOM

(By Linda Somberg)

Freedom. It is not the most important word in the English language. Judging from the number of times we use any single word, the simple pronoun "I" would fall into the number one position. But what am "I" without freedom? Nothing but a robot, controlled and manipulated by those with the freedom to do so. Individuality ceases to exist without freedom.

Before that fateful day depicted by George Orwell in his novel "1984," when freedom becomes slavery—before it exists as a reality, we must do something. Let's protect our freedom before we lose it. Let's do it as individuals working as a unit for the defense of our liberty.

My responsibility to freedom is your responsibility to freedom, but we can't depend upon each other to assume the duty so each "I" won't have to. This nation was not built by people relying on their neighbor to obtain and protect their freedom. It was constructed by those working to defend their independence. It was erected by people like you and me. It was formed by people, some acknowledged, others forgotten, but none insignificant.

Paul Revere, a famous American Revolutionary, could have told you about these unsung individuals. No one would have been more surprised than Mr. Revere himself to discover the extensive fame he had acquired today. He would be shocked to know that he alone is widely remembered for the night rides of the American Revolution. He might have related the story of two individuals who have not been appreciated, but without whom the American Revolution might have been a failure.

John Jouett, in Virginia, made a similar ride to Revere's. He saved Thomas Jefferson and other signers of the Declaration of Independence from being captured by Cornwallis' army in 1781. Sybil Ludington, a 16 year old girl, aroused the countryside in southeastern New York. She was essential in bringing the colonial troops out to victory during the sack of Danbury, Connecticut in 1777.

You may never have heard of Mister Jouett or Miss Ludington, but this country's freedom depended on their responsible deeds. If they had waited for someone else to make their rides we might still be servants under British rule. They didn't seek glory nor everlasting fame. They desired only freedom. They understood the importance of and worked for their freedom.

Today it is easy to forget how important the freedom that our forefathers fought for truly is. We have never lived without it. But, imagine that you are a wild bird and someone has clipped your wings. You sustain existence but you will never fly again. You can never soar to the heights of your ability. We are not helpless creatures. We can be responsible for our fredom.

Every person in every society is an individual and as such he must attempt to protect his freedom. Even in America where our freedom seems so permanent, it is actually threatened. Our freedom is not guaranteed in the Declaration of Independence or the Constitution. It can't be. Freedom depends on the attitudes of the people who are blessed with it.

Freedom has been threatened here in America. The 1920's saw the decay of a society, the American society. People divorced thoughts of responsibility from nicer thoughts of making huge amounts of money and then spending them. They violated the laws of the country. They degraded symbols of the nation's freedom; flagpole sitting was a favorite sport. They were lucky. Their indifference only produced a depression and not a loss of freedom. The majority was happy; the individuals were lost in the crowd. Maybe next time we won't be so lucky.

If we become unconcerned about our freedom, Paul Revere will not ride out to save us. My responsibility to freedom is to realize what my freedom means to me and act upon that knowledge. I will not go down in history books. Freedom is important for its own sake. My freedom is dependent upon my freedom to be responsible. I won't sit and watch my country suffer as it did in the 1920's. Knowledge of the past is the greatest tool we possess. Knowledge and the freedom to act are man's greatest privileges.

Freedom may not be the most important word in our language. If the word *I* does hold that position, then freedom is implied. Although not explicit, the concept of freedom is inherent in the implication of "I." For what am "I" without the freedom to exert my individuality? I am an individual. Freedom allows me to be able to prove my individuality. I am an American. The last four letters of the word American spell out the two words—I can.

OEO LEGAL SERVICES MISUSE FUNDS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. HUNT. Mr. Speaker, there is no doubt that the riot at the Attica Prison in New York occurred from a number of different reasons and, irrespective of the crimes of which certain inmates were accused, the defendants should be represented by professional members of the bar.

However, that has not been the case. Employees of an OEO-funded legal services program have been defending convicted criminals who created riots and demonstrations, not the poor who rely on the OEO legal services program. It is time, Mr. Speaker, that these so-called do-gooders redirect their energies in the direction they were intended. The entire system which allows this must be reevaluated.

If there is to be any progress in our attempt to raise the poor from poverty, we must make sure that all moneys allocated for the poor actually are used for programs that directly relate and benefit the poor.

To redirect poverty money from programs for the poor to group political activities is essentially stealing from the poor. Such actions must stop.

I submit the following New York Times article for the RECORD, which demonstrates the mismanagement of OEO legal services and efforts:

ATTICA PRISONERS CHARGE THEIR TREATMENT IS UNFAIR

(By Francis X. Clines)

WARSAW, N.Y., December 20.—Fourteen prison inmates and former convicts accused of crimes in the 1971 Attica prison uprising charged today that they were suffering unfair punishment in the form of excessive bail, segregated cells and lack of medical care.

Several indicated some desperation with the slow pace and limited information of the legal proceedings.

"Get it over with right now," said William Ortiz, who proclaimed his innocence of any crimes in his lifetime but offered to plead guilty in the Attica proceeding here.

"Your Honor, I'm going through pains, mental pains, a man without a mind," he said.

BROUGHT IN CHAINS

The accused inmates began speaking up as the unsealing of 37 special grand jury indictments went into the third day at the Wyoming County seat near the Attica Correctional Facility. They were brought in chains to face charges, mainly related to the taking of hostages on the first day of the rebellion, Sept. 9, 1971.

A total of 43 men—32 inmates and 11 prison employes—died in the insurrection, most of them from shots fired by the state police in retaking the prison.

Thus far, a total of 30 men who were inmates during the uprising have been brought to court—some more than once—on multiple charges contained in the 23 indictments that have been opened. Fourteen indictments are still secret, and more are expected from the grand jury.

The defendants today included Frank Smith, the inmate who was identified by prison officials as one who had castrated a hostage—something that never occurred—and who was allegedly tortured after the police assault. He was accused of coercion and unlawful imprisonment.

Ortiz had been brought to court from the Auburn Correctional Facility Monday on an assault charge and started about mutely with a confused expression.

Today, clutching his chest, he spoke up after he was brought again from Auburn and accused, in a second indictment, of taking part in the kidnapping and assault on six hostages, three of whom later were fatally shot in the police assault.

Ortiz was identified in the report by the McKay Commission, which was authorized by Governor Rockefeller to investigate the uprising as having thrown a soup can at a guard in one tense incident before the riot.

Daniel Pochoda, a New York City Legal Aid Society lawyer who is representing the Attica Defense Committee, complained that the state was harassing suspects by bringing them back repeatedly on separate charges. But State Supreme Court Justice Carman Ball upheld the argument of Assistant Attorney General Gerald J. Ryan that the state law required this process.

While most defendants thus far are currently prison inmates, Mr. Ryan said the secrecy was needed for parolees who might flee. He identified Allan (Allah) Dihu of New York City as the first such fugitive, for whom an alarm was issued today on charges of kidnapping.

As the inmates began speaking up today, members of the Prisoners Solidarity Committee in the audience listened with open sympathy. Partisans of the state's case in the

mustard-yellow and wood-paneled courtroom appeared skeptical and privately questioned whether the defendants were "playing to the crowd."

The Attica Defense Committee has contended that one motive in the timing of the Warsaw arraignments was to distract attention from a court hearing in Buffalo into Federal charges that prisoners had been abused since the riot.

SYMPATHETIC WHITES

Most of the defendants thus far have been nonwhites from New York City, a reflection of the Attica prison population last year. Many appear cheered at the sight of a predominantly young white group of 40 sympathizers who stand and salute with fists as the defendants enter.

After one defendant shook hands and thanked some of these specators today, calling them "brother," subsequent defendants were brought into the courtroom through a side door.

The others charged today with kidnapping were identified as Alphonso Ross, Verdal Turner, Anthony Williams, William Bennett, Raymond Sumpte and Carl Jones.

The others accused—on an assortment of charges including coercion and possessing guards' guns or clubs—were identified as William Wilson, Bernard Stroble, Leon McDonald, Alfred Plummer, Richard Bileollo, and Edward Dingle.

Several inmates complained of "double jeopardy" in that, because of the indictments, they had been put in solitary confinement without a hearing.

All of those charged today obtained postponements into next month before they will enter formal pleas.

TYPHOID OUTBREAK

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. LEHMAN. Mr. Speaker, 1 full day spent as a member of the Agricultural Labor Subcommittee making an in-the-field investigation of the typhoid outbreak at a south Dade County migrant labor camp underlined the issue that this country need not and must not tolerate an economy based on human degradation and suffering.

The typhoid outbreak, with 91 cases already confirmed, was to the observer but a headline-grabbing symptom of the human misery that these farm laborers find themselves entrapped in.

These are the work ethic people, so dear to the present administration, who are struggling to provide for their families. Lack of an equitable minimum wage, abominable working conditions, virtually no unemployment insurance nor workmen's compensation, high rents, exorbitant utilities costs, and exploitation from crew chiefs make life a terrible hardship for these people.

Like the hundreds of women casualties of the Triangle Dress fire which caused the garment industry to rid itself of the sweatshop, so perhaps the tragedy of the typhoid outbreak will serve to bring our farm laborers out of their dismal and squalid working conditions. It is most tragic that it takes this kind of extreme crisis and additional suffering to bring on needed reforms.

TWO EDITORIALS ON RISING FOOD PRICES

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. TAYLOR of North Carolina. Mr. Speaker, following are two editorials from the Asheville Citizen-Times, Asheville, N.C., which I suspect are not unlike expressions being heard throughout the Nation these days over rapidly increasing food prices.

One of my constituents who operates a meat market in Asheville telephoned my office last week and again this week to impress upon me the rate at which meat and poultry prices are rising and more particularly, the rate at which the temperature of his customers is going up.

They are irate, he said, because dressed fryers selling for 49 cents a pound last week will probably reach 69 cents by the end of this week or next. The story is the same for other meat products.

"Why doesn't Congress do something?" he asked, his voice pleading for some definitive action.

I do not blame him—or his customers, who are now being forced to dip into their own pocketbooks to pay for our sale of wheat to Russia, China, and others.

My constituent said the situation is in a stage somewhere between a crisis and an explosion. He wants some answers from the administration and from Congress.

I think the American consumer is entitled to some answers and I am hopeful that my colleagues will join in an effort to find them. It is my information from the Department of Agriculture that as of March 2, 1973, the Government had in storage something in excess of 114 million bushels of wheat and that finally these stocks are currently being sold for domestic market consumption. Mr. Speaker, I ask why has the Department of Agriculture delayed so long in the release of this grain? Why was it not released earlier at a time when an injection of wheat, oats, corn, and other feed grains would have contributed to a continuance of stable prices for dairy and hog ration and poultry feeds? Instead by its inaction it appears that the Department of Agriculture and in particular its Commodity Credit Corporation has been directly responsible for a fantastic increase in wheat and the other feed grains which, of course, has forced a dramatically upward climb in the cost of producing meat and poultry on the farm—a cost which is now being painfully borne by the American consumer.

Quite frankly, my office was unable to secure from the Department of Agriculture an accurate estimate of the Government's corn reserves; but did receive an indication that apparently corn is now being offered at bin sites across the Nation. This s encouraging information but again the action comes too late to offer any immediate relief to the American housewife.

Mr. Speaker, I do not feel that the American public has been given adequate reasons for the arbitrary manner in which the U.S. Department of Agriculture has contributed to the rapid rise in food prices and I think we are entitled to some better answers than we have been getting lately.

The editorials follow:

NO HELP IN SIGHT ON HIGH FOOD PRICES

In the face of the biggest food-price jumps on record, administration officials can offer no more immediate relief than to suggest home remedies. Unfortunately, this seems to be about all anyone can do.

President Nixon has suggested eating more fish, although that has gone up, too. Federal Reserve Board Chairman Arthur Burns fell back on the cheese idea.

Labor Secretary Peter Brennan was a little more original. He exhumed the generation-old idea of "victory gardens"—backyards plots that during World War II helped keep American families in fresh vegetables.

Many families are already eating more fish and cheese, and some are using less substantial meat substitutes. Prices, meanwhile, are still going up. It is predicted this trend will continue at least for several more months.

President Nixon has eased crop subsidies and acreage controls to get more idle land back into production. Cattlemen are being encouraged to expand their breeding herds. Such measures will take six months to two years to start having an effect on food shortages.

Rising prices are being attributed mainly to a scarcity of feed grains, which has pushed up the cost of producing beef, pork, poultry, eggs, milk, bread and other staples. Supposedly, bad weather during last fall's grain harvest is to blame, along with unprecedented exports of wheat, corn and soybeans to the Soviet Union, Red China and other countries.

These exports may be great for international relations and balance-of-payments. But they put a real squeeze on the American consumer's pocketbook.

Perhaps the wonder of it all is that everyone is taking it so well. A few years ago, when food prices reached what was then an all-time high, housewives picketed and boycotted certain food chains and marched around the agriculture department in Washington. So far there has been little of that, even though food prices today are much higher than then.

FOOD PRICES OUT OF CONTROL

Secretary of Agriculture Earl Butz, one of the most loyal members of the Nixon team, has made something of a spectacle of himself in the way he announced that food prices in January had the sharpest rise of any one month in some 25 years. Food cost by Butz's own admission climbed nearly 3 per cent last month.

Butz disingenuously said the public "doesn't understand" the real reason for the horrendous upward march in the cost of food, and even more disingenuously blamed the "urban press" for misleading the people on why food prices are out of control.

This simply won't wash. In Phases 1, 2 and 3 of President Nixon's economic recovery package food prices have been left uncontrolled at the farm source. The results of this are all too apparent in the present largely voluntary controls of Phase 3. Price rises in food at this rate are something the U.S. public simply won't take standing still.

When Nixon announced the largely voluntary price controls of Phase 3 he said he still had "a big stick in the closet" to use if prices got out of hand. This is his authority to roll back price increases deemed to be exorbitant. All price rises for January have not yet been announced, but overall and with the huge boost in food costs they are virtually certain to be far above the announced Nixon goal of 2.5 per cent by the end of this year. The time to use the big stick is right now.

THE LEGACY OF COPERNICUS

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. NEDZI. Mr. Speaker, one of the greatest names in Polish history is Mihola Kopernik, or Copernicus.

The remarkable life and discoveries of Copernicus, born 500 years ago, were brilliantly illuminated in a speech given by Walter J. Kapryan, NASA Director of Launch Operations, at a banquet in Detroit a few weeks ago. All of us present felt enlightened and even ennobled by Mr. Kapryan's address and, under leave to extend my remarks, I set it forth for the RECORD:

SPEECH GIVEN BY WALTER J. KAPRYAN, DIRECTOR OF LAUNCH OPERATIONS, NASA–KSC, AT THE COPERNICUS OBSERVANCE COMMITTEE BANQUET HELD IN DETROIT, MICH., ON FEBRUARY 18, 1973, TO HONOR AND COMMEMORATE THE GREAT POLISH ASTRONOMER, NICHOLAS COPERNICUS (MIKOLAJ KOPERNIK) ON THE 500TH ANNIVERSARY OF HIS BIRTH

(NOTE.—The speech was prefaced by introductory remarks directed to the banquet audience and are not included herein.)

Copernicus was born during a time of great change. The world had just emerged from the Dark Ages, from centuries of stark oppression and feudal dictatorship. A mental, moral and spiritual resurgence was underway. The Renaissance was in full bloom. It was a time of return to a purer faith, a time of return to the search for scientific truth, and a time of a rebirth of intellectual expression; and so, therefore, it was also a very trying and turbulent time. For as is always the case, there were many forces, the powers that be, within the church and without that were opposed to these changes and strongly resisted them.

In studying the life of Copernicus, I personally found it somewhat ironic that fate would assign to him the role of leadership in a significant element of this resurgence, for he was born into a family situation that allowed him to live a life of relative ease and luxury had he chosen to do so. Of course we all know that he did not do so. Born in Torun, Poland, on February 19, 1473, he was the youngest of four children of a prosperous merchant. When his father died in 1484, he, his two sisters and brother were adopted by their mother's brother Lucas Watzelrode, a priest who became Bishop of Ermland in 1489. About that time it was decided that Copernicus should be trained for the Church. He entered the University of Cracow in 1491. There he developed his initial interest in humanistic studies, mathematics, and astronomy. It is interesting to note that during this time, Columbus discovered the Western World. I am sure that this great exploration must have stimulated his spirit of adventure and at least to some degree influenced his later life. He left the University of Cracow in 1494.

Since his financial security was assured by his uncle, he was in a position to continue his studies which he chose to do. He went to Italy in 1496, to attend the University of Bologna. There he studied Canon law to prepare for an administrative career in the Church. However his dominant interests remained in the fields of mathematics and astronomy, and he became closely associated with other scientists of the day.

He was appointed Canon of the Cathedral of Frombork (or Frauenburg) in 1497, but he obtained a leave of absence to continue his studies. In 1500 he visited Rome to give a series of lectures on mathematics. In 1501, he returned to Ermland and was granted another leave of absence to continue his studies, but this time in a new field, that of medicine. The thought was that as an official of the Church he should be able to minister to the physical as well as spiritual well being of his constituents. He studied medicine through 1505, with a break in 1503, to complete his doctorate of Canon Law.

Copernicus returned to Poland in 1506. By this time he was one of the most highly educated people in Europe. He was a humanist, learned in Latin and Greek, and was an expert in mathematics and astronomy. He was also a Doctor of Canon Law and a physician.

Until 1512, he served as personal physician to his uncle. Upon his uncle's death in that year, he finally assumed full time duties as Canon at the Cathedral of Frauenburg, and served in that capacity for the remainder of his life. While there he introduced significant monetary reforms and continued his astronomical observations. He lived a full and productive life, and was renowned during his lifetime as a capable church administrator and physician. In many circles he was better known for these activities than for his work in astronomy. Within scientific circles however, he was recognized as a giant.

In 1514, he was invited by Pope Leo X to help reform the Julian Calendar which by that time was known to have serious inaccuracies. He declined the invitation on the grounds that more study of the relative motion of the earth, sun and the other planets were required before intelligent revisions could be made. Actually his reluctance was largely due to his concern over the philosophical impact of his later to be published "Helio-Centric" theory. His refusal to participate resulted in severe criticism from the Pope.

Copernicus continued his astronomical observations which were very remarkable considering the crude instruments available to him. The telescope had not as yet been invented. He augmented his personal observations with many others made by the earlier ancient astronomers. Finally his "Helio-Centric" theory was published. This theory disproved very clearly and concisely that the earth was the center of the universe. He defined to a high degree of accuracy the relative motions of the sun, earth, moon, and the other four known planets of that time (Mercury, Mars, Jupiter, and Saturn). An adjunct of his theory, a spin-off if you will, was another significant finding and that was that not all things felt towards the center of the earth. He postulated that by having mass, all bodies exerted a gravitational force and to varying degrees according to their mass. This was necessary to explain the orbital paths of the various heavenly bodies he studied. In the practical application of space exploration this finding is of extreme importance.

And so, what did and does all of this mean to us? To navigators it was of almost immediate benefit for very obvious reasons. Further his findings became the basis for finally defining the modern calendar in the 18th Century, the one we use today. With respect to the physical exploration of space it was not until the mid-20th Century that we were able to put these theories (and their refinements by Kepler, Galileo, Newton, and others) to a practical test. With the development of space boosters we were able to launch unmanned payloads initially into suborbital flights and then into orbital and deep space missions, to be followed by the manned missions of recent years that you are all well aware of. The fact that the earth rotates from West to East, another of the findings of Copernicus, has enabled us to launch payloads on easterly azimuths to physically take advantage of this rotation. Thus we were able to undertake our first steps in manned space exploration with the Mercury project that proved that man could exist in space, secondly with the Gemini project where we proved that man could function in Space. It was during this program that rendezvous in Space was first demonstrated. The development of the rendezvous technique was very vital to the lunar rendezvous maneuvers of the Apollo program. This together with the knowledge we were gaining with our unmanned satellites and deep space probes paved the way for Apollo.

During this decade we will undertake several missions during which unmanned spacecraft will fly by more than one planet. These flybys will take advantage of the gravitational pull of a given planet to alter their trajectories to fly by a second planet to make additional scientific observations, thus figuratively speaking, getting two for the price of one. This technique takes advantage of the findings of Copernicus relative to gravitational force and is called the sling-shot trajectory.

During Apollo we demonstrated that man could work and live in space for significant periods of time. The prime objective of Appollo, of course, was the manned scientific exploration of the moon. Apollo did achieve all of its major objectives, as is well known to all of you. The experiments left on the lunar surface by our intrepid astronauts will continue to give us additional meaningful information for years to come. They will help us understand the earth, its evolution and environment as we have never understood them before.

In August of 1972, the National Aeronautics and Space Administration dedicated one of its scientific satellites to the memory of Copernicus. It was the third and final "Orbiting Astronomical Observatory" to be launched by NASA. As Director of Launch Operations, I was in the blockhouse for the launch. Following the launch, I was privileged to address a distinguished group of Polish-Americans, a few of whom are in the audience tonight. The satellite is performing very well and already has achieved all of its major objectives which were a detailed study of ultra-violet radiation and X-ray sources in Space. These radiations affect our environment on earth. Therefore it is vital to increase our knowledge in this area. And so this satellite has given us a good start for the Copernican year.

In addition to the launch of the Copernicus satellite, August 21, 1972 was a very dramatic day for me personally. Having been up most of the night for the early morning launch, I went home a little early. I was by myself since my wife was enroute to Houston, Texas to visit our daughter and her family. Within five minutes of my arrival at home, in the midst of one of the most severe tropical storms I have ever experienced, a bolt of lightning struck nearby. The energy of the lightning strike induced an electrical fire in our master bedroom. I was able to contain the fire. Had I not been home at the time, I believe the house would have been destroyed. Ever since then, I have wondered whether the message from heaven was "Cease and desist these launches" or whether Copernicus was looking out for me and arranged for me to be home so that I could save our house. I prefer to believe the latter.

We are now preparing to launch a large laboratory into earth orbit, hopefully in May of this year. This project is called "Skylab". The laboratory will be visited by three separate manned crews of three men each for stays of 28, 56, and 56 days respectively. Many medical and earth resources experiments will be conducted, as well as solar and stellar astronomical observations made. Thus, we are just beginning to reap the benefits of the Legacy of Copernicus.

Neal Armstrong took a symbolic giant step for mankind in 1969, but truly the first giant step in Space was taken by Copernicus 500

years ago. And so, what we are celebrating tonight is much more than the anniversary of the birth of the man named Copernicus, rather we are celebrating the dawning of a new era. The "Age of Space" is truly the "Age of Copernicus" and is just beginning. The name of Copernicus or Kopernik will live forever.

CUTS AND BLUFFS FOR EFFICIENCY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. BOLLING. Mr. Speaker, following is an interesting article concerning President Nixon's request for education funds. It was written by Robert W. Hartman, senior fellow at the Brookings Institution, and appeared in the Washington Post of March 12, 1973:

CUTS AND BLUFFS FOR EFFICIENCY

(By Robert W. Hartman)

President Nixon's budget requests for education turned out about the way Christianity would have, if Jesus had been an efficiency expert: not much love or compassion on the big issues, but the sermons would start on time.

The first big issue that had to be resolved was how much money to devote to education. The administration's decision was to hold the federal budget steady, with increases in some education programs paid for by cuts in other education budget lines. On this decision, it is instructive to note that pay increases for military personnel are cited as an acceptable rationable for defense budget increases, that preservation to tax shelters for the rich is raised to sacrosanct status by the refusal of the administration to harbor thoughts of tax reform, while expansion of the federal education share is tossed into the Ash can of the New Federalism.

The second big decision was which of the administration's big promises in education to keep. The choice was as broad as the electoral majority: to propose a "revolutionary" program to provide "fair and adequate financing for our children's education" (State of the Union, 1972); to aid nonpublic schools; to provide an additional $1 billion for "schools in which substantial numbers of the students are from poor families" (anti-busing speech, March 1972); to guarantee that "no qualified student who wants to go to college should be barred by lack of money" (1970).

First, the fixed budget decision precludes the possibility of a revolution in public school finance. In order for the federal government to supply states with enough funds to induce them to reduce reliance on local property taxes, and to equalize expenditures among school districts, the federal share of education spending must obviously rise from its present miniscule 7 per cent to somewhere in the 20–30 per cent range. For this season the administration flirted with a federal value-added tax, but has apparently rejected the idea.

Second, the administration decided to back a tax credit for parents of children in nonpublic schools. These credits will be worth up to $200 per student for a middle American family, less for the rich and nothing for the poor. This program will cost $300 million per annum even if no private school raises its tuition; in all likelihood tuitions will rise and the program cost could double.

Third, the $300 for each inner-city child that President Nixon promised in his nationwide anti-busing speech last spring is nowhere to be found in his budget. The budget for Title I, the program that delivers services to the disadvantaged, is kept constant. Potentially more harmful is the fact that this program is to be made part of Educational Special Revenue Sharing (ESRS), the details of which are not yet available. At worst, ESRS could obliterate Title I entirely, by leaving the disposition of the funds up to states. That would be unspeakable; it is likely, administration spokesmen assure us, that Title I funds will be earmarked within ESRS.

Fourth, and more justifiably, the budget requests an enormous expansion in grant assistance to college students by starting up the new Basic Educational Opportunity Grant (BOG) program authorized by Congress in 1972. BOGs are to be funded at over $600 million for the academic year 1973–74 and nearly $1 billion the year after, possibly fulfilling the President's promise to guarantee access to college. According to administration estimates, about 1,500,000 post-secondary students would receive grants ranging from $200 to $1,400, depending on family income, by the BOG's second year.

Given all these big decisions—for college students, for Catholic middle Americans, against poor kids, against aiding states to reform school finance—well over $1 billion in cuts had to be found so as to keep total federal education spending in rein. Here is where the accountants did their job well. First, a number of obsolete programs were killed altogether. The most important of these was the part of the impact aid program which recompenses Montgomery County for the pain it endures from the presence of so many public school children with GS–15 parents. In addition, most teacher training programs and several college student aid programs, that partly duplicate the BOG program, are slated to bite the dust. Second, by consolidating a score of elementary and secondary education programs into ESRS, the budget proposal manages to make the whole equal a little less than the sum of the parts. Finally, the administration proposed to fund several new programs that Congress authorized last year at a very low level. Direct institutional grants to colleges are not funded at all, while a new program to aid desegregation problems receives about one-quarter of the amount authorized.

Once the big decisions are accepted it is hard to find major fault with the administration's sharp pencil men. Most of the program cutbacks are warranted either because the programs serve relatively low priority purposes or because they will become redundant, at least in part. Congressional critics of dismantling existing education programs have stepped into a well-laid trap of defending the indefensible. If all they can ask the country do for us is more Impact Aid, better to ask not.

But what kind of an administration is it that gives $200 per middle-income child in aid to a nonpublic school because church collections are down, rather than spend the $300 per poor child it alleges is an effective alternative to busing? How can anyone believe that $10 billion dollars a year lost in favorable tax treatment of capital gains is more important to the nation's future than $10 billion spent in enabling states to eliminate financial disparities among school districts? Congress must either organize to restore social balance or acquiesce to the efficiency experts.

TWO MEN, ONE VOTE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the U.S. Supreme Court in, a recent 5-to-3 decision, took the position that reapportionment for a State legislature does not have to follow the same pattern as that for the Congress.

We can all recall that in 1964 the Supreme Court enunciated the one man-one vote concept—however, the recent ruling by the subsequent Court accepted the plan approved by the House of Delegates of the State of Virginia, which has a 16.4-percent variance between the most and least populous districts.

The Supreme Court had previously thrown out a congressional redistricting plan for Missouri, which had only 6-percent variation.

These rulings make an interesting commentary on the evolution of the U.S. Supreme Court in legislating and decisionmaking. I place an article from the New York Times concerning this matter in the RECORD:

APPORTIONMENT: WELL, MAYBE TWO MEN, ONE VOTE

WASHINGTON.—Of all the judicial milestones that his Court erected, Chief Justice Earl Warren regarded as most significant the 1964 decision that radically revised American politics by insisting that each voter was entitled to the same amount of leverage in choosing his representatives. And at least one national leader of the American Bar Association believes that this "one-man, one-vote" concept was the most important contribution of the Supreme Court in this century.

But the present Supreme Court, with four appointees of President Nixon replacing members of the Warren bench, does not seem to feel quite the same reverence for this landmark. Strict adherence to the principle, a new majority said last week, was really not all that necessary.

The case decided by the Court, on a 5 to 3 basis, involved the Virginia Legislature, which had drafted a reapportionment plan with a discrepancy in the House of Delegates of 16.4 per cent between the most and least populous districts.

A three-judge district court panel, relying on the "absolute equality" standard of earlier Supreme Court decisions, threw out the Virginia legislative districts on the ground that the political power of voters in the largest districts had been unconstitutionally diluted compared with the smallest.

But the Supreme Court, with President Nixon's appointees casting three of the five majority votes, dismissed a district court substitute plan with a 10 per cent variation and reinstated the Legislature's lines. In relaxing the rules, they made these two points:

State Legislative districts can be more flexible on population variation than Congressional districts because there are more of them in a state and thus less chance of submerging any one locality in a district dominated by others.

Strict adherence to the one-man one-vote requirement of equal districts can give way before "the rational state policy of respecting the boundaries of political subdivisions," drawing the lines so that counties and cities are not split up among different districts.

Before Tuesday's decision, the Court had rejected a 1967 Florida legislative reapportionment plan with a top-to-bottom variation of 26 per cent. In 1969, it invalidated a Congressional district plan for New York with a 13 per cent variation and one for Missouri with only a 6 per cent variation.

Now it is hard to say how far the old standards have been relaxed. Legislative districting plans with about the same discrepancy as Virginia's have been invalidated by lower courts in Connecticut, Iowa, Texas, Louisiana, Alabama, North Dakota and Kansas. Most of the cases are headed for

Supreme Court review. Connecticut, for example, will attempt to revive before the Burger Court this week an apportionment with a maximum variation of 8 per cent in the lower house and 2 in the upper.

Politically, the decision was intriguing. Associate Justice William Rehnquist, one of the two newest Nixon appointees, wrote the majority opinion. He was joined by two more of the President's choices, Chief Justice Warren E. Burger and Associate Justice Harry Blackmun. The fourth Nixon justice, Lewis Powell, is a longtime figure of influence in Virginia politics and chose not to participate in the case.

The other votes for relaxing the one-man, one-vote formula were cast by justices who tend to swing between liberal and conservative positions: Justices Potter Stewart and Byron White. The dissent came from the residual liberal hard-core: Justices William Brennan, William Douglas and Thurgood Marshall.

Ironically, in the 10 years it has been in effect, the one-man, one-vote mandate has not been as revolutionary as some conservatives originally feared. Instead of delivering Congress and the Legislatures from rural control to the city bosses, it has tended to give a new balance of power to Republican, if not altogether conservative, suburbs.

NEW ANTISOCIAL SERVICES REGULATIONS MUST BE OPPOSED

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. WON PAT. Mr. Speaker, on March 19, a new set of regulations proposed by the Department of Health, Education, and Welfare will go into effect; regulations which will permit HEW to defy congressional mandates to assist the elderly, the poor, the mentally retarded, and thousands of children across the country.

If these new regulations are permitted to be enforced, the administration says that a saving of over $700 million will be realized. While I cannot argue that these regulations will result in HEW's spending $100 million less on social services, I do argue with a philosophy which implies that depriving our needy, our parents, and our children of desperately needed assistance is actually a "saving."

When Congress enacted legislation in the past to help our people who needed assistance, compassion was one of the main reasons for its action. Now we are being told that balancing the budget apparently has a higher priority than our obligation to help those who are less fortunate.

On February 22, 67 other Members of the House and I jointly signed a letter to HEW Secretary Caspar Weinberger, asking him to rescind his Department's proposed regulations which would have:

First. Repealed existing provisions allowing donated private funds or inkind contributions to be considered as the States' share in claiming Federal reimbursements;

Second. Cut from 5 years to 6 months the definition of a welfare recipient;

Third. Setting strict new income limitations on welfare recipients; and

Fourth. A number of other regulations which will result in a drastic cut in the ability of local agencies to provide social services. The new regulations will also eliminate Federal standards for child care and for fair hearing procedures.

In supporting a rollabck of these regulations, I am not condoring a continuation of programs which needlessly spend the taxpayers' hard-earned dollars. I am certain that every one of my colleagues in Congress would fully support any wellthought out program which provides the services that our people need, and yet eliminates wasteful spending.

But Congress has determined that the social services programs which HEW now proposes to eliminate or seriously cut back are desperately needed by the underprivileged of our country. And, I believe that Congress, as the popularly elected representative body of the people, has the right and the obligation to determine how best to use Federal funds for the good of our people—all of the people, and not just the privileged few.

Inasmuch as it does not appear that the administration is willing to withdraw its attack on social service programs, I am pleased to join with Congressman OGDEN REID and a number of our colleagues in the House in support of legislation which will write into the Social Security Act specific model regulations which will spell out exactly what Congress has in mind for the future of social service programs, and further mandate spending limits and eligibility requirements.

I trust that this worthwhile legislation will be given prompt and favorable consideration by Congress, if we are to head off yet another assault on congressional prerogatives.

LIKE COMRADE IVAN, LIKE SON

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. RARICK. Mr. Speaker, Soviet apololgists continue to make excuses for the numerous treaties and agreements broken by the Russians as simply "repudiations of political documents." These same people would have you believe the line that goes: "after all, the Russians are individuals just like we Americans, and while we may not have faith in their political leaders, the individual Russians are trustworthy, and on a people-to-people basis we can believe them."

Last September, following the vote on the SALT talk agreements, I was contacted by members of the Soviet press requesting a TV and radio interview. Supposedly, the interview was for broadcast to the Russian people to give them an explanation of my opposition to the SALT agreements.

I agreed (person to person) that I would give the interview to three Soviet newsmen, providing they would subsequently supply me with a copy of the film to be shown on their national TV and a copy of the radio interview tape.

I was aware that the film and radio recordings were to be sent to Moscow to be processed, and there would be some delay before I would receive my promised results of the interview. That was in September. This is March, 6 months later. After repeated calls to the local office without any success I now realize that the word of an individual Russian is no better than that of his Communist political masters. The Soviet newsmen work out of the local Soviet Embassy. The promoters of the "people-to-people relationship" theory fail to understand that the Soviet individual is not a free individual as are we Americans. But rather he is owned lock, stock, and barrel by the one omnipotent party that enslaves his people.

I can only say to my colleagues who are aware that the Soviet Government will lie and cheat on its international commitments: beware of the individual Russian, because like Comrade Ivan, like son.

DR. FLETCHER HARDING

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. CORMAN. Mr. Speaker, recently the Freedom Foundation of Valley Forge presented Dr. Fletcher Harding with the George Washington Honor Medal. Dr. Harding, who is founder and minister of the Encino, Calif., Community Church, received this illustrious award for his sermon delivered on July 2, 1972, entitled "We the People."

His sermon says with moving expression many of the things I feel about this country. It speaks about the need for us to follow a dream, to have a goal, and that such a dream would help unite us as a nation. Dr. Harding's own words best describe this idea. A passage of the sermon reads as follows:

Once in a while in our own time, in a shredded civilization wherein much of the American dream and the initial intent of it has been lost and sacrificed to greed and to the worship of money and power to fear and to envy, a flash of the dream occurs. Such was the instance of the life of Martin Luther King. It is immaterial whether or not you subscribe to his thesis or believe in it, he was truly a great man with a great inspiration, but his power was in his dream.

In another passage of his sermon Dr. Harding spoke to the problems of today and the many opposing voices that are raised between and within political factions of our country. He said:

I hold that the open discussion of disagreement is a healthy thing. One of the sicknesses of our society is that someone made it unpopular to talk about politics and religion, and they are the two things that need more discussion than anything else so that the mystique of them does not become the property of a select few to impose prejudices upon peoples who are not knowledgeable.

I, too, favor the discussion of all our problems. Dr. Harding's life has been a continued effort to promote such dialog. His tribute in receiving the Freedoms Foundation award for "We the People"

is well-deserved. I sincerely hope that this country can find the dream he spoke of so eloquently.

SEARCHLIGHT ON RICHARD NIXON: THE LESSONS OF SIX DECADES

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. SPENCE. Mr. Speaker, a recent article by Mr. Ernst Cramer in the January 28 issue of the West German newspaper Welt am Sonntag, has come to my attention. This is an exceedingly thought-provoking article reviewing the pattern of compromise and confrontation over the past 60 years in world politics and suggesting its lessons for the future.

It is also very useful in the "outside" perspective it provides. I think it is very important that our foreign policy be conducted not entirely on the basis of our own parochial perspective, but with an understanding of how our allies view things.

The thing that impresses me most about this article is its emphasis on the oft proven but largely forgotten maxim that peace does not flow from weakness or withdrawal. As Mr. Cramer puts it:

More important than the ancient, long cherished wish for "peace for generations" is the iron will to "preserve freedom." A look back into history shows compromises with uncompromising opponents lead only to catastrophe. Only those who are prepared when necessary for the sake of freedom to sacrifice peace itself have the great chance to preserve both.

Mr. Speaker, I submit Mr. Cramer's column in the RECORD at the conclusion of my remarks:

SEARCHLIGHT ON RICHARD NIXON: THE LESSONS OF SIX DECADES

(By Ernst Cramer)

This January the re-elected President of the United States of America promised in his inaugural address a "structure of peace" which would outlast not only America's 200th birthday on July 4, 1976 but also "generations to come." The same month Richard M. Nixon himself celebrated a round-figure birthday, his 60th.

On the threshold of the President's seventh decade it is appropriate to look at his earlier ones. The retrospect can sharpen the eyes to perceive what the future demands; it can clear up the question whether many of the high hopes in Nixon's speech can be more than mere rhetoric; whether the scattered seed of friendship between the peoples of the earth "despite profound differences between systems of Government" can take root in the rough winds of reality.

When Nixon was born in 1913, all seemed right with the world. Shortly after, the first of the four wars began of which the President said that America had "fought not for selfish advantage, but to help others resist aggression."

By Nixon's tenth birthday America had long withdrawn again from sharing responsibility for a reasonable state of order in Europe. The consequences were as could have been expected: In Germany inflation raged on an unimaginable scale, and a man named Adolf Hitler attempted the violent overthrow of the democratic Government. Menetekel stood written on the wall.

Then in 1933 it happened: Hitler became Chancellor of the Reich with dictatorial powers. On the other side of the world also menacing signs appeared: Japan left the League of Nations and waged a persistent campaign of expansion against China.

In America, where Nixon was working his way through university, the newly elected President Franklin D. Roosevelt began his successful campaign against the depression.

Another ten years later, in 1943, war was raging again. Hitler, having first signed a pact with the Kremlin, aiming at joint conquests, had attacked Russia. Hostilities took a dramatic turn when the German Sixth Army was annihilated at Stalingrad.

Nixon was an officer with the US Navy in the Pacific. And at two summit conferences portentous decisions were taken:

At Casablanca Roosevelt and Winston Churchill resolved to accept nothing short of unconditional surrender by Germany; this probably prolonged the war by many months.

At Teheran Churchill and Roosevelt conceded the Soviet dictator Joseph Stalin the so-called Curzon Line as the Soviet Union's western frontier. The consequences—the advancement of Poland's frontiers far into German territory—have to this day not been overcome, despite the West German Government's treaties with Moscow and Warsaw.

In 1953, another decade later, Nixon was on the threshold of power. General Dwight D. Eisenhower chose him as his Vice-President.

The Second World War was over, but a new world-wide menace was abroad—Communism. In Asia it had already led to the first war, in Korea. The seeds for the second, in Vietnam, were already sown.

In Europe the war-time alliance between Russia and the Western Powers, which had saved the Soviet empire from defeat, had decayed. The Cold War had broken out.

On June 17 workers in East Berlin and parts of the Soviet Zone of Occupation (East Germany) rebelled against the communist regime. Joseph Stalin died the same year.

Again ten years later, Nixon, now 50, seemed at the end of his political career. In 1960 he had lost the election for the Presidency; in autumn 1962 he had failed to win the Governor's seat in his home state, California.

President John F. Kennedy had at first hoped that he could talk to Nikita Khrushchev as an equal. Soon after came the Berlin Wall. But in 1962 Kennedy successfully put a stop to his Soviet opponent's attempts to install rocket bases on Cuba.

After a triumphal tour of Europe—"I am a Berliner!"—1963 brought the young President to the zenith of his popularity; a few months later an assassin shot him dead. Lyndon B. Johnson succeeded him.

In the intervening years Richard Nixon was at first, in 1968, only barely returned to power. But 1972 brought the overwhelming victory of his second election to the Presidency.

Nixon's entry to the White House was mainly facilitated by the nonsuccess of his predecessor. Johnson had booked great accomplishments in the early stages of his Presidency. In the field of social policy he achieved more than any previous President. But the engagement in Indochina inherited from Kennedy, (who had entered it, without doubt, for reasons of responsibility in world politics), the Vietnam war had turned the "Great Society," which the Texan Johnson wished to establish in America, into a nation torn by dissent.

The heritage of Vietnam overshadowed Nixon first four years in the White House as well. Only now, at the beginning of his second period of office, does the shadow seem to have been overcome.

The President has four more years before him. What will he make of them?

In his inaugural speech he described 1972 as the year in which "the greatest progress since the end of World War II toward a lasting peace in the world" was achieved. With America's fixation on Vietnam that statement may seem understandable.

But does this apply to the rest of the world, to Europe especially? Four weeks ago it was stated in this column that 1972 had brought the Kremlin its greatest successes in international politics since 1945, a development which certainly does not serve peace. Nor can the Soviets' future plans be given a common denominator with Mr. Nixon's inaugural rhetoric. That is the crude reality.

More important than the ancient, long cherished wish for "peace for generations" is the iron will to "preserve freedom." A look back into history shows: compromises with uncompromising opponents lead only to catastrophe. Only those who are prepared when necessary for the sake of freedom to sacrifice peace itself have the great chance to preserve both.

BUDGET SIGNALS SHARP REVERSE IN U.S. DIRECTION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the Tennesseean, in Nashville, in a recent editorial, points out that the new Nixon administration proposed budget would, in effect, repeal a great body of progressive legislation passed during Democratic administrations.

The editorial also correctly concludes that the basic issue in reviewing and considering the budget by Congress will be in the setting of priorities—as we all favor effecting as much economy in Government as possible.

A principle at issue in considering the budget is where will the money be spent—for huge Defense outlays with a new Defense budget recommendation up more than $4 billion, even though the war in Vietnam is over; foreign aid, including reparations to North Vietnam; or for domestic programs and domestic needs.

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

The editorial follows:

[From the Nashville Tennesseean, Jan. 30, 1973]

MR. NIXON'S BUDGET SIGNALS REVERSE IN U.S. DIRECTION

President Nixon has dropped his budget blockbuster on the Congress and the nation. If it stands, neither will ever be the same again when the upcoming battle ends.

The proposed fiscal budget totals $268.7 billion, which is an increase over spending in the current year of about $19 billion. It carries a deficit of about $12 billion, assuming the administration is not overly optimistic about revenue.

President Nixon said his budget will help the country toward "a new era of progress," but millions and millions in this country can reasonably ask, "progress for whom?"

This budget asks the repeal of major social initiatives of the Truman, Eisenhower, Kennedy and Johnson years.

It strikes at dozens of educational programs, at housing, health programs, urban renewal, agriculture, anti-poverty programs and economic development for depressed

areas such as Appalachia. The White House has already confirmed plans to dismantle the offices of Economic Opportunity, Emergency Preparedness, Science and Technology and the National Aeronautics and Space Council.

Scores of categorical grant programs will be ended. Welfare assistance will be tightened substantially. Payments for health care will be increased, along with other bad news for the poor, the aged and the infirm.

The President noted in his budget message that spending for some programs will be increased. This includes pollution control, funds for fighting crime and drug abuse, research for energy, and money to fight cancer and heart disease.

The big increase, naturally, is defense spending. Mr. Nixon is asking a defense budget of $81.1 billion—a $4.7 billion increase over the current budget—despite the ending of the Vietnam conflict. About $7 billion was budgeted for that war in 1972. Thus, any "peace dividend" has not only vanished, but the budget for defense will go even higher.

In cutting or dumping a whole raft of social programs, President Nixon didn't argue that some have fulfilled their usefulness and ought to be ended, or that others still aren't working well. He said, in effect, there were just too many social programs and the flow of power ought to go back to the States and cities.

And his chief argument in support of erasing major social programs of three decades was that spending had to be held down in order to prevent a tax increase on the people.

Federal Government, he said, has simply been doing too much and it is time now to return the decision-making process to the States and cities where there can be increased self-reliance.

And to facilitate that the President expects the States and localities to lean on revenue sharing. Beyond this, he evidently expects the States to place greater reliance on their own tax bases.

Thus the budget document represents an abrupt shift in direction for the Federal Government. It also signals a change in priorities, and the difficulty is that the public generally is left without much to say about the new directions.

The well-to-do in this country will doubtless be pleased. The budget avoids a tax increase and will not otherwise materially affect them. But many Americans still lack the necessities for a tolerable life; food, shelter, health care, education and job opportunity.

It is unrealistic to assume that States and localities are going to proceed either with wisdom or compassion in allocating revenue sharing to human needs, or in taking over social programs from which the White House is now in retreat.

All one has to do to get the idea is simply to observe the arguments now going on in cities and States on how and for what current revenue sharing funds will be spent. And, once again, the citizens are not given much opportunity to voice their opinions or help decide their own future.

With categorical grants being swept away right and left and with only the reality of some revenue sharing money left, it ought not to be difficult to figure what the politicians will ultimately do with it.

The battle will now be joined between the President and Congress, and perhaps less on the issue of how much to spend than on what the priorities of the Nation ought to be.

A whole series of Democratic congresses have put domestic needs at the head of a list of goals for a nation. The Democrats now see a broad range of that landmark legislation under the gun, and that is why the battle of the budget promises to be a titanic struggle.

TOY SAFETY IN MICHIGAN

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ESCH. Mr. Speaker, I believe that my colleagues in the Congress share my own concern that we are not doing enough to move forward and carry out the intent of the Child Protection and Toy Safety Act of 1969.

The Public Interest Research Group in Michigan has done a well-documented summary which indicates the progress that has and has not been made up to this point. I commend this paper to your attention:

TOY SAFETY IN MICHIGAN—A PIRGIM REPORT

Toy safety has gained more attention this year than ever before. The press has cooperated with the Food and Drug Administration's Bureau of Product Safety by publishing warnings and safety guidelines for the benefit of parents and other holiday toy shoppers who want to give joy, not injury or death, to the children they love. Some newspapers have even reprinted the government's "Banned Toys" directory as a sort of negative shopping guide, or announced its free availability from the FDA.[1] Television and radio stations have featured similar public service coverage.

Given all this recent attention to a problem that has been injuring or killing around 700,000 children a year,[2] PIRGIM set out to sample progress in toy safety in Michigan. We were seeking answers to four questions:

1. Are stores living up to their obligation to keep off their shelves the toys officially banned by the FDA?

2. Is the FDA "Banned Toys" list adequate as a guide to toy safety? Can the conscientious parent or retailer be confident that toys *not* listed there are reasonably safe?

3. If not, are stores selling any toys not yet officially banned but similarly unsafe under testing standards set by the FDA? In other words, have retailers set up their own safety-screening procedures?

4. Is the FDA vigorously enforcing its ban on toys it has listed as unsafe, inspecting outlets to insure banned toys are off the shelves and compelling manufacturers, importers, and distributors to cease shipments and recall previously shipped items?

METHODOLOGY AND LIMITS OF STUDY

To find answers to these questions we sent 34 people unannounced into toy departments of 29 stores in major shopping areas of the state. These surveyors included college students from the University of Michigan (Ann Arbor), Michigan State University (East Lansing), Oakland University (Rochester), and Grand Valley State Colleges (Allendale), and several adult friends, all listed in Appendix I.

For the researchers' convenience, we chose stores in Detroit and its suburbs, the Pontiac-Rochester area, Ann Arbor and environs, the Lansing-East Lansing area, and the Grand Rapids-Holland area, between November 15 and 25, 1972. We provided the volunteers with copies of the August 31, 1972, edition of the FDA "Banned Toys" list, an internal memo used by FDA inspectors called "Criteria for Evaluating Hazards in Toys," and a concise summary of the provisions of the Child Protection and Toy Safety Act of 1969 prepared by PIRGIM's legal director.

We tried to choose a fair sampling of the various types of toy outlets found in Michigan. We selected toy stores, the toy departments of variety, discount and department stores, and even a grocery store. The sampling ran the gamut from the relatively exclusive FAO Schwarz to the everyday Woolworth's. The stores were situated in such diverse locations as center-city Detroit, downtown Holland, residential neigehborhoods, and suburban shopping centers.

Our volunteer investigators were given no special training to supplement the literature we provided and their own previous toy shopping experience as parent, gift-giver, or ex-child. Since our volunteers lacked the training or experience presumably available to an FDA safety inspector, we believe they must often have overlooked hazards perceptible only to the trained eye.

Nor could they perform breakability tests as they went through a store, though we later subjected many of the items they purchased to the FDA's standard durability tests. However our budget and time allowed only a tiny fraction of the testing that would be necessary to find all hazards and we totally lacked facilities to test for electrical current leakage, fabric flammability, and other hazards.

As a result, we believe the findings of our survey reveal only the tip of a vast and ominous iceberg, and that for every hazard found by our investigators, a number of dangerous toys remain in these stores to injure or kill the unfortunate purchaser or recipient. Moreover, there are thousands of Michigan stores selling toys that we didn't attempt to survey. Thus, the findings reported in this paper are merely suggestive of the actual extent of the problem of unsafe toys in Michigan.

FINDINGS

Our volunteers' findings are detailed store-by-store in Appendix II. This listing is divided into three categories: group A for toys already listed on the FDA "Banned Toys" list of August 31, 1972; group B for those toys clearly bannable but not yet on the list; and group C for those toys with hazards the FDA has yet to act upon but which are clearly within the scope of the Child Protection and Toy Safety Act of 1969. Group C also includes toys which appear hazardous but need more extensive testing than we were able to do.

Considering the seriousness of the continued sale of banned toys, we expected to find few if any. In fact, we found 22 banned toys in 12 stores. No geographical area was immune. The continued sale of these items is an indisputable indictment of store owners' lawlessness as well as indifference to the welfare of children. In many cases, we found several different banned toys in the same store. Whether the violation is deliberate or careless, these merchants must be regarded as callous vultures who prey upon children in order to make a buck. The manufacturer or distributor is also indicted for not recalling toys banned as hazardous. In some cases, we found the same banned toy in several stores, suggesting little or no effort to remove it. And above all, the FDA Bureau of Product Safety is indicted for failing to carry out the mandate of the U.S. Congress to enforce the law designed to safeguard the lives of children.

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[1] For example, on Thanksgiving Day, November 23, 1972, the *Detroit News* enlightened its readers by devoting much of its "Accent on Living" section to a reprint of the list of 376 toys banned by the FDA in 1972. On page 23-C of the same issue, it published a picture and a long article about an obviously hazardous toy, a "Snoopy Dog" doll, meant for very young children, whose nose is attached by an easily exposed straight pin; the story reports that the FDA regional office to which the hazard was reported cannot ban sale of the toy until it undergoes "evaluation" in Washington, and the supplier of the imported toy feels no obligation to stop selling it or try to recall items sold but may "suggest to the manufacturer not to use the pins."

[2] Edward M. Swartz, Toys that Don't Care (Boston: Gambit Inc., 1971), p. 8.

In the second group we have listed toys which do not appear on the banned list but which undoubtedly should. They were found to have serious hazards substantially identical to those which caused other toys to be put on the list. There were 50 such items found in 16 stores. It is perfectly "legal" for a retailer to sell such toys until the FDA assumes its responsibility to ban these items, but we do not think it is ethical and we feel the consumer should know who these retailers are. Our finding these toys minimally suggests that the store has not initiated even a rudimentary safety-inspection effort in its toy department. Many of these unsafe toys were made by manufacturers who had numerous other similar products on the banned list. In some cases, we suspected a banned item had been slightly restyled without correcting the fault and put back on sale under a different model number—particularly in the instances of infants' rubber squeeze toys with easily removable squeakers, and rattles whose plastic cases easily break and reveal jagged edges or small parts which a baby may swallow or inhale.

With such evasion by manufacturers, it is quite apparent that the FDA Bureau of Product Safety (BPS) has been remiss in follow-up inspections of new versions of previously banned toys. Its failure to offer a specific public warning naming the manufacturer or distributor, or to ask a court to issue an injunction against the practice, poses a serious question of agency misfeasance.

In the third and largest group we have listed 245 toys from 26 stores. These toys are neither banned nor similar to those banned, but we nonetheless felt that they merited further consideration. Some are obviously and seriously dangerous, yet neither they nor any similar toys have been banned:

Our shoppers bought many spring-powered dart guns whose "safety" rubber tips readily come off, and which will shoot a pointed pen or pencil, placing a weapon in the hands of five-year-olds which can readily injure a playmate's or one's own eye;

They found bows with wooden arrows whose suction-cup tips remove to reveal a small, sharp tip which we easily shot through the side of a cardboard box, a hint of the damage they would do to a child's flesh;

We tested all sorts of toy electric irons, ovens, and other appliances likely to be used near water, which use full 110 VAC electricity and therefore pose substantial electrocution risk, and many of which also produce high enough temperatures on their outside surfaces to burn an unwary child;

We examined cap pistols and caps, as well as air rifles, labeled with warnings to use them only outdoors and never within one foot of anyone's ear, warnings not likely to be heeded by active children whose hearing may be endangered.

The third group in our lists also includes items that aroused the suspicions of our shoppers but whose hazards we were not equipped to evaluate. We list these because serious questions exist about them, and we believe they should be fully tested before they are offered for sale. We do not expect all of them to fail the tests; some are probably quite safe. But there is no way for us—or for the average toy shopper lacking even the information our volunteers had—to know which are safe and which unsafe.

CONCLUSIONS

1. Our volunteers found officially banned toys in 40% of the stores they visited, in all geographical areas surveyed. Retailers are not obeying the law.

2. The FDA "Banned Toys" list is a grossly inadequate guide to unsafe toys. It includes only a minute fraction of the dangerous playthings manufactured, imported, distributed, and sold for our children's use. For every banned item we found in stores, we found more than two that had identical faults but were not listed as banned, and whose categories of extremely dangerous toys are not listed at all.

Even if one could presume that the FDA list of "Banned Toys" were an exhaustive list for use by the consumer as a purchasing guide for toys, that list is nonetheless certain to frustrate the consumer from informing himself of banned toys. The list is categorized alphabetically according to manufacturers. The description of the unsafe feature is a mere two or three word general phrase such as "sharp objects," "small objects," or "sharp edges"—oftentimes meaning that these features exist only when the toy is broken. The unexperienced consumer has no way of knowing the exact nature of the danger, or whether the danger has been corrected and the product re-marketed under the same serial number.

Our surveyors were forced to scan the shelves of stores for toys with noticeably unsafe features, then look to the small print of the package for the name of the manufacturer and the serial number if there was any. In many cases they were unsure whether the item found in the store corresponded to that listed as banned, or was a different model. The description in the FDA list was grossly inadequate to inform them. In several cases, our researchers bought toys listed as banned, but found them redesigned to eliminate the fault yet still being sold with the same identifying names and numbers. Hence, toys which are "banned" according to the list are sometimes redesigned and safe, making the list doubly unreliable. The listings in this report include as "banned" only those definitely identified and found still to have the fault for which it was banned.

If the FDA list is to be at all useful to consumers, we believe distributors who correct the fault and continue distributing a formerly banned toy with similar identification should be required to label it, "This toy has been modified to correct the hazard which formerly caused it to be banned by the U.S. Government," or the equivalent.

3. Few retailers are doing much safety-screening of the toys they stock, as evidenced by the number of surveyed stores that had no banned toys but stocked unbanned toys with identical hazards. This is one case where mere compliance with the law is not enough.

4. There is little evidence that the FDA is enforcing its toy bans. Our volunteers found banned toys even in J. L. Hudson's Department Store in downtown Detroit—despite the newspaper reports that the FDA would concentrate toy safety inspection before Christmas in the Detroit area, where it has a regional office. Indeed, the FDA seems largely to have given up enforcing the law. It seems more interested in doing "public education" campaigns, which get its name in the newspaper as "protectors" of consumers, than in enforcing the law. The effect is to shift responsibility to the consumer to know about and avoid the dangerous toys in the stores, an impossible burden for most shoppers. The law contemplates the burden being placed on the distributor and seller. Under the Federal Hazardous Substances Act, anyone "knowingly" offering a banned toy for sale is subject to fine or imprisonment. We do not know of any prosecutions in Michigan or elsewhere.

By encouraging the public to use its "Banned Toys" list to avoid unsafe toys, yet failing to list toys with obvious and grave hazards, the FDA is abusing the trust of those who turn to it for guidance. It is noteworthy that most of the items listed by the FDA are either infants' toys which have removable small parts or which readily break and expose sharp edges or small pieces, or toys for small children which use sharp pins or breakable mirrors instead of readily available substitutes. The agency has so far failed to ban toys for which safe substitutes are less readily available (e.g., the dart guns and bow-and-arrow sets with removable tips). It has given promises and excuses but no action on electrical, thermal, noise, and flammability hazards. We are convinced that the pressures generated by $4-billion toy industry, which spends around $50-million a year on advertising alone, has been a significant influence in this outrageous record of agency inertness.

It is evident that the toy industry in Michigan, as elsewhere, contains more than its share of manufacturers and distributors and retailers who don't care if they kill children so long as they make money. It is evident that issuing warnings and guidelines to parents and other toy buyers is inadequate protection.

Unless we are willing to acecpt injuries caused by toys to 700,000 children per year—and death to 19,000—and this excludes those caused by playground equipment and bicycles, separate though serious problems—we must turn to government to regulate safety in the toy industry. Yet, after over two years' experience with the FDA's Bureau of Product Safety, death still stalks the toy shelves. The prospect that toy safety enforcement will be shifted under recent legislation from the FDA to a new, independent Consumer Product Safety Commission gives us little comfort if, as is common in government reorganization, the same people who proved their incompetence and indifference in the old bureau are transferred over to run the new one.

Our feeling, after discovering first-hand the deplorable state of toy safety in Michigan's toy stores, is that a new broom is needed.

OIL RECYCLING ACT OF 1973

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. VANIK. Mr. Speaker, hardly a day passes that we do not see another aspect of the energy crisis. It is not surprising: the energy industry is currently spending millions of dollars to inform the American people of our crisis. But this barrage offers no new solutions. Instead, we are told that the only way out of our present shortages is through a continuation of the costly policies of the past.

The entire issue of the energy crisis has been carefully stage-managed to lead us to the conclusion that growing subsidies to industry is the only answer. But the American taxpayer is already paying two to three billion dollars each year in tax subsidies only to find the heat turned off and the lights switched out. Continued preferential tax treatment to these corporations is a bad investment. It is time to review these subsidies with an eye toward how we can spend our money more effectively.

We must first move beyond a discussion of the policies which have proven in the past to be failures. We must begin to seek imaginative answers as to how we can use our precious, depletable fuels more effectively. With only 6 percent of the world's population we consume 33 percent of the world's resources. This exorbitant rate of consumption can be cut back significantly without jeopardizing our social and economic welfare.

THE WASTE OF USED OIL

As an example of these wasteful patterns of consumption, our Nation wastes fully one-fourth of its total production of lubricating fuels by failing to take advantage of existing oil recycling technologies. An active program of recycling used oil could reduce our needless consumption of petroleum and lessen the pressures to increase supply.

This is no "light switch" economy. Last year, over 2.3 billion gallons of virgin oil were used for industrial and automotive uses. Of this total, approximately 50 percent was consumed in use. The balance, approximately, 1.1 billion gallons, was available for recycling. Yet, the domestic refining industry has deteriorated in the last decade. Without the necesary refining capacity in environmentally destructing ways: road oiling, burning as fuel, and incineration.

Why should we be so concerned with recycling used oil? First, of course, we must be increasingly careful of how we use our vanishing resources. Stretching our consumption is only reasonable in view of our increasing difficulties of supply.

But there are more compelling reasons for recycling used oil. Direct disposal of waste oil creates environmental hazards with magnitudes we are only beginning to gage.

WATER POLLUTION

Because lubricating oils will not break down under the extreme temperatures and pressures for which they are designed, they do not break down when discarded into the environment. With the exception of recycling, virtually all "uses" found for waste or used oils are ecologically harmful. Oil dumped on the surface of the ground penetrates that ground; once this oil reaches the ground water tables, the water can no longer serve as a source of potable water supply. For example, in chalky rock or limestone areas, where ground water runs through fractures in the rock formation, there have been numerous cases where minute quantities of oil have irretrievably rendered wells unfit for human water use. Even if diluted to a ratio of one part of oil to a million parts of water, the taste of groundwater is affected by oil.

Annually 150 million gallons of used oil are spread on roads. Recent tests conducted by EPA, however, have indicated that used oil does not perform such dust suppression functions very well. It emulsifies quickly during rainstorms and washes off the road or penetrates into the ground. It appears that slightly larger initial expenditures to purchase an oil or other product designed specifically for road use would result in a substantial long-term saving and serve to reduce the environmental damage caused by such use.

Used oils which find their way into sanitary sewer systems inhibit bacterial growth at sewage treatment plants, and thereby decrease the efficiency of the plants. Oils entering receiving streams as effluents from sewage treatment plants, or directly from storm drainage systems tend to adhere to floating particulates in the stream and sink to the bottom. The resulting bottom pollution destroys bottom dwelling plants and lowers marine life—often irretrievably.

U.S. Oil Week quoted EPA's Harold Bernard on January 25, 1971, as saying:

> We polled [the Federal Water Quality Administration's] regional directors. Six of the nine indicated that used oil, dumped into sewers, is a serious problem in the sewage treatment plants and has caused fires in these plants, as well as caused treatment upheaval.

Beyond the evidence of environmental damage caused by the improper disposal of waste oil, there is an economic incentive to recycling. EPA's Bernard estimates that it may cost $1,000 to clean up a 100 gallon oil slick in a river. He concludes:

> That's $10 per gallon for a waste product that cost on the order of 5 cents per gallon to dispose of in an acceptable manner.

AIR POLLUTION

One alternative to dumping used oil is burning it for heat recovery. This creates a major air pollution problem, however, since the unrefined waste oils produce dangerous levels of metal oxides when burned. The January 1971 issue of Fortune magazine featured an article entitled "Metallic Menaces in the Environment." It quotes Dr. Henry A. Schroeder of the Dartmouth Medical School as saying:

> Pollution by toxic metals is a much more serious and much more insidious problem than is pollution by organic substances. Most organic substances are degradable by nature; no metal is degradable.

A study prepared for the Association of Petroleum Rerefiners, shows that more than 1,000 pounds of metal oxides are released whenever 10,000 gallons of used motor oils are burned.

Time has become an important factor to the entire issue of oil-waste recovery. The National Oceanic and Atmospheric Administration provided startling evidence recently of the extent to which careless disposal of used oil has contributed to the fouling of our ocean waters. Dr. Robert White, Administrator of the NOAA, reported:

> Oil globules and plastic debris in massive proportions infect nearly 700,000 square miles of blue water from Cape Cod to the Caribbean Sea, becoming part of the habitat of uncountable numbers of new-born blue marlin, tuna, blue fish, and other prized game and commercial species.

One of the ships conducting the survey, *Albatross IV*, reported that 75 per cent of the time its nets were befouled by oil clumps so thick they extruded through the nets, "like spaghetti."

Famed ocean explorer Jacques Cousteau feels the situation has gotten so bad that international control is needed to prevent further pollution. He concludes soberly, "If not, mankind will be defeated."

THE SOURCE OF THE PROBLEM

There are two basic sources of waste oil: automobiles and industry. The first category—waste automotive lubricants—includes all crankcase oil, transmission fluid, differential gear lubricants, and hydraulic oil.

Waste industrial oil includes a wide range of sources. They may be waste gear box oil from industrial machinery, waste heat transfer fluid, waste railroad lubricants, and the like. Waste industrial oil would also include metal-working lubricants originating in the manufacture of machinery articles. The table below summarizes national oil sales for the years 1967–71 with a prediction of 1975 levels of consumption. The figures are compiled by the EPA.

NATIONAL OIL SALES

Type	Percent changed [1] per year	Year (million gallons) 1967	1969	1971	1975 [2]
Auto	+0.9	1,032.0	1,051.0	1,071.0	1,107.0
Aviation	−9.9	13.1	9.9	8.4	5.9
Industrial lube oil	+1.17	699.1	781.2	726.0	751.0
Other industrial oils	+5.5	315.0	342.0	388.0	450.0
Auto and aviation grease [3]	−1.7	52.4	53.2	49.8	47.3
Industrial grease [3]	−.6	57.2	55.1	55.7	54.7
Total	+1.49	2,168.8	2,291.4	2,298.9	2,415.9

[1] Based on 1967–71 sales (average percent change per reporting period).
[2] Projected.
[3] Volume based on 9 lbs./gal. density.

From this chart it is possible to calculate in more specific terms, the extent of the waste oil problem. In industry, where there is an economic incentive to reuse previously used oil through in-house recycling, the rate of wastage is in the neighborhood of 29.6 percent of virgin oil consumption.

On this basis 300 million gallons of waste oil were produced in 1967, 330 million gallons in 1969, and roughly 330 million gallons in 1971. A projected 355 million gallons will be produced in 1975.

With automobiles the rate of wastage is much higher; there is not the economic incentive to recycle that there is in an industrial process. On the basis of 66 percent wastage, there was approximately 680 million gallons of waste auto lube oil in 1967, 690 million gallons in 1969, and a projected 730 million gallons for 1975. That means that by 1975, each registered vehicle in the United States will be pro-

ducing over 6 gallons of waste oil each year.

OIL RECYCLING: FEDERAL DISINCENTIVES

The real environmental problem presented by the improper disposal of these wastes underlines the need for positive incentives to insure that waste oils are not merely dumped onto the ground or into sewers, or incinerated before the dangerous contaminants are removed.

There were approximately 150 used-oil re-refiners in the United States in 1965; today there are 48. Domestic re-refining capacity has shrunk from 300 million gallons in 1960 to about 150 million gallons today. A few years ago it was generally profitable for re-refiners and independent used-oil collectors to pay several cents a gallon for used oil; today those seeking to dispose of used oil often must pay several cents per gallon to have it hauled away. What has caused this drastic decline in the oil recycling industry at a period when concern for the Nation's environment has grown tremendously? The answer, as with many recycling problems, appears to be largely a product of the adverse actions of the Federal Government.

In 1965 the Excise Tax Reduction Act leveled a double-barreled blast at the re-refiners. Before that time there had been a 6-cent-per-gallon tax levied on the manufacturer of lubricating oil which was paid by the first user of that oil. Since re-refiners were exempt from paying this tax—the tax on the original oil had already been paid—the net result was a 6-cent-per-gallon competitive edge. The Internal Revenue Service changed all that in 1965, when it ruled that since these funds were to go into the Highway Trust Fund, off-highway users, notably railroads, could be refunded their full tax payments at the end of the tax year when they purchased 100 percent new lubricating oil. The IRS also refused to allow tax refunds on any new oils that were used in blending re-refined oil. Thus the re-refiners lost their 6-cent-per-gallon margin in competing for the off-highway user market, and were required in addition to pay the 6-cent-per-gallon excise tax on all new oils purchased which are necessary in the re-refining blending process.

Also in 1965, the Federal Trade Commission ruled that all containers of re-refined oil produced for sale to the public had to be prominently labeled "previously used." While a true description as far as it goes, the obvious connotation of inferiority quickly plummeted retail sales of re-refined oil to half the previous level, and the industry never recovered its share of this massive consumer market.

The effect of the FTC ruling was increased by the lack of any objective methods for comparing recycled oil with new oil. Neither the Federal Government nor private oil interests have ever developed general performance standards or economically feasible testing procedures for new oils—let alone recycled oil—a failure which has largely frustrated the recyclers' efforts to convince the public of their products' comparative worth.

Another result of this lack of comparison testing is the current Federal procurement policy that all Government purchase oil must be new regardless of the quality of rerefined oil. This policy has the effect of reducing the available outlets for rerefined oil, not only from Federal Government use, but also from many municipal, State and private users who buy lubricants on the basis of these specifications.

TECHNOLOGICAL OBSTACLES

There are other, technological problems which discourage the rerefining of used oil. The increased use of additives, while increasing the life of virgin oil, creates difficulty in the rerefining process. The very nature of these additives—ability to withstand high temperatures, great pressure, and chemical deterioration—makes them difficult and costly to remove from used oil.

There is no easy way out of the difficulties presented by additives in oil. We may find that certain additives will limit the range of end uses for certain types of rerefined oil. Perhaps we should begin to discourage the use of new additives unless their total benefits outweigh the total costs, including those to the recycling industry.

The final reason for the decrease in the amount of used oil actually recycled is environmental. Conventional rerefining technology yields a high percentage of acid sludge and other solid waste byproducts. These byproducts may account for up to 30 percent of the total oil processed. The rerefining industry is finding that these unrefinable sludges pose a serious waste disposal problem. In short, they cannot be disposed of without further treatment, necessary to meet Federal and State pollution laws.

Nonetheless, techniques are presently being developed to significantly reduce the amount of sludge residue that results from the reprocessing of used oil. These new techniques offer hope that the capital and operating costs associated with the disposal of waste residues will not render the recycling process uneconomical in the future. Specifically, research has revealed that the percentage of acid sludge residue can be cut to as little as 5 percent of the volume of the used oil processed.

In light of the enormous problems created by waste oil and its improper disposal, I am preparing to reintroduce legislation, the Oil Recycling Act of 1973, which is designed to correct and eliminate many of the problems which I have outlined. During the coming weeks, I will be circulating this bill among the Members of the House, in the hope that they will join with me in supporting this important environmental and energy conservation proposal.

LYNDON B. JOHNSON

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1973

Mr. CLARK. Mr. Speaker, history will record the late Lyndon B. Johnson as a great President, a great humanitarian, and a forceful leader of his Nation in a time of great crisis.

As a Member of the House and as majority leader of the Senate, Lyndon Johnson was a zealous guardian of the rights and prerogatives of the legislative branch of our Government. As President, he respected the legislative processes.

Although he was known as a rough and tough politician who knew how to get results when toughness was needed, he was a great persuader whose sincerity was convincing. He was self-sacrificing to the extent that he voluntarily gave up the most powerful office in the world—that of President—when he failed to obtain a just and lasting peace in Vietnam.

Lyndon Johnson was the champion of the little man and the underprivileged and he pushed through Congress a mountain of legislation to help them. He fought for justice and equality for all Americans. It can truly be said that Lyndon Johnson, the man and the leader, as as big as his native State of Texas.

DANGER IN ENDING FARM SUPPORTS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ZWACH. Mr. Speaker, the people of our Minnesota Sixth Congressional District are gravely concerned about suggestions that farm support programs be discontinued when the new farm bill is passed.

This is a very serious problem and it is the subject of many news stories and editorials in our predominantly rural area.

One of the most knowledgeable of such articles recently appeared in the West Central Daily Tribune at Willmar and was written by Wesley B. Sundquist, head of the Department of Agriculture and Applied Economics at the University of Minnesota.

Since editor O. B. Augustson of the West Central Tribune said that not many articles from the university concern themselves with the problems of the countryside, this story takes on special significance.

Because farm legislation is being discussed at this time, with your permission, I would like to insert Mr. Sundquist's article in the CONGRESSIONAL RECORD and urge my colleagues to read it and remember its implications.

FROM EXTENSION SERVICE OF UNIVERSITY OF MINNESOTA

Phasing out government support payments may not be too painful for farmers during the current period of strong market demand and favorable prices, Wesley B. Sundquist, head of the Department of Agriculture and Applied Economics at the University of Minnesota, said.

But, should a combination of weaker market demand and high supplies reduce commodity price levels, farmers certainly will miss the two or three billion dollars in government payments which they have become accustomed to in recent years. Many would

also miss the price and income stability which farm programs have produced, he added.

The Nixon Administration this past week proposed to begin phasing out payments made to farmers for commodity price supports and for complying with acreage planning restrictions starting when current farm legislation expires after the 1973 crop year. If the phaseout is implemented, it would be the first time in recent decades that U.S. farmers' incomes have not been substantially augmented by government payments.

"The current proposal for phasing out income payments appears to be similar to legislative proposals brought forward several times during the 1960's but never enacted into law. And, though farmers voted decisively to reject mandatory acreage controls in the 1960's, a majority of farmers and farm organizations appear to have favored some type of voluntary programs which included price supports and payments for restricted plantings.

"The proposal for payment phaseout comes at a time when there is strong demand in world markets for wheat, feed grains and soybeans. As a result, prices for these farm commodities are at or near their highest levels in recent years. In addition, it is expected that the set-aside acreage in 1973 will be only 20 million acres nationally, down from about 60 million acres in 1972. Despite this major increase in cropland use in 1973, price prospects remain very strong for soybeans because of severe protein shortages in world markets. Wheat prices also are expected to hold at strong levels through 1973. However, should the poor weather of the recent past in Asia and Eastern Europe improve, larger world food grain supplies, particularly of wheat, could result in lower feed grain prices by 1974. A large corn crop this year could result in lower feed grain prices by as early as this fall.

"The administration proposal also calls for the elimination of price supports for dairy products. As in the case of grains, recent market strength has brought milk prices to levels well above current supports. However, most analysts are uncertain as to whether the strong market for milk and some other dairy products will continue over the next several years. Should the demand for dairy products weaken and milk production continue to increase, milk prices could come under considerable pressure," Sundquist said.

U.S. FIRE ACADEMY

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. STUCKEY. Mr. Speaker, today I picked up the March issue of the International Fire Fighter magazine and saw the headline "20th Massachusetts Member Killed in Line of Duty in 14 Months."

This points up once again the fact that firefighting is the most hazardous occupation in this country. In 1971, professional firefighters suffered 59,976 injuries on the job. During that same year, 106 men were killed in the line of duty. There are four times as many deaths per 100,000 firefighters as among nonmanufacturing workers and nearly nine times as many work-related deaths as manufacturing workers.

Antiquated techniques and lack of an efficient way to channel new advances to the local fire station are responsible in part for these statistics.

Thus, I am glad to be cosponsoring legislation today that would help attack this problem by setting up a U.S. Fire Academy to train firemen throughout the country in the latest fire combatant techniques.

With all the great technology that this country has, we should certainly be putting some of it to use in further improving our Nation's firefighting abilities.

SPEAKER ALBERT ABLY LEADS FIGHT FOR STRONG CONGRESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I was most impressed recently with your powerful and cogent arguments at the recent Time magazine dinner on the vital importance of returning and restoring powers of the Congress which have been eroded over the years to the executive branch.

At this dinner meeting when the issues of the crisis in Government and erosion of congressional powers were debated, Speaker ALBERT by all measurements of the applause meter won the debate.

The Congress needs strong, affirmative leadership, especially at this time—and this is the type of leadership Speaker ALBERT is providing.

Because of the excellence of your address and because of the interest of my colleagues and the American people in this most timely and important matter, I place your remarks in the RECORD herewith.

Speaker ALBERT's remarks follow:

ADDRESS BY REPRESENTATIVE CARL ALBERT

I congratulate Time for the energy and effort it is putting into the business of the relationship between the Executive and the Legislative Branches of our Government and particularly the emphasis that it is trying to place upon the Congress.

In the very first paragraph of the very first issue of Time magazine, March 1923, that now-illustrious periodical said:

"The man who was elected President by the largest plurality in history has been reproved by a Congress controlled by his own party."

This observation made on the birth date of Time magazine points up, perhaps, that the differences presently separating Congress and the President are not new but are a part of our sustained experiment in self-government.

The historic separation of powers between the Executive and the Legislative Branches of Government is being tested on many fronts and on four principal issues.

Out of the tragic lessons of Viet Nam, we have been brought to realize that despite the apparent imperatives of the cold war, this country can never again accept without question the paternalistic dogma that "the White House knows best," as applied to war and peace.

Also at issue is the question of Executive privilege and the power of the President to reorganize the Executive departments even though Congress has refused to do so.

The central issue, however, referring to remarks previously made, at the present time grows out of the impoundment of congressionally appropriated funds.

It seems that the question confronting us today is, as it has always been, just where does congressional power begin or end, and just where does the opposite take place with respect to the Executive?

No series of acts strikes more directly at Congress's fundamental power over the purse, perhaps, than what appears to be the usurpation of that power by the President's impoundment of appropriated funds, particularly as they took place in the last months of 1972 and since that time.

Now, may it not be argued, have not other presidents done this also? Well, of course, up to a point, the answer is yes.

Impoundment of small sums, of reasonable sums, funds that become unnecessary before expended goes back at least to Jefferson. But the President, for all practical purposes, at the present time appears set by the use of the impoundment of funds to imprint on the pages of history during his second term his philosophy of government, regardless of what the Congress might think about it.

The Federal Water Pollution Control Act amendments adopted in 1972, were passed and re-passed over a presidential veto, yet the President has impounded these funds, ultimately releasing less than one half of the money provided to cope with a critical problem over the next two years. All power to legislate, if I understand Section 1 of Article I of the Constitution, and the language is very simple and very plain, is granted to Congress by the Constitution, and to no one else.

The Congress has denied Presidents the item veto, the equivalent of legislative authority, for more than one hundred years. It is obvious that what Congress has refused him, the President nevertheless undertakes to seize. What Congress has decreed, the President has circumvented.

Now the issue here is not whether we should have a tax raise or not, although as a member of Congress I don't vote for tax raises happily. The issue is not whether we can afford inflation or not, although everyone knows that inflation eats at the heart of the average American's pocketbook. The issue here is, where do we draw constitutional lines and do we believe what we say when we say that we will support and defend the Constitution of the U.S.? That is the overriding issue.

Now the President, if I understand his Inaugural Address, has interpreted his reelection as a mandate to strike down the domestic programs passed by Congress over the past 30 years. How such a mandate, if it is a mandate, can be carried out in the Democratic 93rd Congress, fresh from the people, is a puzzle to me.

Congress has received its own mandate, a mandate which our large and, I think, able majority will meet by safeguarding and using our constitutional and exclusive power to legislate on behalf of the American people.

Are we equipped for this task? I see Congresswoman Green here. I had a letter from her, I think yesterday, saying, why doesn't somebody write a book telling what is right with Congress? There is no fun in doing that, but I think she asked an intelligent question.

Let's make a few observations.

The quality of members of Congress today on both sides of the aisle and in both Houses is in my opinion as high as it has ever been in the history of this Republic.

We are neither mired in tradition nor doomed by hardening of the organizational and procedural arteries.

All of us are acutely aware that in order to maintain its strength and vitality, Congress must continually, as must every other institution, retool and reorganize as conditions and problems change. All too often, however, our achievements in this direction are overshadowed, particularly in the press, by more dramatic events, such as the progress of the President's legislative programs, or the appearance of the President or of one

of his closest advisers, or the fall from grace of an individual member of Congress.

Modification of the seniority system alluded to by Senator Scott, actually has been underway in recent years in both houses, maybe not as much as to suit some people and maybe too much to suit many others.

In the House of Representatives we have limited the number of the subcommittees senior members may chair, and we have distributed these positions of influence among newer members of the House. I think we have 107 subcommittee chairmen in the House of Representatives today. We are electing in party caucuses today committee chairmen and ranking minority members.

Similarly in a continuing process of adaptation, we have revitalized the caucus and strengthened the party leadership. We have opened up committee and voting procedures to provide for greater accountability. We have established just a very few years ago, a Committee on Standards of Official Conduct and we have reformed our election reporting laws.

We have expanded our information resources, augmented our professional staff, perhaps not enough, but we have expanded them more than we have room to take care of them in the existing facilities of the House of Representatives. We have strengthened existing congressional research agencies, authorized and funded a Joint Committee on Congressional Operations, and created a new Office of Technology Assessment.

The Joint Committee on Congressional Operations, in consultation with my office, has commissioned work on a major study of congressional communication techniques and potential.

The place of change, the tempo of our attempts to find more effective, more open and more democratic ways to meet our responsibilities has increased steadily over the past two years.

Remember efficiency, perfection, are not the only goals of a democracy. You can't have a free press without a free Congress. You can't have a free Congress without a free press.

You can't have a democratic Congress without recognizing the rights of all of the members even though you do so sometimes at the expense of a more efficient form of government that we might have under a benevolent monarch.

This momentum of change will be sustained during the 93rd Congress.

A new Joint Committee on Budgetary Control is considering methods for strengthening congressional control over the amount and direction of federal expenditures. Meanwhile, Senator Mansfield and I are planning regular joint leadership meetings throughout the session to maintain a check on the pace of the Congress and to consider changes in the legislative program that may seem desirable. We had a breakfast with the entire leadership just yesterday morning; the two Houses on both sides of the aisle, and we have the responsibility for leadership.

And in another area of particular concern, I have asked a select committee, headed by Representative Richard Bolling, who is an author of books on Congress, to study the committee structure in order to ensure that our committees do not work at cross purposes, that there is a minimum of duplicated effort, that some committees are not idle while other committees are overworked, and that all have the space in which to do this work. This is the first study of the structure of House committees to be carried out since 1946.

I wish you would examine the biographies of the members of that committee, which Gerald Ford and I put together, and determine for yourselves whether we have chosen a cross-section of members of Congress with extraordinary academic preparation. They compare favorably with 90% of the men that have held the office of President of the U.S. throughout our history.

Organizational, housekeeping, and other problems created by the tragic loss of Hale Boggs, the Majority Leader, in the closing days of the last session brought graphically home to me the congressional hiatus that always exists between election day and the day that Congress convenes. This is no reason why we should not do for ourselves what we have done for presidents over and over again in the transition period.

Nixon was elected in November. We gave him the money to make his transition, even when he himself was in control all of the time between election day and his Inauguration on January 20th. There is no reason why we should not authorize and fund a program that would enable the party caucuses to meet in the weeks after the election, nominate candidates for leadership and committee positions, and thus have this organizational work done when the new Congress assembles.

We should be prepared to begin our substantive work in January or February, and not in March or April, as we have done in nearly every first session of every Congress since I have been a member. It is my hope that this is a matter to which we will devote some attention.

As important as continued improvement in our work ways may be, this alone will not check the accelerating usurpation of power by the Executive Branch.

What the President is doing, it seems to me, is creating a crisis that goes to the very heart of our constitutional system, although he may be doing it for a purpose that, in his own mind, is entirely worthwhile. This is the action that must be challenged by the other coequal branches.

The courts should speak to the issue that is presented to them. The Congress should speak to the issue. The American people should insist that the balance of powers stipulated in the Constitution should be respected.

This is an issue to which committees in both bodies of Congress are addressing themselves. I see here one of the greatest constitutional lawyers in America, Senator Ervin of North Carolina, respected for his knowledge and defense of the Bill of Rights, and the body of the Constitution itself. He is already addressing himself to this subject in these very early days of the first session of the 93rd congress. On our side, we are calling upon appropriate committees and eminent constitutional authorities to give us such insight as they have on this subject. Several bills already have been introduced dealing with these matters.

Our aim is positive in that we seek to retain the constitutional prerogatives of our branch of Government. Our aim is not to diminish the presidency or to attack the President. We need a strong President. Our aim is to command the respect of the Executive for the functions of the Congress as representatives of the people.

Our aim is to protect the people's branch of the Government. We need a strong people's branch and I think we have one. Of course, the people will ultimately decide on how this issue will be resolved. They always have and they always will unless we completely change the form of government under which we operate.

I call to mind a succinct and still meaningful answer given us by Woodrow Wilson when he said: "Democracy flourishes only as it is nurtured from its roots. A people shall be saved by the power that sleeps in its own deep bosom or by none. The flower does not bear the root, but the root the flower."

Thank you.

THE HONORABLE LYNDON BAINES JOHNSON

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Texas State Legislature on February 20, 1973, unanimously adopted a house concurrent resolution on the late Lyndon Baines Johnson, 36th President of the United States which I desire to place in the RECORD at this point:

HOUSE CONCURRENT RESOLUTION No. 35

Whereas, A Life which was devoted to Honour and its Country, is no longer ours.

With the death of President Lyndon Baines Johnson on January 22, 1973, Texas and the Nation lost one of its most distinguished sons and the World one of its greatest leaders. The loss is felt across the "flaming ramparts of the world."

Who can look back upon the public services and exalted virtues of the deceased, without exclaiming in the anguish of despair . . . "Is he, too, numbered among the silent dead"? He who bore the anguish and travails of a war against aggression, to which he succeeded, is gone to the realms of eternal peace; and

Whereas, History already has built around him a name and a fame that will light the pathway of generations yet unborn for centuries to come. Patriotism and admiration will not let us forget his mighty stroke of compassion for his fellowman and his unswerving devotion to duty. His talents were employed on the side of righteousness and at whose approach oppressed humanity felt a secret rapture. It was thus that he sometimes soared so high and shone with a radiance so transcendent "as filled those around him with awe and gave to him the force and authority of a prophet." President Johnson lived a life characterized by splendid manhood—crowded with deeds and crowned with honours. He was superb in his effort to attain the goals to which he aspired. His actions vitalized the principle that "they fail, and they alone, who have not striven"; and

Whereas, This tall Texan—large as Texas, herself—a son of the picturesque and enchanting vistas of the Hill Country, which he dearly loved, coursed by the cool, clear waters of the meandering Pedernales River, inspired by the rugged land from which he sprang and in which his roots were laid deep, rose to the pinnacle of world fame upon the precepts and examples taught and set by his fond and loving mother, Mrs. Rebekah Baines Johnson, and his distinguished father, Honorable Sam Ealy Johnson, Jr. with encouragement from his loyal helpmeet of 38 years, the lovely "Lady Bird" Johnson; and

Whereas, Following his graduation from Southwest Texas State Teachers College, now Southwest Texas State University, at San Marcos in February, 1927, he taught school at Cotulla, Texas, before becoming an aide to the late Honorable Richard M. Kleberg, Sr., then United States Representative from Kingsville, thereby launching a public and political career spanning nearly 40 years of continuous, constructive service to his country and to the world. After serving as Director of the National Youth Administration in 1935, he was elected to the United States House of Representatives in 1937, in which he served with dedication to the ideals of his friend, President Franklin D. Roosevelt. Following a period of "seasoning" in the House, under the leadership of Speaker Rayburn, familiarly known as "Mr. Sam", with an interlude of courageous service in the

United States Navy during World War II, he was elected to the United States Senate in 1948. By dint of hard work, coupled with his innate ability, his training, his skills and energy, he became the Majority Whip in 1950. Senator Johnson was chosen as Majority Leader in 1953, in which capacity he distinguished himself and demonstrated his dynamic leadership with his policy of "reasoning" together. He was called the "most powerful man" in America, as he guided the Democratic-controlled United States Senate through a period of responsible cooperation with the Republican administration of President Eisenhower. It has been said that "Johnson was the Senate and the Senate was Johnson"; and

Whereas, With his acceptance of the nomination of his Party and his election to the Vice Presidency in 1960, Mr. Johnson served in that office with dignity, honour and loyalty while carrying out numerous missions and responsibilities delegated to him by President Kennedy. Whatsoever his hand found to do, he did it with all his might.

The leadership of our country passed into the capable and experienced hands of President Johnson when President Kennedy succumbed to the assassin's lethal messenger. There was hope and assurance for America midst the sadness of the hour. His legislative, diplomatic, political and native abilities provided him with the experience and valuable knowledge peculiar to the Office of President of the United States, gained from his close association with Presidents Roosevelt, Truman, Eisenhower and as the "right arm" of President Kennedy, available to no other man on the American scene, to lead our country; and

Whereas, Among the many and varied proposals which became the law of the land during his administration are to be found greatly increased Federal Aid to Education, Medicare and Medicaid, the 1964 Civil Rights Act, the 1965 Voting Act, the War on Poverty, to mention some. While President Johnson's public service was fraught with controversy—a characteristic of strong-willed and determined, dedicated men—nevertheless, his noblest motive was the public good. It may be said of him that he made many friends and lost very few. He made many enemies of the right kind and kept them all. He said that he could not prescribe a formula for success, but that the formula for failure is to try to please everybody. His success was due, largely, to his constancy of purpose; and

Whereas, President Johnson, like former President Truman, was plagued by a foreign conflict during which he strove to preserve the integrity of our treaty commitment, negotiated by a former administration and affirmed by subsequent action of the Congress with the adoption of the "Gulf of Tonkin Resolution." He believed that if America reneged on her agreement it would imperil many other nations and, consequently, jeopardize the peace of the world. He never wavered in his desire and efforts to bring about an honourable peace. President Johnson was, in his day, a muchly maligned man. He knew that blatant demagoguery and a scurrilous press must be tolerated and borne by patriots. Comfort, however, could be found in the words of General Washington who said that "Real patriots who resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests"; and

Whereas, President Johnson's courage and patriotism were never more genuinely demonstrated than when, on March 31, 1968, he offered himself a willing sacrifice to the good of his country hopefully to end the Vietnam War with his decision not to become a candidate for re-election; and

Whereas, His private virtues, his public services, his great abilities, involuntarily excite the warmest feelings for him. In all the private relations of life he was honest, faithful, generous and humane and his heart was the seat of manly virtue.

His public services were many—splendid and great. His memory is enshrined in the esteem and affection of his contemporaries and will be consecrated by the gratitude of his country to future ages; and

Whereas, He may have had failings. On these let the tear that pities human weakness fall; on these let the veil which covers human frailty rest, since posterity is incurious about the minor faults of its heroes; and

Whereas, President Johnson was married to Miss Claudia Alta Taylor, familiarly known as "Lady Bird" on November 17, 1934, to which union was born two charming daughters, Lynda, now Mrs. Charles S. Robb of Charlottesville, Virginia, and Luci, now Mrs. Patrick J. Nugent of Austin, Texas, both of whom gave joy and delight to their doting father. President Johnson not infrequently said that the charming, intelligent and understanding companionship of "Lady Bird" profoundly influenced his course and career; and

Whereas, He was beloved by his friends, endeared to his family; the statesman, the patriot, is gone. At the fall of such a man, grief is silent and eloquence muses eulogiums which cannot be expressed. He has left us the remembrance of his greatness. As the gigantic figure that envelops men within the folds of his dark mantle, and even with the robe drawn about him, President Johnson seems so unshrouded that—

"Nothing can cover his high fame but heaven; No pyramids set off his memories But the eternal substance of his greatness; To which I leave him"; and

Whereas, This Concurrent Resolution was prepared at my request by Honorable Dorsey B. Hardeman, a former member of this body, a long-time member of the Senate and a friend of President and Mrs. Johnson for more than 30 years; now, therefore, be it

Resolved by the House of Representatives of the 63rd Legislature of the State of Texas, the Senate concurring, That they express their abiding sympathy to Mrs. Johnson and the surviving members of the family, and their admiration and gratitude for the life and contributions of the man whose simple dignity consisted not in possessing honours but in deserving them by his faith and his works through which he brought joy to his Creator; and, be it further

Resolved, That copies of this Resolution be forwarded to Mrs. Johnson and her daughters; to President Nixon and to all members of the Texas delegation in the Congress of the United States, by the Clerk of the House of Representatives, under the Seal of the House, and that the members of the House of Representatives and of the Senate devote this day to pious contemplation, suitable to the melancholy event which it commemorates and that pages in the respective Journals of each House of the 63rd Legislature of the State of Texas be set aside for preserving this Resolution in memory of President Johnson in the knowledge that men's homage and their love shall never cease to follow him.

PROGRAMS FOR THE DISABLED AND MENTALLY RETARDED IN TENNESSEE

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1973

Mr. BROCK. Mr. President, the newly proposed Health, Education, and Welfare guidelines for social services are going to cause serious problems for the families of mentally retarded and handicapped children in Tennessee. In the last 2 weeks I have received over 2,000 letters from concerned parents and citizens about this problem, and letters continue to pour in from every part of Tennessee. I ask unanimous consent to insert in the Extensions of Remarks the following two of the many letters from affected persons.

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

DEAR SENATOR BROCK: I am writing concerning some new proposed regulations of Title IV–A of Social Security Act that would exclude from services (at retarded schools) anyone under 17½ whose parents make over 2,623.33 per year.

We are in middle income bracket—both work hard for what we have and pay lots of taxes and have a retarded son at Sunshine Center for Handicapped in Knoxville. He is also emotionally disturbed from brain damage so isn't eligible for city or county school programs. Until we got him in Sunshine Center, he had spent quite a lot of time at Eastern State—a heart breaking thing for a 10 yr. old (when he went). In his nearly 2 yrs. at the center he is completely manageable and happy and spends all nights and weekends at home.

There are many people just like us—not on welfare and not rich with no place to go for help for our retarded (until Sunshine Center). Please don't let these regulations go into effect. We will appreciate any help.

Sincerely yours,

———, ———.

DEAR SENATOR BROCK: I am writing over my concern for the complications and far-reaching harm and disruption brought about by Public Law 92–603. It touches so many households so very seriously.

Our son, Dan, is an eight year old mongoloid child. He attends Jackson Day Care Center for Mentally Retarded, and has made tremendous progress in the three years he has been a part of their program. We made the decision to move to Jackson three years ago largely on the basis of his attending this wonderful institution. Now we are told that, because we earn more than $2600 per year, Dan will be ineligible to attend this school after March 14. We are hardworking, taxpaying constituents of yours. It seems so ironic that the very taxes we pay to support the programs this school provides are no longer available to our child because we earn over $2600.

Dan has developed so beautifully in the past three years. He has begun to talk, is learning simple table manners, and has learned to take care of most of his bodily needs including the very simple act of going to the bathroom—something the average person takes for granted. We are crushed about the possibility of his not being able to continue in this school.

This will also cause financial repercussions in our household. On the basis of my wife's working outside the home to supplement our income, we bought a house here in Jackson last May. Part of her salary goes to pay taxes and insurance. If she must now stay home to keep Dan, we stand a very good chance of losing our house. We would realize no real benefit from her working if she had to hire a babysitter.

As hardworking people who pay our taxes and ask for no handouts, we plead with you to use your vote and influence to repeal this law. People in middle incomes have retarded children also! It is not fair to take their retarded children out of such programs when these children have no other schools available to them. We ask for your help in this matter.

Sincerely,

———, ———.

Mr. BROCK. Mr. President, following is a list of some of the Tennessee institutions for the handicapped which will be seriously curtailed:

Cordell Hull Economic Opportunity Corp., Lafayette.
Dawn of Hope, Johnson City.
Easter Seal, Martin.
Ester Seal, Paris.
Easter Seal, Union City.
Hardeman County Child Development Center.
Hardeman County Adult Activity Center.
Orange Grove Center, Chattanooga.
Donelson Child Development Center.
Gibson County Child Development Center.
Jackson Day Care Center, Jackson.
Morning Star Day Care Center.
Metro Day Care Center, Nashville.
Metro Adult Activity Center, Nashville.
Roane County Child Development Center.
Rutherford County Child Development Center.
Shelbyville-Bedford County CDC.
Siskin Memorial Foundation.
Sunshine Center, Knoxville.
Pine Mountain Education and Development Center for Children.
Pine Mountain Education & Development Center, Jellico.
Served, Inc., Smithville.
Pacesetters, Inc., Smithville.
Training and Habilitation Center, Nashville.
Helping Hands, Rogersville.
New Horizons, Nashville.
Coffee County Skills.
Jackson-Madison County Adult Activity Center.
Kings Daughters, Columbia.
Peabody, Nashville.
Heads Up, Nashville.
Team Evaluation Center, Chattanooga.
U. T. Child Development Center, Memphis.
Foster Grandparent, Memphis, Nashville, Greenville.
Greene Valley Hospital/School, Greenville.
Arlington Hospital/School.
Clover Bottom Hospital/School.
Outreach, Nashville.

These institutions and their programs involve a total of 3,184 children and adults.

It was not the intent of Congress to deprive families of these much needed services.

I fully recognize the need for new regulations for social services spending, but I have recommended some changes to bring these regulations in line with the needs of the people of Tennessee.

I have written Secretary Weinberger the following letter incorporating these suggested changes:

U.S. SENATE,
Washington, D.C., March 2, 1973.

Hon. CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare, Washington, D.C.

Re: 45 CFR Parts 220, 221, 222, and 226. Service Programs for Families and Children and for Aged, Blind, or Disabled Individuals: Titles I, IV, (Parts A and B), X, XIV, and XVI of the Social Security Act.

DEAR MR. SECRETARY: I am extremely concerned about the effects of the proposed social service regulations on worthwhile programs in Tennessee. While I fully support measures to ensure fiscal responsibility, some parts of the proposed guidelines seem to be counter-productive.

I am in favor of continuing the current provisions which permit matching of privately contributed funds. Private-public cooperation in solving human problems is an essential element of our American way of life. In Tennessee, individual communities have repeatedly demonstrated sincere interest in procuring services for their citizens by raising local monies to match state dollars. This private-public partnership provides some excellent programs which will suffer needlessly if this proposed section goes into effect. Such abuses as have been reported in other states will be amply covered through the more stringent requirements provided in sections of the proposed regulations.

The income eligibility standards proposed for services to additional families and individuals are unrealistically low and will cause unnecessary hardship, for example, to families with mentally retarded and handicapped children. The time period definition of potential and former recipients also appears to be unreasonable. As soon as the employment-related day care program has allowed former welfare recipients to find employment, they will be denied day care eligibility.

In the State and Local Fiscal Assistance Act of 1972, Congress recognized the importance of providing service to several classes of persons. These categories include employment-related child services; family planning services; services to the mentally retarded; services for alcoholics and drug addicts undergoing treatment; and foster care services.

These classes were exempted from the requirement that not more than 10% of the funds could be spent for current recipients or applicants for state assistance; yet, by defining the other eligible persons as stringently as has been done in the proposed regulations, adequate coverage of these specially recognized categories has in effect been eliminated. The main thrust of my recommendations is to ensure that the definition of individuals eligible for service implements Congressional intent.

In particular, I would like to recommend the following changes:

1. Revision of Section 221.62, "Private sources of state's share," to allow federal matching of privately donated funds. Change "Donated private funds or in-kind contributions may not be considered" to "Donated private funds or in-kind contributions may be considered." For the same purpose, delete from Section 211.61(a) the phrase "other than those derived from private resources."

2. Revision of Section 221.6, "Services to additional families and individuals," proposing new standards of eligibility for recipients, as follows:

Section 221.6(2). Rather than reducing the period for coverage of former recipients from two years as in the present regulations to three months in the proposed regulations, I recommend a one-year period of eligibility for former recipients. At a minimum the period so designated should be nine months.

Section 221.6(3). Rather than reducing the period for coverage of potential recipients from five years as in the present regulations to six months in the proposed regulations, I recommend a two-year period of eligibility for those defined as potential recipients.

At a minimum the period so designated should be 18 months. Additionally, the mentally retarded and severely handicapped are unlikely to alter their status as potential welfare recipients; therefore the time limit with respect to these groups does not seem warranted.

Section 221.6(3)(i). The limitation to those whose income levels do not exceed 133% of the State's financial assistance payment level places severe burdens on families with handicapped or mentally retarded children and others. In Tennessee, families with handicapped children could previously be covered with incomes of up to $7,500; now families who earn more than $2,600 cannot be provided these social services.

I am in sympathy with the intent of the proposed regulations to ensure that these services are available primarily to the target groups, i.e., current welfare recipients. However, in order to avoid creating a situation where marginal people not now on welfare are forced onto the welfare rolls due to loss of these services, these income limits should be more closely related to nationally defined poverty levels.

I would suggest coverage of persons whose incomes fall below the regional lower living standard of the Bureau of Labor Statistics. Since this coverage would in any case be limited to the 10% non-recipients (and the excepted categories), this higher level for these groups would still result in a significant overall budgetary saving.

In any case, the regulations should be made clearer as to whether the income level cited refers to gross or net income. I recommend that item 221.6(3)(i) be clarified so as to refer to net spendable income.

Other items in Section 221.6 deserve careful review. For example, the specification of a lower age limit of 17½ years for coverage under 221.6(3)(iv)(c) would have the effect of excluding from coverage mentally retarded children too old for day care programs and too young to qualify under this section. Similarly, the "within six-months" limit for prospective medical dependents would seem to rule out coverage of mentally retarded and handicapped individuals who would not be financially independent within six months, yet whose prognosis clearly will be eventual dependence on financial assistance.

All of this section should be carefully reviewed to provide for these special cases.

3. *Section 221.9,* Definitions of Services. It is not clear to me why Federal Interagency Day Care Requirements have not been included in the definition of employment-related day care services. To ensure proper care of children placed in these centers, adequate standards should be retained.

4. *Section 221.5 (b)(1),* "Statutory requirements for services". I would like to see a rethinking of the mandatory categories provided in the new regulations. While I agree that the states should play a greater role in determination of needs, certain categories do lend themselves to nationwide coverage. I would recommend retention of the same categories for mandatory coverage recognized as particularly important in the State and Local Fiscal Assistance Act of 1972. In addition to the three services proposed as mandatory in the new regulations, I would also retain employment-related day care, services to mentally retarded individuals, and services to drug addicts and alcoholics as mandatory under these regulations.

In many of our counties, these resources are the only ones presently available to serve some sectors of our population. In light of the severe dislocation that is likely to result in an abrupt halt in these programs, I ask that these programs be continued on their present basis for at least 90 days following the adoption of the new regulations to provide adequate time for the state to make alternate arrangements.

In closing, I would like to reemphasize that Congress recognized the need to limit spending for these services and exercised its responsibility by placing a $2.5 billion spending ceiling. The regulations should be designed to implement the Congressional ceiling, not lower it further.

Thank you for your attention to the views presented here.

Very truly yours,

BILL BROCK.

TIME FOR CHANGE IN OIL AND GAS TAX LAW

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. VANIK. Mr. Speaker, on Monday, February 26, 1973, the Ways and Means Committee was privileged to hear testi-

mony from Professor of Law J. Reid Hambrick, of George Washington University's Law School. Professor Hambrick presented excellent testimony on the need for the elimination of double benefits in the income tax treatment of oil and gas production.

As Professor Hambrick summarized his statement:

It is time to turn a deaf ear to the extravagant rhetoric of this industry and stop temporizing over its phony tax incentives! The time has come to put a stop to this arrant nonsense, and regularize the income tax treatment of this industry. We have two income tax systems: one for the oil and gas industry, and one for everybody else. If the taxpayers of this country understood this, change would not be long coming!

In the hope that Professor Hambrick's testimony can help the Congress and the general public better understand the absurdity of the tax law as it relates to the oil and gas industry, I would like to enter in the RECORD at this point that portion of the professor's testimony which the foreign tax credits as well as the summary recommendations presented to the Committee:

TESTIMONY OF PROFESSOR HAMBRICK

Foreign Tax Credit. Another prominent area where a generous double benefit accrues to the major oil companies is the treatment of income from oil and gas production in foreign countries.

Unlike the situation in the United States, where the landowner typically owns the mineral rights under his land, in most foreign countries the mineral rights belong to the sovereign. Accordingly, when a concession is granted for the exploration and development of oil and gas deposits in a foreign country, the nation itself reserves a royalty share of the production income. This royalty share is not a part of the gross income of the operating company, any more so than a landowner's royalty would be in this country. Thus, under the terms of the original foreign concessions, the operating companies simply excluded from gross income an amount equal to the royalty payable to the lessor-country. The remainder of the gross receipts represented the gross income of the operator. Percentage depletion at the old rate of 27½ percent was taken on this gross income figure, and after deducting other costs and expenses, the operating company found its net income on which it computed a U.S. income tax. During this period there was usually no income tax payable to the foreign country, and no foreign tax credit to offset the U.S. tax liability.

After the petroleum exporting countries, Venezuela, Saudi Arabia, Kuwait, Iran, Iraq, and others, began agitating for a full 50 percent share of the income from production, the U.S. companies suggested that an income tax be imposed by the lessor-country to secure the additional amount needed to make up a full 50 percent of the production net profits. Of course, the terms of the original concession agreements could have been renegotiated to provide a 50 percent net profits interest for the lessor-country, but that approach had some serious drawbacks. A net profits interest is treated in the U.S. income tax as a royalty or overriding royalty interest payable to the grantor or assignor of the operating rights. Thus, the amount of the net profits payable to the lessor-country would have been excluded from the gross income of the operating companies, and percentage depletion would not have been allowable to them on this amount of the production income. In other words, under our tax, an amount equal to 50 percent of the net profits would have been excluded from the gross income of the company, and its gross income for depletion purposes would have been:

Gross Recipts—(.50×Net Profits) = Gross Income.

For example, if Gross Receipts were $1,000×; operating expenses $150×; recoupable exploration and development expenditures (under terms of concession agreement as amended) $250×; and other miscellaneous expenses $50×, the Net Profits, as determined under the revised concession agreement, would be $550×. Thus $275× would be payable to the lessor-country as its 50 percent share. Under such an arrangement the result for U.S. income tax purposes would have been as follows:

Gross receipts	$1,000×
Less: 50 percent of net profits (computed above)	275×
Gross Income	725×
Less:	
(a) Percentage depletion (22 percent)	160×
(b) Current IDC	175
(c) Operating costs	150
(d) Miscellaneous costs	50
	535
Taxable income	190×
U.S. income tax (48 percent)	91×
Less: Foreign tax credit	0
Net U.S. tax liability	91×

Taking the same example, with the old royalty rate (assumed to 15½ percent) supplemented by an "income tax" imposed by the lessor-country to make up a full 50 percent share of the net profits, compare the U.S. tax results:

Gross Receipts	$1,000×
Less: Royalty Interest	155
Gross Income	$845
Less:	
(a) Depletion (22%)	$186×
(b) Current IDC	250
(c) Operating costs	150
(d) Miscellaneous costs	50
	636
Taxable Income	$209×
U.S. Income Tax (48%)	$100×
Less: Foreign Tax Credit	120
Net U.S. Tax Liability	$0
Excess Foreign Tax Credit	$20×

In this illustrative computation it is apparent that the amount ostensibly representing the foreign "income tax" ($120×) is included in the company's gross income ($845×), so that the company *receives a double tax benefit on this amount:* (i) 22 percent of this amount ($120×) as percentage depletion, and (ii) the same amount becomes a credit against the U.S. tax.

In § 901(e) of the Code, which was added by the Tax Reform Act of 1969, an attempt was made to mitigate the excess foreign tax credits which, as the above illustration shows, generally resulted from present practices. That amendment does reduce the amount of creditable income tax imposed by the lessor-country, but it should be remembered that the credit can never be reduced by this amendment to an amount less than the U.S. tax! Thus, the § 901(e) amendment will serve to eliminate excess foreign tax credits to the extent attributable to our allowance of percentage depletion, and will curtail the practice of using excess credits to offset the U.S. income tax on other foreign earnings which may be subject to other foreign income taxes lower than the tax imposed by the U.S.

In other words, before the § 901(e) amendment, there were *multiple benefits* to be gained from the production of foreign oil. However, that amendment is inadequate to remove the *double benefit* described and illustrated above. The *double benefit* is still present and operating. It serves effectively to exempt this foreign oil income from the U.S. income tax. It is an incredible situation and should no longer be tolerated.

It is believed that for purposes of our income tax the so-called income tax portion of the lessor-country's net profits share should be treated as royalty income payable to the foreign country, rather than income tax. There is no distinction in this situation between royalty and tax. Treating the full 50 percent share as a net profits interest (royalty) would conform to the realities of the situation, and would remove the present double benefit.

Recommendation: It is recommended that the foreign tax credit provisions of the Code (§§ 901–906) be amended to exclude from the categories of creditable taxes—

(i) amounts paid to a foreign country in the form of income taxes pursuant to the terms of a mineral concession granting mineral exploitation rights by such country or otherwise,

(ii) which are determined by the Secretary or his delegate to be, in substance and effect, in lieu of royalties, net profits, or other amounts which such country would have otherwise reserved in the grant of such mineral exploitation rights.

It is recognized that the terms of the major oil concessions in the Middle East countries and elsewhere have been modified in recent months or may be changed in the near future. The present trend is for the host country to recapture a share of the operating rights previously granted by the concessions, and to become a joint operator with the company (or consortium of companies) to which the concession was granted. For example, in the case of Saudi Arabia, Kuwait, Abu Dhabi, and others, each will immediately repossess an undivided 25 percent interest in the operating rights, and by 1982 will have a 51 percent interest.

These new participation agreements will shrink the size of the problem described here, but will in no wise eliminate it.

CONCLUSION

In keeping with the tone of these hearings, *four modest proposals* are offered:

1. Reduce the rate of percentage depletion for oil and gas to 17 percent;

2. Disallow percentage depletion (and allow only cost depletion) until the gross income from a property equals the amount of intangible drilling costs expense in respect of the development of that property;

3. Permit the costs of tangible well equipment to be recovered only through the depletion allowance; and

4. Treat so-called income taxes paid to foreign lessor-countries as royalty or net profits payable, exclude such amounts from the operating company's gross income for depletion, and disallow such taxes as foreign tax credits.

These *are* modest proposals, because each would simply withdraw from the oil and gas industry what is now a *double tax benefit* arising from the same dollar of costs. Percentage depletion, of course, recovers the same dollar of capitalized investment about 16 times over at the present rate of 22 percent of gross income from production. Even at a recommended 17 percent rate, it would recover investment about 12 times over! In fact, the alternative proposal concerning percentage depletion, i.e., to disallow any depletion after *10 times* the tax investment in the producing property has been recovered, is the most radical recommendation in this paper! That proposal would produce more revenue, far more, than any of the others made herein. A reduction in the percentage rate from 22 to 17 would be far less drastic from the viewpoint of the industry itself.

If the average business man in this country, no matter whether his business is small or large, realized that the oil and gas industry is now permitted to recover its investment in producing properties *16 times over*, his sense of outrage and injustice would be devastating! If the average taxpayer, the rich and the poor alike, no matter, were aware of the extreme degree to which the industry has been pampered by our income tax laws and the manner of their administration, his anger over this incredible state of affairs would hasten the day of reckoning that is now so long overdue!

When one considers the manner in which the international oil companies were *and still are* permitted to have the U.S. Treasury pick up the tab for their tribute to foreign oil sheikdoms, while at the same time keeping the cheaper foreign oil out of the U.S. markets, at the expense of our own domestic reserves, and all the while screaming, "Threat to the National Security! Fuel Shortage! Energy Crisis!," it is all a damned disgrace!!

It is time to turn a deaf ear to the extravagant rhetoric of this industry and stop temporizing over its phony tax incentives! The time has come to put a stop to this arrant nonsense, and regularize the income tax treatment of this industry. We have two income tax systems: one for the oil and gas industry, and one for everybody else. If the taxpayers of this country understood this, change would not be long coming!

TIME FOR A MORATORIUM

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1973

Mr. GRAVEL. Mr. President, today I introduced the Nuclear Power Moratorium Act of 1973 which would enact an immediate moratorium on the operation, construction, and export of civilian nuclear-fission powerplants. Its no-blackout clause makes allowance for temporary exceptions where time is required to activate nonfission substitutes, provided that operation of every nuclear fission plant shall be terminated no later than January 1980.

The nuclear power industry, the utilities, and the Atomic Energy Commission can spend great sums of our money on attempts to defeat a bill like this, and on magazine advertisements, TV spots, pamphlets, films, and lobbying. In great contrast, moratorium supporters do not have and never will have the money to mount an equal and opposite campaign.

Nevertheless, sooner or later the moratorium will win, for even the most extravagent efforts by nuclear promoters will fail to convince people that filthy nuclear fission is clean, when in fact it is the dirtiest possible way to make electricity. Only nuclear fission makes poisons so deadly that they have to be kept out of the environment for 100,000 years or longer. No matter what nuclear advocates do with all their public relations money, they are stuck with a product which generally grows more repulsive to people the more they learn about it.

Every day, more people are realizing that atomic powerplants are dangerous, unnecessary, and immoral. Recently, thinkers as different as the Rand Corp., Ralph Nader, and the New York Times all issued warnings about nuclear powerplants.

In September 1972, seven members of the Rand Corp. described the unsolved nuclear safety problems which involve emergency cooling systems, fuel-rod damage, and waste storage, and reached the following conclusion:

Combine these difficulties with increasing reports of poor quality control and documented carelessness in manufacture, operation, and maintenance of these complex nuclear systems and with potentially catastrophic consequences in case of accident, and one can question whether California should proceed with its nuclear future as currently planned. Or rather would it not be more prudent to employ a "go-slow" policy on future nuclear plans?

On December 13, 1972, Ralph Nader told Dick Cavett's television audience as follows:

I think there is no question now that we have to have a moratorium on the construction of nuclear power plants in this country . . . A flat-out moratorium is needed.

On January 31, 1973, in an editorial called "Research for Power," the New York Times said:

Once so promising in the first enthusiasm of the atomic era, nuclear power generation is becoming something of a monster, with dangers to people and the environment so awesome as to raise serious doubts that this is indeed the best energy source of the future.

Even advocates of nuclear fission, like Dr. Alvin Weinberg who is the Director of the Oak Ridge National Laboratory, have admitted that undiscovered or irremediable "deficiencies" in nuclear technology "could mean catastrophe for the human race"—Science magazine, December 1971.

The need for an immediate nuclear power moratorium is made crystal clear in a classic article by Dr. John W. Gofman entitled "Time for a Moratorium," published in November 1972 by Environmental Action. This brief article is now available in a booklet called The Case for a Nuclear Moratorium" put out by the Environmental Action Foundation, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

Mr. President, I ask unanimous consent that the article and a note about the author be printed here in the RECORD.

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

TIME FOR A MORATORIUM

(By Dr. John W. Gofman)

"Fission energy is safe only if a number of critical devices work as they should, if a number of people in key positions follow all their instructions, if there is no sabotage, no hijacking of the transports, if no reactor fuel processing plant or reprocessing plant or repository anywhere in the world is situated in a region of riots or guerrilla activity, and no revolution or war—even a "conventional one"—takes place in these regions. The enormous quantities of extremely dangerous material must not get into the hands of ignorant people or desperados. No acts of God can be permitted."—from Dr. Hannes Alfven, Nobel Laureate in Physics, writing in May, 1972 Bulletin of the Atomic Scientists.

This is a recommendation for a moratorium on the construction and licensing of any new nuclear power plants, breeder and nonbreeder, plus a termination of licensing of all nuclear power plants now in operation.

Obviously, those environmentalists who have worked toward making nuclear power "safe" may, at first, consider this extreme. Quite the contrary. I would suggest that continued operation of existing plants and the licensing of any new ones represent reckless extremism coupled with an abdication of man's moral obligations to this and future generations. I know of no valid evidence to suggest that nuclear fission power can be made acceptable or that we shall ever need nuclear fission as an energy source. And the essence of the problem at hand is moral, not technical.

THE QUALITY OF PUBLIC INFORMATION

There are a few powerful groups who will, of course, disagree with this view, notably the U.S. Atomic Energy Commission (AEC), the nuclear reactor manufacturers and segments of the electric utility industry. One could overlook the vested interests of these groups provided there was some credibility in their view that nuclear fission power generation is, or can be made, acceptable. Such credibility is lacking.

Chairman James Schlesinger of the AEC, in his maiden address to the nuclear power industry, has expressed the total lack of credibility of the AEC over the period of its 25-year existence by announcing that henceforth the Atomic Energy Commission was going to work in the public interest. One hardly needs a better authority to admit what the AEC had been up to in its prior history. The subsequent record of the AEC is perhaps worse than its earlier record. No sooner had Judge J. Skelly Wright (in the historic Calvert Cliffs decision) declared that the AEC had been making a mockery of the National Environmental Policy Act (NEPA), than we found Chairman Schlesinger appealing to Congress for relief in the form of total emasculation of NEPA. This is what Chairman Schlesinger means by his stated decision to abide by the Calvert Cliffs ruling.

The sorry history of the AEC's attempt to foist unsafe radiation standards upon the public by claims of its former chairman, Dr. Glenn Seaborg, of the existence of so-called safe thresholds of radiation exposure is now very widely known. There is *no evidence at all* for any safe threshold of radiation exposure.

Most recently, the exposure of AEC's lack of credibility has been highlighted through its shabby performance with respect to the matter of the vital emergency core cooling system—the system which must function to avert massive civilian disasters in the event of loss-of-coolant reactor accidents. Starting with its own premise that a functioning emergency core cooling system is essential, the AEC proceeded to license nuclear power plants with totally untested core cooling systems. Following this unacceptable action, the AEC sponsored semi-scale tests of emergency core cooling in a simulated reactor, with six failures in six tests. Undaunted, and determined to continue its promotional licensing of nuclear power plants, the commission appointed a task force to provide interim criteria to permit licensing while work proceeds on the emergency cooling system. The criteria, the evidence upon which they rest and the procedures by which they were arrived at were all decimated not only by Henry Kendall and Dan Ford of the Union of Concerned Scientists, but also by a whole host of AEC experts. (The testimony of internal AEC experts became possible only after the scandal had been revealed of an AEC directive to its employees not to disagree with established policy.)

The grand finale in the AEC's 20-year quest for a method of isolation of radioactive fission garbage came recently with Chairman Schlesinger's inspired announcement that AEC

would ask NASA's help in seeking to rocket such garbage to the sun.

It is not a question of whether the AEC has made errors, has withheld and suppressed vital information, has supported unsafe radiation standards, or has been unusually incompetent. The issue is that the AEC has failed to provide any evidence of credibility on any aspect of its assertions that nuclear fission power is acceptable.

The other potential sources of credible evidence for acceptability of nuclear fission power are the nuclear reactor manufacturers and the electric utility industry. Their major approach is simple in the extreme. Wholly without foundation they state, "Nuclear power is safe," and spend huge sums to trumpet this empty message through press and electronic media. The most elementary analysis makes it obvious that no one could possibly know, with the available trivial experience, what the danger of major nuclear power plant disasters is. Finally, one of the AEC's own experts, Dr. Walter Jordan, a pro-nuclear member of the Atomic Safety and Licensing Board, apparently felt obliged to state the truth of the matter as follows:

The important question still remains. Have we succeeded in reducing the risk to a tolerable level, that is, something less than one chance in 10,000 that a reactor will have a serious accident in a year?

Have we succeeded in reducing the hazard to such a low level? There is no way to prove it. We have accumulated so far some 100 reactor years of accident-free operation of commercial nuclear electric power stations in the U.S. This is a long way from 10,000 so it does not tell us much.

The only way we will know what the odds really are is by continuing to accumulate experience in operating reactors. There is some risk but it is certainly worth it.

Dr. Jordan's assessment of our lack of knowledge about the hazard of major accident is correct. His evaluation of a "tolerable" level of risk might raise an eyebrow or two. If we look toward a future of 500 reactors in operation (even more are planned) and take Dr. Jordan's one in 10,000 "tolerable" risk, we calculate one major, serious accident per 20 years. Since a serious accident may mean losing a city like New York or Philadelphia, one might wonder about his criteria of "tolerable" risks. Of course, Dr. Jordan makes it very clear we are far from even knowing that the risk is as low as one in 1000, let alone one in 10,000.

If the false claims of "nuclear power is safe" from the commercial interests are not sufficient evidence for lack of their credibility, the reactor manufacturers have recently outdone themselves. At the recent hearings on emergency core cooling systems, certain information on this vital safety system was requested by the National Intervenors. Since the matter involves the potential life or death of major American cities, exposure of the full truth would be the *minimum* to be expected from such hearings. But the reactor vendors claimed immunity from presentation of vital safety data concerning emergency core cooling on the ground that such information is proprietary. One might be incredulous about this immunity claim (from an industry more heavily subsidized by taxpayer contributions than any in history), but such incredulity is stretched greatly by the decision of the hand-picked AEC hearing board to sustain this immunity claim.

COMPRISING THE EARTH AS A HABITABLE PLACE

Nothing has suited the promotional nuclear power interests better than keeping alive the misconception that a decision pro or con nuclear fission power rests upon esoteric technical arguments. The entire so-called "public hearing" procedure is administered by the chief promotional interest, the U.S. Atomic Energy Commission. And concerned citizens have been led, like lambs to the slaughter, into the promoters' arena to contest a variety of valves, filters, cooling towers, and miscellaneous other items of hardware in specific nuclear power plants. A victory for citizens, in a specific encounter, comes in the form of an improved valve, an extra scrubber for radioactive effluents or a brand new cooling tower. Such a "victory" is a diversion from the really significant issues concerning acceptability of nuclear power. Further, the illusion is created that safety has been substantially increased by the particular gadget addition or change.

But this is not where the problem lies. There is no significant technical controversy that can be resolved by a debate on the merits of specific gadgets in the nuclear power industry. What is really at issue is a moral question—the right of one generation of humans to take upon itself the arrogance of possibly compromising the earth as an habitable place for this and essentially all future generations. Nuclear power generation carries with it the prospect of visiting increased cancer upon this and a thousand generations to come. Additionally, nuclear power generation carries with it the prospect of genetic deterioration of humans that will insure an increase in most of the common causes of death in future generations.

These seriously condemnatory statements are justified through elementary considerations concerning two classes of profound biological poisons which are inevitable concomitants of nuclear power generation: long-lived radioactive fission products and plutonium-239.

Long-lived radioactive fission products. A 1000-megawatt (electrical) nuclear power station, breeder or non-breeder, gas-cooled, water-cooled, or sodium-cooled, will necessarily generate per year the long-lived radioactive fission products equivalent to those generated by 23 megatons of nuclear fission bombs. If the U.S. program of nuclear plant construction proceeds as now planned, we shall have at least 500 such plants by the turn of the century. The annual generation of long-lived fission products will then be the equivalent of at least 11,500 megatons of nuclear fission bombs. The major long-lived fission products, strontium-90 and cesium-137, have half-lives on the order of 30 years. Therefore, the inventory will necessarily build up, until at a steady state (several times 30 years) the inventory will be 43 x 11,500, or approximately 500,000 megaton equivalents of long-lived fission products.

The combined atmospheric weapons testing of the U.S., the U.K., and the U.S.S.R. in all time amounted to 250 megatons of nuclear fission. Distributed world-wide, over land and sea, this 250 megatons led to radiation doses that are not subject to denial, and that provoked international concern. Even neglecting the much smaller area of the U.S. compared with that of the whole globe (which will mean more concentrated dispersal of fission products), it is clear that an annual dispersal of *one-hundredth of one percent* of the long-lived fission product inventory (meaning 99.99 percent annual containment of the inventory) would mean dispersing *50 megatons annually* and will assuredly lead to high radiation doses. And these doses will produce the cancers and genetic diseases discussed above. Is it assured that the nuclear power industry can guarantee 99.99 percent annual containment? And even this is not good enough. Can such isolation of fission product garbage with near perfection be achieved over centuries? Is this a technical problem?

Plutonium-239. Plutonium-239, the most poisonous element ever handled in quantity by man, is the very heart of the nuclear power industry, breeder or non-breeder. Dr. Donald Geesaman, an authority on plutonium hazard, has estimated that there will be one human lung cancer for every 10,000 fine particles of plutonium inhaled. Dispersed as fine insoluble particles (about one micron in diameter), one pound of plutonium-239 represents the potential for some *nine billion* human lung cancer doses. Given the 24,400-year half-life of plutonium-239, any plutonium dispersed into the biosphere presents a major carcinogenic hazard for more than the next thousand human generations. The annual handling of plutonium-239 in a fully developed nuclear power economy will be in the one-hundred-ton category, or some 200,000 pounds annually. Comparing this with the one pound that can provide an intolerable potential lung cancer burden, we estimate that better than 99.999 percent containment of plutonium-239 is hardly good enough to avert disaster. And such a containment requirement is for a substance widely and authoritatively expected to be of high desirability in illicit commerce, since it is the simplest material to acquire for fabrication of nuclear weapons. Who can guarantee the requisite containment of plutonium-239 will be achieved?

SURRENDERING SOCIETY TO A NUCLEAR PRIESTHOOD

Both for the fission products and plutonium-239 the numbers describe the technical magnitude of the requirement for containment. But this does not mean the problem is technical. The unpredictables of social factors, human judgmental errors, and acts of God will be far more important in determination of the containment that will be achieved. We must, therefore, be able to predict the social course of history for centuries and millenia, under every conceivable circumstance, if we are to predict the containment that will be achieved. And such predictability is required for the immense quantities of radioactive fission garbage and plutonium-239 that are being generated by nuclear power today.

Commonly, nuclear technologists naively attempt to treat this overall containment problem as a technical problem, amenable to engineering calculations. A much better opinion is available from one of the most gung-ho of the American nuclear promoters, Dr. Alvin Weinberg, director of the Oak Ridge National Laboratory. No one has provided a more succinct statement of why nuclear fission power generation is both ridiculous and irresponsible. (It must be pointed out that Dr. Weinberg's purpose was the opposite of the result he achieved.)

Recognizing the validity of the contention that nuclear power generation could compromise the habitability of the earth, Dr. Weinberg, in a recent *Science* article (July 7, 1972) outlined the "demands" that "we nuclear people" make. We must quote directly from Dr. Weinberg's salient points:

We nuclear people have made a Faustian bargain with society. On the one hand, we offer—in the catalytic burner—an inexhaustible source of energy. . . .

But the price that we demand of society for this magical energy source is both a vigilance and a longevity of our social institutions that we are quite unaccustomed to.

Dr. Weinberg continues:

We make two demands. The first, which I think is easier to manage, is that we exercise in nuclear technology the very best techniques and that we use people of high expertise and purpose. . . .

The second demand is less clear, and I hope it may prove unnecessary. This is a demand for longevity in human institutions. We have relatively little problem dealing with wastes if we can assume always that there will be intelligent people around to cope with eventualities we have not thought of. If the nuclear parks that I mention are permanent features of our civilization, then

we presumably have the social apparatus, and possibly the sites, for dealing with our wastes indefinitely. But even our salt mine may require some surveillance if only to prevent men in the future from drilling holes into the burial grounds.

Eugene Wigner has drawn an analogy between this commitment to a permanent social order that may be implied in nuclear energy and our commitment to a stable, year-in and year-out social order when man moved from hunting and gathering to agriculture. Before agriculture, social institutions hardly required the long-lived stability that we now take so much for granted. And the commitment imposed by agriculture in a sense was forever; the land had to be tilled and irrigated every year in perpetuity; the expertise required to accomplish this task could not be allowed to perish or man would perish; his numbers could not be sustained by hunting and gathering. In the same sense, though on a much more highly sophisticated plane, the knowledge and care that goes into the proper building and operation of nuclear power plants and their subsystems is something we are committed to forever, so long as we find no other practical source of infinite extent.

How this will be achieved is described by Dr. Weinberg in the following:

In exchange for this atomic peace [referring to no recent nuclear bomb use] we had to manage and control nuclear weapons. In a sense, we have established a military priesthood which guards against inadvertent use of nuclear weapons, which maintains what *a priori* seems to be a precarious balance between readiness to go to war and vigilance against human errors that would precipitate war. Moreover, this is not something that will go away, at least not soon. The discovery of the bomb has imposed an additional demand on our social institutions. It has called forth this military priesthood upon which in a way we all depend for our survival.

It seems to me (and in this I repeat some views expressed very well by Atomic Energy Commissioner Wilfred Johnson) that peaceful nuclear energy probably will make demands of the same sort on our society, and possibly of even longer duration.

Dr. Weinberg makes clear what it would take to make nuclear power acceptable—namely, *giving over our existence to a new nuclear religion*, that religion to be ruled by a high nuclear priesthood. Were it not for the irreverence implied about the rest of the universe, one would be tempted to suggest that Dr. Weinberg and the other high priests establish their nuclear religion anywhere else but on earth.

If we can predict the social future for generations, including civil strife, international strife, revolutions, psychoses, saboteurs of all stripes and types, hijackers of whatever bizarre or mundane motives, psychopathic personalities of all types, and all criminality, then nuclear power is acceptable, according to Dr. Weinberg's requirements.

VIOLATING MINIMUM MORALITY

Since the social requirements for acceptability of nuclear power are dominant and cannot be met, it follows that no group of humans has the moral right to support the construction or operation of nuclear power plants. *Minimum* morality, as many have stated, requires that we do not compromise the chance of life for generations to come. No one seriously denies that nuclear power generation can thus compromise the life of generations to come and no one is seriously prepared to guarantee the future social stability required to prevent this.

Therefore, the only conservative, rational and moral position is to opt for an immediate cessation of all nuclear fission power generation. It is not a question of making nuclear power generation safe for people. The insurmountable obstacle is that we cannot envision any way to make people safe for nuclear power generation, short of total robotization.

The manufactured and fraudulent quality of the so-called "energy crisis" is well-known. Nuclear power is not now providing any significant net increment to U.S. energy supply. There is no reason to believe that nuclear power ever need provide any of our energy, even if our total energy consumption rises appreciably.

Clean, synthetic gas from coal is technically proved and commercially feasible now. While coal mining above or below ground should be unacceptable over any long term, it should be tolerated until a full solar energy economy is realized. Solar energy cannot fail to meet our energy requirements for the indefinite future. Technically it is proved. If we apply any form of rational economics, which must include the externality of keeping the earth habitable, solar energy will be vastly more attractive economically than nuclear power.

In his article, Dr. Weinberg compares nuclear energy to unacceptable, dirty fossil fuel plants, without consideration of solar energy at all. Apparently solar energy is too simple technologically and too acceptable ecologically to make a comparison that would please the high priesthood of the new religion of nuclear fission technology.

When one asks a nuclear technologist about the solution of the astronomically difficult problems nuclear fission power faces, his answer is invariably that we can solve them very soon. But ask him when solar energy can be fixed in useful forms for man's use, he will look at all the green plants which have done this for eons and he'll say, "Maybe in a hundred years or never."

The only way we will achieve clean synthetic gas from coal in large quantities and a full solar energy economy in the early future is via an immediate rejection of nuclear fission power as an acceptable option. Such rejection would be meaningful through a national moratorium on the operation or construction of any nuclear fission power plants. The resources, both public and private, freed by a moratorium on nuclear fission power will be enormous. The acceptable alternatives will move rapidly toward realization once these resources are available.

The energy industry has no place in its ledgers marked "health and welfare of future generations." Therefore, the task of accomplishing a moratorium and providing a sane energy economy cannot be entrusted to that industry. But individuals in society do have a moral obligation to avoid recklessness and extremism in dealing with the future of loving creatures on earth. Given the nature of the real problem of nuclear power, a problem admitted by proponents and opponents of nuclear power, it is difficult to understand the position of anyone who is not insistent upon an immediate moratorium on all nuclear fission power generation.

ABOUT THE AUTHOR

John W. Gofman, M.D., Ph. D., is a professor of medical physics at the University of California, Berkeley; co-chairman of the Committee for Nuclear Responsibility; former Associate Director of the AEC's Lawrence Radiation Laboratory at Livermore. He is the co-discoverer of four isotopes, and the slow and fast neutron fissionability of Uranium-233; he is also co-inventor of two processes for plutonium separation. His work in heart disease, cancer and chromosomes, and low-dose radiation is very well known. In 1972, Dr. Gofman shared the Stouffer Prize for his pioneering research in plasma lipoproteins and their relationship to arteriosclerosis. He is currently working on a heart-monitor to help reduce the death-rate from heart attacks.

THE AMERICAN LEGION'S 54TH ANNIVERSARY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ANNUNZIO. Mr. Speaker, March 15 marks the 54th anniversary of the founding of the American Legion. Delegates from the First American Expeditionary Force founded the Legion on March 15, 1919, in Paris, France. The Preamble to the Constitution of the American Legion states:

For God and country we associate ourselves together for the following purposes: to uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the great wars; to inculcate a sense of individual obligation to the community, State and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

The American Legion has maintained the high standards it set for itself. The members of this organization have been successful in making their noble ideals become a working reality. This is indeed a proud accomplishment. Legionnaires all over the country have accepted the challenge of sponsoring and conducting activities featuring community service, youth development, and educational advancement.

Legion activities in youth development include the sponsorship of Boy Scout troops, 4–H clubs, Boys' State and Boys' Nation. The Legion also conducts an annual national high school oratorical contest and the winner receives a $4,000 college scholarship. The purpose of the contest is to inspire a deeper knowledge and understanding of the Constitution of the United States on the part of high school students.

The Legion has long been active in seeking out resources to aid students in advancing their education. An annually revised 128-page handbook published as a part of the American Legion's education and scholarship program, contains sources of career and scholarship information for not only children of veterans, but for all youngsters.

The continuing dedication of the Legion to the adjustment of the veteran to civilian life, restoring his health and usefulness to society, maintaining his dignity, and assuring the welfare of the veteran's widow and children is celebrated with the commemoration of the Legion's founding. The American Legion admirably served the veterans of our wars with its sponsorship of the GI bill of rights and the Korean GI bill. By thus serving the veteran, the Legion serves America, for our men and women returning to American communities from mili-

tary service face singular problems and pressures. In addition, financial aid to former service men and women increases their opportunities to contribute, in turn, to America.

The members of the American Legion have not only protected the interests of our Nation abroad, but have also contributed mightily to the strength of our Nation at home. On this 54th anniversary of the founding of the American Legion, I congratulate the Legionnaires of Illinois and our Nation on their magnificent record of the past and extend my best wishes for their success in future services.

RECOMPUTATION OF MILITARY RETIRED PAY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. BOB WILSON. Mr. Speaker, I have delayed comment on the recommendations of the Special Subcommittee on Retired-Pay Revisions with regard to the question of the recomputation of military retired pay. While I have the greatest respect for the subcommittee chairman and our four former colleagues who served on the subcommittee, I cannot agree with their findings. The issue has not yet been put to rest.

As the Representative of a district with a large retired military community—both officer and enlisted—I have had considerable opportunity to discuss the question of career inducements. The subcommittee felt that recomputation was not a bona fide career inducement, but merely a fantasy of hindsight on the part of retirees. This raises the question of what was, in fact, a "career inducement" for current military retirees: low pay, frequent separations from family, infrequent promotions? Or, was it a dedication to their country and the satisfaction of getting an important job done? I have received many letters from retirees, inside and outside my district, who state that they loved their military careers and would do it again despite the hardships involved. By the same token, in difficult times and moments of decision as to whether it was all really worth it, many looked toward their future and their "retirement insurance" as a partial compensation for the hardships suffered in the service of their country. Military pay increases might continue to be far from extravagant, but at least they believed they would have some type of built-in "hedge" against inflation. According to the report, the subcommittee studies showed conclusively that recomputation during all the years of its existence was not successful in keeping retired pay up with the cost of living. To those accustomed to low pay and infrequent raises, it was certainly far better than no raises whatsoever. I would question whether active duty increases during that same period of time kept pace with the cost of living either. During the past decade, we have made considerable progress bringing military pay more in line with Civil Service and the private sector, but this was not the case until quite recently.

I cannot agree with the assertion that the Government has no moral obligation with regard to recomputation. At least since the early years of the 20th century, recomputation was an accepted fact of life. Retirees knew that, however large or small the active duty increase might be, they would be able to take advantage of it as well. In 1958 and 1963, however, Congress broke faith with our retired military when the time-honored retirement formula was changed. These men believed that they had a firm contract with the Government in terms of their future retirement benefits and enlisted and reenlisted with this understanding. Do we not have an obligation to see that the terms of the contract are fulfilled?

Although the military retired pay system is not contributory, military men do in fact contribute to their retirement by accepting lower active-duty pay. In recent years there has been considerable debate within DOD and the Congress over the validity of the imputed retirement contribution on the part of military retirees. It was interesting to receive recently a letter from DOD on another subject which listed the free retirement equity as one of the items which should be considered in determining military pay. Had Congress established a funded military retirement system years ago, we would not now face the plaguing question of the out-of-pocket costs for military retirement at present and in future years.

Finally, the subcommittee determined that nothing short of full recomputation for all those with pre-1958 service would satisfy proponents of recomputation. Therefore, passing the administration's "one-shot" bill would not really solve anything and Congress would be subject to the same recomputation pressures in the future. Congress has substantially increased a number of Federal programs in recent years—social security, aid to education, subsidized housing, to name a few—but I doubt that any Member has found that his constituents consider the present levels the final answer and have ceased to write and call on these subjects. "Hope springs eternal," as the saying goes, and I do not see any reason to apply different standards in terms of military retirees. Although they would certainly prefer full recomputation, I am confident that the various retiree organizations can reach agreement on a fiscally responsible compromise. While everyone is not going to be finally satisfied and never appeal to Congress for increases, this is no different from any other Federal program.

A great deal of publicity has been given to the staggering cost of retired pay in the coming decades and we seem to have again reached a stalemate as a result. I, too, am concerned about Government spending, but feel in this instance that the Government and the Congress have a moral obligation on which we cannot renege. Military retirees have been waiting many long years for action to correct the present retired pay inequity. With a concrete compromise proposal such as that put forth by the administration, for which money has been included in the new budget request, I hope that meaningful reconsideration can begin this year.

PEACE WITH HONOR

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. McCLOSKEY. Mr. Speaker, a great many Members of the House have lately expressed opposition to the President's promised assistance for the rebuilding of North Vietnam. Constituent mail is apparently running strongly against such assistance.

I would ask that our colleagues reconsider. Our promise of funds to North Vietnam was made in consideration of the return of our prisoners of war. Twice last year, Congress, by an overwhelming margin, urged and requested the President to make the return of our POW's and an accounting of the MIA's the sole condition for our withdrawal from Vietnam.

Peace with honor requires that we meet our agreements. We agreed to expend funds for the rebuilding of Vietnam, and any sum we may have promised to pay to get our prisoners back and end the Vietnam war seems cheap at any price.

We take great comfort in the return of our prisoners. Their suffering, and that of their families, has been one of the most difficult problems on the national conscience for the past several years.

To obtain the return of the prisoners, one of our commitments, set forth in paragraph 21 of the peace agreement reads:

> The United States will contribute to healing the wounds of war *and to postwar reconstruction of the Democratic Republic of Vietnam* and throughout Indochina. (Emphasis added.)

This is clear language, if the amount agreed to is not. We have no precise figure from Dr. Kissinger, but the rumored figure discussed at Paris is said to be $7.5 billion for Indochina, of which $2.5 billion is for North Vietnam, payable over a period of 3 to 5 years.

This is about the same cost as 1972's massive B–52 bombing effort against North Vietnam. The 12 days Christmas bombing alone is estimated to have cost over $1 billion. Compared with the $28 billion per year we paid to devastate the villages and countryside of Vietnam at the height of the war in 1968 and 1969, or the estimated $130 billion paid out for the war overall, the $2.5 billion reparations figure seems fairly small.

From a humanitarian standpoint, also, the sum of $2.5 billion seems reasonable. We claim to have killed over 1 million North Vietnamese soldiers and civilians; we have made refugees of some 6 million people in South Vietnam, 2 million in Cambodia, 1 million in Laos. Much of the

countryside in these three countries is sowed with shell craters, unexploded bombs and shells—bombs and shells that will be killing unwary farmers and children for a decade unless we assist with our technical equipment in their detection and detonation. As the most powerful nation in the world, this seems the least we should do.

We also have the best equipped naval hospital ships in the world. Our medical profession has shown a willingness to volunteer their services for humanitarian purposes in far off places in the past. Why not combine these two national assets to furnish the resources and medical care to help those Vietnamese, Laotians, and Cambodians who have been permanently maimed or disabled.

One 100-pound bomb recently killed 15 people in London and wounded 50 others. We have dropped millions of times this amount of explosives in the last 8 years in Vietnam.

I suspect we may do more to cure the divisions and underlying problems of our own society by this particular expenditure in Indochina than any similar sum we might spend at home.

For these reasons, I am glad to support President Nixon's request for funding. That request obviously faces great difficulty here in the House. I hope our colleagues will consider carefully the concept that "Honor" with which we leave Vietnam will require that we meet the commitments the President made in order to obtain the return of our POW's.

GOVERNOR'S STATE UNIVERSITY

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. O'BRIEN. Mr. Speaker, I am very proud to have a new university in my district—a university that was established during my tenure as a State representative. This institution has already been receiving publicity nationwide for many of its innovative and bold approaches to higher education.

The Florida Star newspaper had an editorial commending the State of Illinois and Governor's State University for their commitments to excellence in the field of higher education:

NEW EDUCATION IDEAS

Like nearly every other institution in the land, education has been subjected to the pressures of change. In an effort to help meet the requirements of the time, the Illinois Board of Higher Education, after a survey of educational needs and objectives, established Governors State University about a year ago.

The new institution is especially adapted to the needs of students coming from junior and community colleges. It is committed to experimentation and innovation in education. Currently, instruction is centered within four collegial units—the College of Cultural Studies, Environmental and Applied Sciences, Human Learning and Development and Business and Public Service. Methods of instruction are experimental as is the entire organizational structure of the University which must be reevaluated in five years.

An explanatory statement on the purposes and method of operation of this innovative institution of higher learning notes that, "Governors State University has been in operation only a few months. Many concepts are still in a developmental stage . . . The University is committed, however, to the continuance of an experimental, innovating posture as it grows in student body, staff, and community services." The action of Illinois in launching a new idea in education provides impressive evidence of the responsiveness of the so-called establishment to the pressures of change in our society.

ST. PAUL UPGRADES EMERGENCY MEDICAL CARE

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. KARTH. Mr. Speaker, today I joined with 44 of our colleagues in sponsoring the Omnibus Fire Research and Training Act which would provide Federal assistance to local firefighters.

The fact that firefighting has become the most dangerous occupation in the United States points up the need to keep our firefighting technology up with modern techniques—especially in the increasingly hazardous area of skyscraper fires.

The benefits to the public from this bill are many. Of obvious importance will be increased safety from having our communities protected by firefighters trained in the latest life-saving techniques. The savings to property would be substantial. And in the long run increased protection would mean lower insurance rates.

In connection with my cosponsoring this bill, I place in the record an article from the Minnesota Fire Chief. This article, reprinted from the St. Paul Pioneer Press, illustrates what a community can accomplish in terms of emergency service to its citizens. I believe that the establishment of Federal training and research in the area of firefighting would make it possible for more communities to share in these kinds of programs.

The article follows:

ST. PAUL UP-GRADES EMERGENCY MEDICAL CARE

(By Dave Giel)

St. Paul firemen, in radio communication with a doctor, will provide advanced medical care at the scene of emergencies under a new fire department ambulance program scheduled to begin this spring.

The revised ambulance service should reduce dependence on high-speed runs from the scene of an emergency to treatment in a hospital, fire and hospital officials said.

Instead, highly-trained firemen will attempt to stabilize an injured patient's condition before transporting him.

Immediate treatment should save lives, and reduced need for hectic trips to the hospital may prevent accidents such as the one that killed a Hennepin County ambulance driver recently, officials said.

The system will depend on firemen with paramedical training, specially-equipped ambulances plus radio and visual communications between firemen and St. Paul-Ramsey Hospital.

Expected starting date for the program is May 1, 1973. By then 21 firemen should have received paramedical training and two ambulances will be equipped for the new service, according to Donald R. Johnson, asst. fire chief in charge of training.

The program will be patterned after others now operating in Jacksonville, Fla.; Los Angeles; Houston; Seattle; Columbus, Ohio; New York City; and Chicago, according to a physician helping plan the program, Dr. Brian Campion, head of cardiology at St. Paul-Ramsey.

But unlike some of the other systems, ambulance personnel here also will be available for fire fighting and no increase in department employment is planned because of the service, according to Fire Chief Steve Conroy.

About 110 firemen, one quarter of the force, will eventually receive paramedical training, he said.

They will be trained to handle a variety of emergencies—to start intravenous solutions; administer drugs; take vital signs (heartbeat, blood pressure, respiration); deliver babies; and deal with diabetic attacks, strokes, hemorrhaging, child emergencies and heart attacks, according to plans.

To treat heart attacks, they will be taught to record the heartbeat, transmitting it to St. Paul-Ramsey Hospital where a doctor can monitor it on a screen. They will also learn to operate defibrillator, an electrical device designed to shock a heart back to its normal rhythm, Campion said.

Doctors will prescribe treatment to be given by firemen at the scene, based on the heart monitor, Campion said.

The firemen at the patient's side will be the "eyes and ears of the doctor," he said.

In cases where radio contact is lost, the firemen will be authorized to make their own diagnosis and start treatment, he said. "They have to be well enough trained to take independent action. That'll cause us some flak but that's the truth. That's why we want to train them so well."

Fire officials say such cases should be rare. And Conroy emphasized that the free ambulance service will take a patient to his own hospital if that is preferred to St. Paul-Ramsey. Doctors there will keep in touch with the patient's own doctor at the other hospital until the patient arrives there in such cases, Conroy said.

Ambulance duty is nothing new for city firemen. The fire department took over operation of the city's emergency ambulances 1½ years ago.

The department's seven ambulances now reach the scene of an emergency in an average of three to four minutes and average less than 12 minutes from the time they receive a call until the time they arrive at a hospital with the patient, Conroy said.

The department has saved a stack of letters from city residents praising the current system.

"Right now we've got an excellent ambulance service but it's going to get better," Conroy said.

By May 1, Conroy said, a $14,000 "modular" ambulance specially designed for paramedical service will be obtained with aid of a 50-50 funding grant from the State Health Department. And one of the seven current ambulances will be equipped at a cost of $3,500 to $4,000.

Eventually, the department hopes to replace the current ambulances and have a modular vehicle at each of the seven fire houses where they are based.

The covered shell of those vehicles can be detached and put onto a new chassis when the original chassis wears out, according to Vernon Patterson, of the State Health Department.

Conroy said fire officials are consulting with the state attorney general's office to see if any change is needed in the state Good Samaritan Law to protect firemen who administer medical care.

Any necessary changes would be sought from the 1973 state legislature, he said.

To implement the program, he added, wording was changed to allow a non-doctor

to give drugs under the indirect supervision of a doctor rather than only under his direct supervision.

Dr. Robert Van Tyn, director of the emergency care unit of the St. Paul-Ramsey ambulatory care department, said firemen are uniquely equipped to provide emergency medical service.

Van Tyn has been involved in the current first-aid training program for firemen and is working with Campion on the new program.

"The fire department is psychologically tuned to fast response plus the additional thing that they are dispersed (throughout the city) and can respond quickly," he said.

Also, firemen are more available to handle ambulance service in addition to their main job—fire fighting—because they have unoccupied periods of time, he said. A further advantage is that this time has been used for advanced training in the past, he added.

Three firemen have begun their training in a four-week nursing course at Divine Redeemer Hospital, fire officials said.

Plans call for them to take an additional eight weeks of in-hospital practical training, then study and observe a para-medical system in Los Angeles or Jacksonville, Fla., or both for three to four weeks.

After these three men are trained, they will help establish the department's own program for future trainees, Johnson said.

The department plans to give to additional trainees six weeks of classroom work; six weeks of in-hospital practice, then two or three weeks of internship in the ambulance.

The fire department has some money budgeted for equipment but is also seeking city and county funds for education and for improving the St. Paul-Ramsey communications system, officials said.

Both Mayor Lawrence Cohen, who sits as county board chairman, and City Council President Rosalie Butler have said they are enthusiastic about the program.

Cohen said the revenue-sharing money might be available for it. Mrs. Butler indicated the city has a contingency fund that might be tapped. She said the entire City Council was impressed by a presentation on the program but added, "The only question is how far we would get into it at first."

The hospital's governing body has endorsed the program in principle. And five city and county doctor's groups have also endorsed it in principle, Campion said.

An advisory committee will be established, composed of department personnel and doctors to oversee the training program.

PRESIDENT LYNDON BAINES JOHNSON

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. FREY. Mr. Speaker, President Lyndon Baines Johnson revealed his traits of leadership by serving his Nation well in many varied and difficult times.

Surely, the most trying of the many years of public service were his last.

Those years, of course, were spent downtown—down Pennsylvania Avenue from this magnificent Capitol where his kind of politics was the practical and where his ability to get a bill through a balky Congress was well known by all.

Mr. Johnson took over the Presidency at a troubled and trying time—the Nation's leader had been slain and America was at war with an enemy it did not quite recognize.

President Johnson wrestled with the war daily, almost hourly while at the White House, and he kept in close touch with President Richard Nixon after he retired to Texas where it is said he often thought of the war and of the divisiveness it threatened to bring to America.

He learned of the nearness of peace in Vietnam only a few days before his death at his beloved ranch in the Texas foothills. We can be sure his joy at the news was not colored by thoughts of partisan politics, for Lyndon Johnson, when it came down to the line for his country, was able to rise above that kind of politics.

WEST TEXAS REGION OF THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS PRESENTS THEIR ANNUAL BROTHERHOOD AWARD TO MR. MANUEL JARA OF FORT WORTH, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. TEAGUE of Texas. Mr. Speaker, each year the West Texas Region of the National Conference of Christians and Jews makes an annual brotherhood award to a deserving individual who in their opinion has contributed the most toward a better understanding and cooperation among varied ethnic citizens of the community.

This year, they have selected Mr. Manuel Jara of 5655 Vega Drive, Fort Worth, Tex., and at their banquet to be held on Thursday, March 29 they will make the formal presentation. On his award he will be cited as follows:

No one in this community represents the ideals of brotherhood and respect for all other Americans than Manual Jara. He is a living example of the attitudes we should express in our relations with others.

Under leave to extend my remarks, I wish to include a sketch of Mr. Jara and the many community accomplishments of his which lead to his selection:

MANUEL JARA

1. PERSONAL

Residence—5655 Vega Drive, Fort Worth, Texas 76133
Born—September 9, 1922, Eastland, Texas
Lived in Fort Worth since age 9
Wife—Jacinta
Two daughters—Mary Jara and Jo Linda Martinez; two grandchildren
Member of St. Bartholomew Catholic Church
Owns and operates Jara Printing Company
Veteran of World War II

2. CURRENT POSITIONS

1. President, Catholic Social Services of Tarrant County
2. President, International Good Neighbor Council, Fort Worth
3. Vice-President, South Fort Worth Business Association
4. Vice-President, Tarrant County Health Planning Council
5. Treasurer, Tarrant County Neighborhood Youth Corps
6. Board of Directors, National Conference of Christians and Jews, West Texas Region
7. Board of Directors, North Texas Commission
8. Board of Directors, Tarrant County United Fund
9. Board of Directors, Fort Worth Library Board
10. Board of Directors, Casa Manana Musicals, Inc.
11. Board of Directors, Tarrant County Child Study Center
12. Board of Directors, Easter Seal Society
13. Board of Directors, Arthritis Foundation
14. Board of Directors, St. Teresa Home
15. Board of Directors, C.O.G., Comprehensive Health Planning Council
16. Board of Directors, Fort Worth-Tarrant County Emergency Development Corps.
17. Advisor to Registrants, Selective Service Board #111
18. Fort Worth Public Schools Human Relations Committee
19. Bilingual Advisory Council
20. Dallas-Fort Worth Labor Market Advisory Council
21. Member: Fort Worth Chamber of Commerce, American Legion, American G.I. Forum

3. PAST COMMUNITY SERVICE

1. President, Community Action Agency of Tarrant County
2. Vice-President, Tarrant County Community Council
3. Executive Committee, Tarrant County United Fund
4. Vice-President, Tarrant County Neighborhood Youth Corps
5. District Chairman, North Texas Region of American G.I. Forum
6. Chairman, American G.I. Forum, Fort Worth Chapter
7. Vice-President, Amigo de Mexico, Inc.
8. Board of Directors, Big Brothers of Tarrant County
9. Board of Directors, Tarrant County Community Council
10. Board of Directors, Tarrant County Drug Abuse Council

4. CITATIONS FOR COMMUNITY SERVICE:

1. Commended as "a vital and effective force in the progress of our community" by the County Judge of Tarrant County, Texas, in an official proclamation declaring November 18, 1967, as "Manuel Jara Day" in Tarrant County, Texas.
2. Awarded "Distinguished Service Award" in a testimonial dinner given in his honor by the American G.I. Forum in recognition as "a tower of strength for progress and effective community service and action" (1967)
3. Cited by the Mayor of Fort Worth "for many years of community service in bettering the cause of minorities in Fort Worth" in an official proclamation declaring November 18, 1967, as "Manuel Jara Day" in Fort Worth, Texas.
4. Awarded certificate of appreciation by the President of the United States in recognition of five years service to the Selective Service System as advisor to registrants (1972).
5. Cited in 1967 by the Honorable Mexican Counsel of Fort Worth and "Mexican-American Friendship Committee" for "dedicated and honorable service in promoting good will and understanding between the people of Mexico and the United States."
6. Received "Urban Service Award" in 1967 from Sargent Shriver, Director, U.S. Office of Economic Opportunity (OEO) for "dedicated efforts in alleviating problems of the poor in America's cities and creating a better life for our citizens."
7. Made Honorary Citizen of the City of Guadalajara, Mexico by the Mayor of Guadalajara (1972).
8. Named "Distinguished Visitor" to the State of Jalisco, Mexico by the Governor of the State of Jalisco (1972).

9. Appointed "Honorary Texas Colonel" in 1961 by the Governor of the State of Texas.

CRIME COMMITTEE DEMISE

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. GUNTER. Mr. Speaker, the Palm Beach Post, a Pulitzer Prize winning newspaper in south Florida, commended Representative CLAUDE PEPPER for "a job he has done extremely well" as chairman of the House Select Committee.

The editorial notes:

It is doubtful that other committees with more wide-reaching interests will be as effective in exposing national crime problems although their chairmen vowed to fill the crime panel's shoes.

The Post concludes that the Judiciary Committee will be hard pressed to produce as much as the Pepper committee has done during its brief existence.

The editorial entitled "Crime Committee Demise" follows:

CRIME COMMITTEE DEMISE

Leaders in the House of Representatives are removing Miami's Rep. Claude Pepper from a job he has done extremely well for the past three years. Yet they failed to come up with one good reason why Rep. Pepper's Select Committee on Crime should be killed.

The 11-man committee, formed in 1969 as the only congressional unit with a sole interest in criminal activities, was guilty of winning the headlines that eluded other committees—nothing more. It exposed Mafia infiltration of sports, went on the road with hearings that revealed the extent of drug addiction, put the spotlight on a nationwide phony securities racket, and showed that nearly half of all legally manufactured amphetamines wind up in the black market. A number of its reports and recommendations evolved into legislation and Justice Department action.

The chairmen of larger, more permanent committees have eyed Rep. Pepper's work with jealousy. The Crime Committee's investigations have crossed into territory sometimes covered—for good or bad—by committees such as Judiciary, Commerce, Education, etc. These chairmen quite simply want a bigger piece of the action now that anticrime efforts have such popular appeal. Their status-encrusted pleas to the speaker of the House were successful and unless in the unlikely event that the issue is brought to the floor the Crime Committee will be allowed to expire June 30.

It is doubtful that other committees with more wide-reaching interests will be as effective in exposing national crime problems, although their chairmen vowed to fill the crime panel's shoes. These congressmen who are big on law-and-order rhetoric already showed that they thought it more important to protect their House fiefdoms.

Rep. Pepper, a 72-year-old veteran lawmaker, did not give up without a fight, sending telegrams to governors, mayors and drug abuse officials urging their support. He found a new love with the Crime Committee, and was on solid ground in not wanting to lose the experience and momentum that it gained.

There is some solace, however, in Rep. Pepper's announced intention to "prod" the Judiciary Committee and other panels to make sure they undertake the kind of effective anti-crime investigations that his committee was noted for.

CHANGES NOTED IN AFRICA STATES

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DAN DANIEL. Mr. Speaker, all of us are becoming increasingly aware of the tremendous changes that have occurred in recent years on the continent of Africa. Many of the newly developed nations are springing forth with considerable economic impact on world trade and the evidence of their political sophistication is abundant.

While much has been written condemning the European nations which once dominated the African Continent, little has been said of the benefits which may be derived from a European-African alliance. Recently, the Portuguese-African experience was brought to my attention by a very fine article by Ray McHugh, Washington bureau chief of the Copley News Service, which appeared in the San Diego Union of February 5, 1973.

The article speaks for itself, and I recommend it to the reading of the Members of the House. Mr. McHugh has a keen insight into the problems of Africa and his research is indicative of the very thorough job he does in reporting.

The article follows:

CHANGES NOTED IN AFRICA STATES

(By Ray McHugh)

WASHINGTON.—Change is coming at a record pace in Portugal's Africa territories, says one of Lisbon's brightest young political figures, who envisions a Portuguese commonwealth emerging from a 500-year-old empire.

However, change will never satisfy revolutionaries and terrorist guerrillas "who are seeking power for their own selfish ends," says Dr. Manuel Jose Homen de Mello. His visit to Washington coincided with the assassination in Conakry, Guinea, of Amilcar Cabral, leader of an outlawed nationalist movement in Portuguese Guinea.

President Sekou Toure of Guinea, one of Africa's most radical leaders, immediately accused Portugal of plotting the assassination. However, Lisbon denied any role and pointed out that Cabral and other would-be nationalist leaders have been feuding for years.

KNOWN AS "CHE"

Cabral, popular among some international intellectual circles, was known as the "Che Guevara" of Portuguese Africa.

Portugal's critics, Homen de Mello said in an interview, have chosen to ignore political and social progress within Portuguese Guinea, Mozambique and Angola—progress aimed at giving virtual autonomy to each area.

"We have the example of Brazil before us," said Homen de Mello, 43, a member of Lisbon's parliament and editor of "A Capital," one of Portugal's largest newspapers.

SPIRIT NOTED

"Even today, 150 years after independence, Brazil embodies the very essence of the Portuguese spirit, the same spirit which is behind our present stand in Africa.

"Our relations with Brazil were never better."

The congressman-editor's views are considered important in Washington, because he represents a youthful, liberal-minded voice in Portugal. While he speaks of change, there also is the iron-like determination that has marked Portuguese policies in Africa since the tide of independence arrived in the late 1950s.

INTEND TO STAY

"We came to Africa to stay," Homen de Mello said. "We are still there and we intend to stay there."

United Nations' criticism of Portugal, he noted, comes largely from Communist or other totalitarian one-party governments that "pose as champions of democracy."

"The United Nations has become purely a demogogic stage and only discriminates against those who refuse to line up with the established dictatorship of the majority," he said. "We witness the systematic denunciation of respectable regimes, like the Portuguese one, which is accused by the Communists and other totalitarian states of being politically monolithic, when they themselves are, without a single exception, ruled by the absolute tyranny of a single party."

The new autonomy for Portugal's African territories was outlined Jan. 16 in a message to the nation by Premier Marcelo Caetano that was little-noted by the world press.

Recent constitutional changes have already designated each territory as a "state," not an "overseas province." Each is to have a locally elected government council, chaired by a governor general. Each also will have greater representation in the National Assembly in Lisbon. Local elections already have been held for parish councils, committees, local councils and district juntas.

Local-born representation already has reached more than 50 per cent in Mozambique and is growing steadily in all the states. In the Portuguese Cape Verde Islands, 92 per cent of office-holders are indigenous to the region.

NOT APARTHEID

Contrary to popular belief, apartheid or the separation of races has never been a policy in Portuguese Africa. Schools, businesses and social clubs have long been integrated.

"It is the government's firm intention that the indigenous populations should have important and growing representation," Caetano said.

He said he envisions a society "where blacks and whites may live together and cooperate peacefully, without racial hatred, everyone contributing toward a common goal of local civilization and progress with whatever his cultural and technical aptitude may produce."

REJECTS COURSE

Citing the Congo's tortured experiences in 1960 when Belgium abruptly granted independence to the region, Caetano rejected such a course.

"The terrorist groups would redouble their violence and attempt to use the free reign to carry out all manner of revenge, reprisals and acts of coercion that might assure them tyrannical domination over the land and the people," he said.

Pointedly, Caetano said travelers in Angola and Mozambique are safer today than visitors in many European and American cities. He also emphasized that more than 50 per cent of Portugal's African security forces are Negro.

DEVELOPMENT CITED

"We are not a stagnant society," said Homen de Mello. "We have put more, more per capita, into the development of our overseas territories than probably any nation in the history of the world.

"We are not afraid to implement far-reaching economic, social and political reforms. We have certainly shown we are not adverse to change.

"But naturally we want to control the direction these changes take. We are for evolution, not revolution."

MICHAEL HALBOUTY, CONSULTING GEOLOGIST EXPRESSES HIS VIEWS RELATIVE TO GOVERNMENT AWARD OF OFFSHORE TRACTS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Michael Halbouty, consulting geologist and petroleum engineer of Houston, Tex., recently gave an address to the Association of Oilwell Servicing Contractors in which he spoke of government awards of offshore tracts. His comments are well worth reading and I commend them to the Members of this body:

GOVERNMENT AWARD OF OFFSHORE TRACTS

A suggestion that the government award offshore tracts on the basis of performance obligation rather than cash bonuses was made today to a meeting of the Association of Oilwell Servicing Contractors by Michael T. Halbouty, prominent petroleum geologist and engineer.

Halbouty said it was absurd for the government to collect billions in cash bonuses and then throw that money down the drain of Federal spending rather than using it to promote needed exploration and development in the offshore area while a dangerous energy shortage threatens.

His proposal, he said, is simple: The present biding would continue, but instead of the government taking cash from high bidders, the bidder would be obligated to spend the sum on drilling. If the entire sum is spent, the bidder would pay the government nothing. If not, the bidder would pay the government the difference in cash.

Halbouty said the government would receive far greater returns in both royalties from expanded drilling and in fuel with which to combat the energy shortages.

"The most recent bidding for leases in offshore Louisiana resulted in the government getting $1.6 billion in bonuses," Halbouty said.

"This is absolutely absurd from any standpoint you look at it. This nation is short of oil and gas. It takes money to explore and drill for these resources. Nowhere does it cost more than in the offshore. Yet this government creates a system by which $1.6 billion is required for bonuses. These bonuses represent a total waste of money that should be used for exploration and development of the leases themselves. They stifle exploration by creating additional costs which reduce and restrict more exploration. These high bonuses also reduce the ultimate income the government entity would receive due to the limited exploration of the leases granted.

"Statistics show that more exploration conducted on a prospect or in a given area results in a greater success. The concept of a new formula described below will increase the competition of bidding, thereby insuring the ultimate in exploration of the leases involved.

"The proposed formula is as follows:

"(1) Bids will be conducted on blocks as is currently the custom. These bids will be made on a cash basis.

"(2) The successful cash bids accepted will not be paid to the government, but will be an obligation on the company to spend that sum on the block in exploration and development. Once that amount is spent the company's obligation to the government would have been fulfilled. If the full amount is not spent then the difference would be paid to the government in cash.

"For example, $50 million is the successful bid on a block of leases. The block is productive and after deducting all exploration and development costs incurred after the leases were granted to the company, there is a deficit of $20 million to meet the original bid amount. This $20 million will be paid directly to the government.

"(3) If the block of leases is dry, the cash difference on what was spent on exploration and drilling, after the leases were granted to the company, against what was bid would be paid to the government. For example, the original successful bid amount is $50 million, exploration and dry holes, $10 million; at this point the company chooses to abandon the leases and at the same time pays the government $40 million in cash.

"(4) Such a formula would encourage greater competition for the original bids because the operating company would know that part, if not all, of the bid amount would go into future exploration, and, hopefully, development of the blocks. This, in turn, would result in greater exploration of a block before the leases were abandoned which would surely result in finding new reserves which would not be found if only one dry test was drilled.

"(5) The government would, in the long run, because of more discoveries under this policy, receive far greater returns in additional royalties than a cash bonus, and the government would still be protected by and would receive cash payments which would be paid on abandoned blocks, as well as those which were productive where the original bid amounts were not consumed. After being awarded the leases, the operating company would have additional time to conduct more exploration on blocks prior to drilling. Thus, ensuring a greater ratio of success. This would also give operators time to obtain proper drilling equipment and schedule drilling in an orderly manner. It would also save the company a tremendous amount of interest which would have been paid on bonus money as under the present immediate payment policy.

"(6) It would create a better rapport between government and industry as government becomes a greater and more interested partner."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. SCHERLE. Mr. Speaker, for more than 3 years, I have reminded my colleagues daily of the plight of our prisoners of war. Now, for most of us, the war is over. Yet despite the cease-fire agreement's provisions for the release of all prisoners, fewer than 600 of the more than 1,900 men who were lost while on active duty in Southeast Asia have been identified by the enemy as alive and captive. The remaining 1,220 men are still missing in action.

A child asks: "Where is Daddy?" A mother asks: "How is my son?"

A wife wonders: "Is my husband alive or dead?" How long?

Until those men are accounted for, their families will continue to undergo the special suffering reserved for the relatives of those who simply disappear without a trace, the living lost, the dead with graves unmarked. For their families, peace brings no respite from frustration, anxiety, and uncertainty. Some can look forward to a whole lifetime shadowed by grief.

We must make every effort to alleviate their anguish by redoubling our search for the missing servicemen. Of the incalculable debt owed to them and their families, we can at least pay that minimum. Until I am satisfied, therefore, that we are meeting our obligation, I will continue to ask, "How long?"

A CRUEL IDEA

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. GAYDOS. Mr. Speaker, there is considerable consternation throughout the country today over the administration's approach to solving our Nation's financial and economic problems by drastically revising our domestic social programs.

The national medicare program is one where the administration has proposed changes which will greatly increase the financial cost to those who can least afford to pay it.

Mr. John G. Conomikes, vice president and general manager of WTAE–TV in Pittsburgh, Pa., opposed the administration's plan, describing it as "a poor and even a cruel idea" in a recent editorial. He pointed out our senior citizens have been bludgeoned by brutal property taxes, which threaten their homes, and squeezed by inflation, which has robbed them of pensions and savings. As Mr. Conomikes states, medicare is the "one big plus" the country has extended its elderly and it should not be tampered with.

Mr. Speaker, I am inserting a copy of Mr. Conomikes' editorial into the RECORD for the attention of my colleagues. I am sure they will find it interesting and informative:

EDITORIAL

There are a variety of reasons why changing the ground rules on Medicare is a poor and even a cruel idea.

There seems little financial justification for it. Medicare is one of the few social welfare programs that is financed independently of the general budget. Like Social Security, Medicare is funded by payroll deductions and employer contributions. It is financially solvent.

Yet the national administration proposes a reduction in benefits. For example: the average Medicare patient's hospital stay is 13 days. The patient pays $72 toward his bill. The proposed change would raise the patient's share of this to $200.

For a great many elderly people in this country the difference between $72 and $200 is a very significant sum. We've not made things easy for the majority of old people in this country. A rootless society has carried the young away from them. Inflation has eroded their pensions and savings. Brutal property taxes have threatened their homes. Neglect of public transportation has immobilized vast numbers.

Medicare stands tall as the one big plus this country has extended to its older people. This is no time to start chipping away at it.

THE MIDDLE EAST

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. DERWINSKI. Mr. Speaker, one of the few members of the press who can be accurately described as an expert on the Soviet Union is Frank Starr, Washington Bureau Chief of the Chicago Tribune, who, prior to being elevated to this position, was the Tribune's Bureau Chief in Moscow for a number of years.

His column in the Chicago Tribune of March 12th focusing attention on the diplomatic moves that might be expected in the Middle East is, in my judgment, a very timely and penetrating commentary.

The article follows:

THE MIDDLE EAST: NEXT GLOBAL FOCUS

(By Frank Starr)

WASHINGTON.—After Peking, Moscow, and Hanoi, it is probably fair to ask: What will this administration do for an encore?

The obvious answer is the Middle East, and for some weeks now the signs and the sources have been pointing in that direction.

It has become almost axiomatic in the capital's international community that the Middle East remains the one area in which President Nixon has not been able to exercise an impact.

It is the one area that has not yielded, as the State Department's Middle East expert Joseph Sisco puts it, to techniques of negotiation employed elsewhere.

He points out that the North and South Vietnamese are now talking to one another, the East and West Germans are doing the same, and even the North and South Koreans are conducting regular negotiations.

Apart from whatever other reasons may exist for the President's turning his attention to the Middle East, it must be exceedingly annoying to seem completely without the power to remove this ugly blemish on an otherwise clean slate.

Secretary of State William Rogers in the spring of 1971 made a major effort whose only obvious and lasting result was continuation of a cease-fire that had already begun.

The President has said he will give greater attention to the area and his chief foreign affairs adviser, Henry Kissinger, has said he will not.

This would seem to leave the burden on Sisco, who bears the respect of Israel's Premier Golda Meir as well as that of many Arabs. That may be an advantage that Kissinger, being Jewish, doesn't have.

If the Middle East has not yielded to negotiation techniques, it is also axiomatic among Middle East experts at least that for centuries neither has it yielded to logic. Hates, fears, suspicions, and unpredictability perhaps run deeper and longer there than anywhere else in the world.

Thus the real reason that the Middle East is next on the President's list is that along with being the last major area of continuing conflict it is also the next area of possible conflict with the other superpowers, mainly the Soviet Union, over oil.

It is the next place to test Moscow's commitment to cooperate with the United States, as pledged in the Moscow communique, to avoid confrontation over local conflicts.

Nixon has tested, and found sound, Moscow's willingness—and Peking's too, for that matter—to put their relations with Washington above those with Hanoi.

Now, both Israelis and Egyptians are watching to see whether Moscow will also consider its relations with Washington more important than its commitments to Cairo.

Initial indications are that it will. Last year the Soviets declined to provide the Egyptians with sophisticated weapons they expected. President Sadat sent Soviet advisers out of Egypt, and little happened. Now he has declared a worldwide diplomatic initiative in place of the war-is-inevitable tirades he engaged in until recently.

Now his representative Hafez Ismail has broken postwar precedent and the ice by coming to Washington, and informed speculation in Cairo has it that he may be in line for the job of Premier Aziz Sidki—a sign of his prestige, in any case. King Hussein has paid a call, as has Mrs. Meir.

When asked, Mrs. Meir says, "So far, nothing has changed." When asked, Sisco says the same thing. It is probably safe to assume that they mean that "on the public record, nothing has changed."

Nonetheless, the wheels have begun to turn.

GIRL SCOUTS CELEBRATE 61ST ANNIVERSARY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mrs. GRASSO. Mr. Speaker, this week we pay tribute to the Girl Scouts of America, an outstanding organization devoted to the development of young American girls.

Sixty-one years ago, on March 12, 1912, the Girl Scouts group was founded by Mrs. Juliette Gordon Low in Savannah, Ga. Mrs. Low was inspired to begin a scouting organization for girls when she became acquainted with the Girl's Guide Movement in England. The Girl's Guide had been established earlier by Lord Baden-Powell, also the founder of Boy Scouting. It was a program based on Scouting ideals, but developed especially for girls. Mrs. Low began her program with those same ideals in mind: the art of living together in respect and understanding with other human beings.

The Girl Scout program provides the opportunity for young girls to learn the art of living with others through a myriad of activities. The program is designed to give the Scout a chance to develop self-confidence, as well as to provide useful experience in group efforts.

The Girl Scout program includes girls through four age levels between 7 and 17 years: Brownies, Juniors, Cadettes and Seniors. Councils and troops have mushroomed throughout the Nation during the past 61 years. Scouts and their adult leaders hold weekly meetings to plan events and programs which have made Girl Scouts the constructive organization for which it has been traditionally noted.

I am proud to say that there are two active councils in my district with a combined membership of some 10,000 Girl Scouts and 1,600 adults. These councils conduct summer activity programs for non-Scouts in the district, while providing camping and other outdoor activities for the Scouts.

It is indeed encouraging to know that the Girl Scouts of America continue their important contributions to the sound development of our young people through creative and worthwhile activities. The benefits of the Girl Scout experience endure a lifetime. The dedication and commitment of Scout leaders have played a vital role in making the Girl Scout program the success it is. With great pleasure we salute the members of a splendid organization during this week that has been set aside in their honor.

SUPPORT FOR SOCIAL SERVICES

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. REID. Mr. Speaker, today, 81 of my colleagues are joining me in the introduction of legislation to block the implementation by the Department of Health, Education, and Welfare of new regulations governing Federal support for social services and remove from Secretary Caspar Weinberger the authority to issue any regulations to the contrary.

We are taking this unusual and very drastic step because it has become clear to us that in proposing these new regulations, the administration has broken faith with the Congress, the several States, and the American people.

The administration's new regulations are not a step toward fiscal responsibility, they are a giant step backward into the dark ages of the dole. Their effect will not be to save money, but instead to hurt the helpless in our society and impose vast new costs on State and local governments by forcing thousands of families back on to already overburdened welfare rolls.

It is important to remember that the funds that the administration proposes to cut are not welfare. They are funds used to provide the vital services that will enable the needy to become self-supporting.

The new regulations will make deep cuts in urgently needed services for children, mothers, the retarded, the aged, the handicapped, and the addict.

They will so constrict eligibility for services that only the working welfare recipient will qualify and thus, they will deny the working poor a chance to work their way to independence and self-sufficiency.

They will eliminate standards for child care and thus relegate young children to ghettoized warehousing.

They will prohibit the use of private funds in Federal matching programs and thus deny private enterprise the opportunity to share in responsibility for social improvement.

To deny these services is to deny our society any hope for relieving the burden of poverty that is crushing our taxpayers and eroding the quality of American life. It is not only inhumane, it is economically absurd.

Let me give you just a few examples of the effect of these regulations.

In New York State 30,000 of our 66,000 senior citizens who are now receiving services will become ineligible.

We will lose $27 million of the $32 million now received for foster care.

Over a third of the 52,000 children in day care, will become ineligible.

Programs aimed at aiding the retarded and preventing drug addiction and delinquency will get no funding whatsoever.

In New York City 20,000 of the 40,000 children now in day care will be dropped.

All of this comes on top of the very drastic cutbacks suffered by New York as a result of the $2.5 billion ceiling adopted by Congress last year. Under that ceiling the $850 million that New York State expected was cut to about $230 million. The administration's proposed regulations would cut this figure even further.

The only place to get the money to continue these vital services is from the already overburdened New York taxpayer.

The impact of these ill-advised administration cuts throughout the country are staggering. Arkansas, for example, will have to close 60 of the 80 mental retardation centers they are operating. In Pennsylvania, 12,000 of the 14,000 children in day care will be dropped.

Our legislation will prevent this by writing much of the substance of the existing regulations into Federal law. This, however, is not a blanket return to the status quo. Our legislation recognizes the need to hold down costs and adhere to the stringent $2.5 billion ceiling on social service spending set by the Congress at the request of the administration last year. We have, for example, largely accepted the new regulation's limit on services that must be provided by the States, although we have added child care to the three they would propose.

Let me make it clear at this point that our legislation does not represent any increase whatsoever in Federal spending. It adheres to the spending limits set with this administration, itself.

Very briefly, let me explain. As I mentioned, last year in accordance with the administration request, Congress set a severe ceiling of $2.5 billion on social service spending. Many of us thought that limit to be too low, but we accepted the need for a firm ceiling and we are prepared to live within it.

However, these new regulations will, by subterfuge, impose further slashes of between $1 and $1.3 billion below that ceiling. Instead of the $2.5 billion limit, they will peg Federal support for social services at between $1.2 and $1.5 billion.

Not only has the administration broken faith and ignored the congressional mandate, it has done so by a callous, deceitful, and improper impoundment of congressionally approved funds.

Congress and the American people cannot afford this reckless indifference to social responsibility. Nor can we afford this arrogant disregard of constitutional procedures.

I include with my remarks, the following:

HIGHLIGHTS OF LEGISLATION TO CORRECT NEW SOCIAL SERVICE REGULATIONS

A bill to amend the Social Security Act as amended last Fall, by eliminating language restricting eligibility of past and potential welfare recipients to 10% of funds, and by eliminating restrictive language defining day care services.

A joint resolution which will write model regulations directly into the Social Security Act. These regulations cover the following major points, and made the following changes in the newly proposed regulations.

New regulations prohibit the use of donated private funds or in-kind contributions to be considered as the State's share in claiming Federal reimbursement. Our legislation repeals this restriction.

New regulations cut from five years to six months the definition of a future welfare recipient and from two years to three months the definition of a past recipient. Our legislation reinstates the original definition, thereby restoring eligibility for the working poor.

New regulations impose strict income eligibility. Our legislation returns to the broader definitions of eligibility, including group eligibility.

New regulations eliminate the "special needs" category which allowed special services for the handicapped regardless of income. Our legislation reinstates this provision.

New regulations redefine the purpose of services so that services may be provided only if they lead to self-support. Our legislation permits social services for the purpose not only for self-support but also for situations in which persons cannot be immediately self-supporting, such as, for example, a young child or a permanently incapacitated senior citizen.

New regulations impose restrictions on a welfare agency's ability to purchase services. Our legislation removes these restrictions.

New regulations eliminate the current requirements that out-of-home care comply with the Federal Interagency Day Care Requirements and that in-home care meet state standards, thus allowing the "warehousing" of children. Our legislation reinstates these requirements.

New regulations restrict mandatory services and eliminate many optional services. Our legislation recognizes the need for fiscal restraint, but restores employment-related child care as a mandatory service, and expands the list of optional services to allow States more flexibility to determine what services their citizens need, subject only to the Congressional ceiling on Federal spending.

THE SPEECH OF MR. JOHN S. HINCKLEY, PRESIDENT OF THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION, ON THE RELATIONSHIP BETWEEN THE AUTOMOBILE DEALERS AND THE CONSUMER

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. OWENS. Mr. Speaker, last month at the National Automobile Dealers Association convention and exhibition in New Orleans, a distinguished Utahan, Mr. John S. Hinckley, president of Robert S. Hinckley, Inc., of Ogden, Utah, became president of that association.

Mr. Hinckley, who comes from Utah but not my district, has an impressive record of public service in addition to his performance as a leading businessman of my State. He has never been accused of allowing his business interests to interfere with his public service, and in fact has on one occasion of my personal knowledge, compromised his direct business interests because he supported a higher public goal.

When Mr. Hinckley was installed as president of the National Automobile Dealers Assocation, he spoke very candidly about the consumer and the relationship between the automobile dealers and the consumer. He restated his dedication to making certain that the consumer not only receives completely fair treatment from the automobile dealer, but that the dealers association take the leadership in guaranteeing responsiveness on the part of the individual dealer to the people whom they serve.

Because Mr. Hinckley's remarks set forth such a remarkably unselfish attitude, which is an exception among commercial associations, I am inserting his remarks for the benefit of my colleagues:

1973 PRESIDENT'S ACCEPTANCE REMARKS

By John S. Hinckley, President, NADA

Mr. Whittey, officers and directors of NADA, honored guests, fellow dealers, ladies and gentlemen.

Charles J. Whittey has given an entire year to our association. On behalf of the members of NADA, Charlie, I would like to express appreciation for all that you have done for the dealers of America during you term as president.

Yours has been an outstanding year, because you have guided us wisely and courageously.

Whenever and wherever you were needed, you have always been there handling each task skillfully and with good taste.

You have been truly dedicated. We thank you deeply and sincerely.

Charlie, I wish to thank you, as well, for the splendid introduction, and also for the introduction of our 1973 officers.

I would, however, appreciate the privilege, at this time, of introducing the person who will share this year of work and honor with me—my wife, Anne—ladies and gentlemen.

I happily accept the office of President of NADA for 1973, with the hope that I can add my contribution to those already given by so many in the past years.

I would like to congratulate the officers and directors of NADA for 1973. I know they would want me to express their willingness to accept the responsibility you have given them.

We are anticipating a busy year, and are confident that it will be rewarding. We trust that we will pass NADA on to the next administration in good health.

Recently, peddlers of doom and gloom have predicted the demise of the franchise system of automobile and truck distribution and service. Some theorists have even seriously questioned whether the system is truly in the consumers' best interest.

Our association will not dismiss lightly these threats to our business. The time has come, however, when none of us can take the franchise system for granted.

NADA believes this method of distribution to be truly in the public interest. It is the best system yet devised for selling and servicing the millions of cars and trucks in this nation.

Therefore, let us dedicate the year ahead to the strengthening—and the preservation—of the automobile and truck franchise system.

Let us work for its protection.

Let us oppose anything or anybody who tries to weaken the franchise system.

Let us also understand what the system is—how it began, how it works, and how it can be strengthened and preserved.

The automobile franchise system has four foundations—four legs: the consumer, the Government, the dealer and the manufacturer. Each of these four groups has a role

in the operation of the franchise system. Each has a stake in the system's health.

The major voice in the continuation of the franchise system belongs to the consumer. He may have the final say.

Consumers have many demands. Many of their demands are justified. We must understand these demands and meet them.

What is it consumers want? Basically, they want reasonable things—such as prompt and convenient service. They want to buy cars and trucks without misunderstanding or deception by the dealer or manufacturer.

They want the service job done right the first time and ready when it was promised. Above all, they want to be sure they are getting their money's worth.

Let's satisfy these customer needs.

I would be remiss if I did not take this opportunity to remind consumers that they also have a responsibility to the movement they started. Sometimes it seems they want their cake and eat it too. A good dose of old-fashioned reasonableness would help. And to be reasonable, one must be practical. The consumer must make choices. Is he willing to pay for what he is asking? Is he willing to accept new engineering and design features and new maintenance requirements on his cars and trucks?

The consumer must communicate his choices to the advocates who speak for him.

The consumer movement is here to stay, and when consumers are in doubt, they call on local, State and Federal Government and consumer organizations for help.

Dealers and manufacturers often misinterpret the message and allow the consumer protection movement to pit seller against buyer.

We are amazed that dealers and manufacturers sometimes look at their buyers with disrespect—or even disdain.

We must accept our responsibility to our customer or he will look to Government to satisfy his needs.

There is no question that the Government is going to protect the consumer. Legislation will be considered and passed that will affect both dealer and manufacturers alike. It will affect them deeply—perhaps adversely.

And the franchised system may be damaged—perhaps beyond repair.

It is a well-known fact that Government often goes to extremes when it passes legislation in the heat of emotion. Bad bills and bad laws result from Congress acting in haste and in ignorance.

Let us inform Congress—let us educate congressional leaders on the vital need to preserve the franchise system.

We will do this. We will continue to expand our highly successful Meet Your Congressman program.

There is no better way to keep our representatives in Washington—and in the State capitols—aware of the problems confronting dealers in our very competitive business than to meet with him face to face.

We must remember, however, that we cannot look to government to solve dealer problems that we can and should solve for ourselves.

Dealers must get involved. The fight to preserve the franchise system is primarily a dealer job.

What can we do?

Let us start by modernizing—by reshaping our business procedures and practices.

For example, let us finally eliminate every last bit of false, misleading and deceptive advertising from all media.

Let us also adopt new consumer-oriented systems of service management—systems like Shop Trak.

We must also recruit and train competent dealership management personnel. We must also make sure our equipment and facilities are equal to the challenges.

NADA will dedicate its efforts to developing business management programs for these purposes. The expanded workshop program here at the convention is a good example of new ways NADA is finding to provide dealers with information to meet the consumer challenges. And at the same time, preserve the franchised system.

The story doesn't end here, however. The manufacturers also have great responsibility if the system is to be saved.

For example—a recent factory advertising and public relations program suggests that the factory is paying its dealers to perform services which are never completed for the customer.

Another manufacturer authorized warranty repairs directly to the customer—while the dealer must refuse service because of the terms of the warranty. These cases give the public the idea that dealers are inept and maybe dishonest.

Is this anyway to preserve the franchise system?

The franchise system is not served, either, when manufacturers open company stores to compete with or stimulate their dealers.

The only kind of dealer that can best serve the customer is a strong, profitable, independent dealer.

A distribution system that puts sales to fleet and rental customers ahead of the dealer's individual retail customers must be abolished if the franchise system is to survive.

A customer is bound to feel he is getting the runaround when he takes his car to his dealer for a recall job only to find that the dealer has not been furnished the necessary parts by the factory.

When sold orders take four or five months to be filled by the factory, the customer feels he is a second-class citizen—that he is being deceived.

Can the franchise system remain strong with continual cuts—with continual shrinkage of our traditional discounts? No way.

If the franchise system is to remain healthy—and it must—then manufacturers must take some of the responsibility.

These problems between dealers and manufacturers are not new. These erosions of the franchise system—these cancers of the industry—are long-standing problems. They have been nailed to the factory doors many times before by many dealers.

But time is running out. In fact, this is the last call, because consumers and the government are now part of the picture.

Let us act, manufacturers and dealers, to preserve the franchise system—or we as dealers will act alone.

But we will act.

The dealers of this nation will lead the way to a stronger franchise system through understanding and satisfying the consumer's needs.

We urge manufacturers to join us in a mutual campaign to achieve the urgent goal of preserving the franchise system—a system that benefits us both.

I also remind you, that we can only do this job when we have a strong association of dealers—strong in numbers and unified in our objectives.

As the 1973 year begins, let us keep NADA strong.

With your help, we will be strong. And with strength, we can continue to accomplish much for the dealers of this nation.

THE REAL STATE OF THE ENVIRONMENT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. EDWARDS of California. Mr. Speaker, the following article in the Washington Post, March 4, 1973, seems to me to be an excellent example of the increasingly obvious discrepancies between the President's public pronouncements and official actions. The opening, italicized paragraph is typical of a number of statements Mr. Nixon has made on the environment—visionary, forceful, full of promise and leadership. The 15-minute, special campaign advertisements shown on television last fall, depicting what the Nixon administration had "done" to improve the environment, portrayed the same laudable intentions. Lou Cannon's detailed analysis, however, of the demolition of the solid waste management program, is unfortunately the true picture of Presidential actions with respect to environmental issues, and I would suggest it be read most carefully.

People in Santa Clara County, Calif., are familiar with the high quality of Lou Cannon's journalism through his years of service as a former reporter for the San Jose Mercury. Now that Mr. Cannon is based on the Washington Post, people in the East are becoming familiar with his objective and accurate reporting on the Federal Government as exemplified by this searching article on a small but important Federal program:

UNITED STATES MINIMIZING FEDERAL ROLE AS LOCAL WASTE FIGHT FAILS

(By Lou Cannon)

"Because there are no local or state boundaries to the problems of our environment, the federal government must play an active, positive role. We can and will set standards. We can and will exercise leadership. And we will provide encouragement and incentives for others to help with the job."—President Nixon, in his environmental message to Congress, Feb. 15.

The Nixon administration is abolishing the federal role in solid waste management despite the findings of its own Environmental Protection Agency that local governments are failing to solve the problems of waste disposal.

"A few localities have done a very good job but most of them have done poorly," says Samuel (Sandy) Hale Jr., director of EPA's Office of Solid Waste Management. "We think they really do need a lot of technical assistance."

Technical assistance is one of the many EPA services that is virtually eliminated by the administration's fiscal 1974 budget, which slashed federal expenditures for solid waste and resource recover from $30 million to $5.8 million and redirected the remaining program so that it is almost entirely limited to hazardous and toxic wastes. The budget cutback will do away with EPA's local planning grants and with research and development. It also will halt a resource recovery demonstration program in its tracks.

Most importantly, in Hale's view, the expert staff that has been slowly built up by the agency in solid waste management programs is being dismantled.

EPA personnel working on solid waste problems will be cut from 320 to 120. Despite the administration's celebration of government decentralization, the cutbacks will be most severe in EPA's 10 regions, where total personnel will be reduced from 94 to 20.

It is the regional people who are providing technical assistance and who, in the case of Cleveland, Ohio, had initiated a system which cut the city's waste collection costs in half.

"Considering the interest in waste disposal and recycling, 20 people scattered in 10 regional offices won't be enough to answer the mail," says one EPA official. "We are

abdicating the responsibility we proudly proclaimed as ours a year ago."

The dismantling of a solid waste program that was begun with high hopes is reminiscent of the shutting down of such federal agencies as the Office of Economic Opportunity. Unlike the dismantlers of OEO, however, the EPA dismantlers have no stomach for their task.

Though they now dutifully echo the administration position that municipal solid waste management is a "local not a national problem," both EPA Administrator William D. Ruckelshaus and Hale recommended continued funding of the solid waste program. So did Russel E. Train, chairman of the President's Council on Environmental Quality.

ACTING AS FILTER

Their recommendations were rejected by the Office of Management and Budget, which in the words of one OMB official, "merely acted as a filter for the White House." This same official, whose story is supported by various officials, in EPA, says that the appeal to restore funding for the solid waste program was carried all the way to John Ehrlichman, the President's chief domestic adviser, Ehrlichman rejected it.

The administration's decision to turn away from a federal role in solid waste management, except for toxic wastes, comes at a time when public and private reports dispute the contention made by President Nixon in his environmental message that we are "winning the war against environmental degradation."

EPA documents indicate that the United States is, in fact, "losing the war" of conserving its dwindling natural resources. At the same time, its related problem of waste management continues to grow.

"We are far out on a limb, but we are unaware of it," wrote EPA resource recovery expert Arsen Darnay in an agency pamphlet. ". . . Our population is increasing at a rate of about 15 per cent yearly, yet our consumption of products grows between 4 and 6 percent a year. Approximately 200 million tons of paper, iron, steel, nonferrous metals, textiles, rubber and plastics flow through the economy yearly, and materials weighing roughly the same leave the economy again as waste."

STATE OF IMBALANCE

"This is a situation of imbalance and maladaptation. Most of the energy and many of the materials we use are derived from nonrenewable deposits. We are consuming our capital, rather than our earnings."

By the most conservative estimates, solid wastes are growing three times as fast as the population. The nation now spends $4.5 billion a year for municipal collection and disposal services alone, and EPA has found most of these inadequate. Despite the increased public interest in recycling, the percentage of recycled materials used by industry has been steadily declining since World War II.

A 1972 EPA report on "Salvage Markets for Materials in Solid Waste" found that paper consumption increased 45 per cent between 1956 and 1967 while recycling as a percentage of consumption declined 4.8 per cent. The volume of paper in solid waste increased 59 per cent, far more than consumption.

During a 10-year period ending in 1969, according to this same report, glass container consumption increased from 21.6 billion to 36.1 billion and "for all intents and purposes the entire output of the glass container industry is discarded into municipal waste systems."

The reason for the disproportionate use of virgin materials compared to recycled (secondary) ones is chiefly economic.

"Virgin materials producers enjoy depletion allowances, do not pay the full costs of environmental degradation created by their mining, harvesting, transportation and processing activities, and are not charged for generating solid wastes," says an EPA report. "By contrast, secondary materials are not credited with conservation of natural resources, favorable contributions to foreign trade balance, low pollution generating in reprocessing and removal of materials from the solid waste stream. This situation results in a distorted picture of the relative total costs of these two types of materials."

Similar findings are incorporated in a long-delayed report on resource recovery that EPA was supposed to submit to Congress in 1971.

REPORT HELD UP

The agency didn't complete the report until last August, and it was then withheld by the Office of Management and Budget for seven months despite repeated prodding from Ruckelshaus and Hale to release it.

When the report was finally sent to Congress last week—16 months after the date stipulated in the Resources Recovery Act—its tone had been softened and occasional sentences added by OMB in an effort to justify the budget decision.

"Additional federal incentives for recycling are not considered desirable at this time," says one such OMB-added statement.

Despite such additions, the findings of the report indicate clearly that recycled materials are discriminated against by federal laws, even though use of such materials is environmentally desirable.

For instance, the report compares steel reinforcing bars produced from virgin ore and from scrap. It finds that the bars made from scrap use 74 per cent less energy and 51 per cent less water and that they cause 86 per cent less air pollution and 97 per cent less mining waste.

All told, the United States provides $2 billion a year in subsidies to users of virgin materials through depreciation allowances, cheap land leases, capital gains writeoffs and lower freight rates.

EPA studies have found that the chief obstacle to use of recycled materials is not inadequate technology but inadequate demand, because the unsubsidized recycled products cannot compete with the subsidized ones made from natural materials.

A Midwest Research Institute study, issued at a time that EPA recovery expert Darney was associated with the organization, says that the attempt to promote greater use of recycled materials merely by increasing their supply is like "pushing on a string." Instead, the study suggests, the government should create a "demand pull" by either subsidizing recycled materials or removing some of the subsidies on virgin materials.

SUSPECT PRESSURE

Since the budget cut was announced, various conservationist groups have expressed suspicions, that major industries pressed the administration to kill the solid waste program out of fear that it would one day call for restrictions on oil, mineral and timber depreciation allowances.

"If they have exerted pressure, it's clearly backfired," says Hale. "There's much more attention given to these subsidies than there was before the budget was announced."

Hale says he has detected no sign of such pressure. He and various other officials in EPA and OMB believe instead that the budget cut was the result of tactical maneuvering intended to head off a far-reaching new bill by Sen. Edmund Muskie, (D-Me.) that would vastly increase the role of the federal government in solid waste disposal and resource recovery.

Among other things, the Muskie bill would provide for appropriations of $805 million over a three-year period for grants to states and cities.

The earlier water pollution bill providing up to $11 billion for sewage treatment plant grants was passed over President Nixon's veto, and the administration wanted no repetition. White House strategy on solid waste reduced the Congress to fighting for the limited present program rather than the new Muskie measure.

The Resource Recovery Act, under which the present solid waste program is administered, expires July 1, and the Senate rushed through a one-year extension to keep the program alive. The House is expected to concur.

Normally, a program can be continued at its present budget level through a device known as a "continuing resolution." But such resolutions provide for funding either at the present budget level or the new budget figure, whichever is lower.

The net effect of this maneuvering is that the administration was able virtually to do away with a solid waste program while its future is being deliberated by the Congress.

The result has been disheartening to EPA officials, many of whom agree neither with the Nixon budget cuts nor with the Muskie approach of massive grants.

Hale particularly dislikes a feature of the Muskie bill that would put EPA in the business of deciding, on a product-by-product basis, which products should be restricted from the market on solid waste grounds. This, he says, is a task that government is ill-equipped to do.

In the absence of a budget restoration, however, or early passage of the Muskie measure which even the bill's author doesn't foresee, the problems of solid waste and resource recovery have now been deemed a matter for "local control." It is a point disputed by the National League of Cities, which said in a resolution last month that "we do not agree that solid waste disposal and resource recovery is a responsibility exclusively of local government."

OUR VETERANS WILL NOT BE FORGOTTEN

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ANNUNZIO. Mr. Speaker, during the last few months Congress has been repeatedly rebuffed in its attempts to provide adequate health care for veterans by the Nixon administration. Some estimates point out that less than 15 percent of the VA budget is devoted to the some 3 million Vietnam veterans.

Last year the President vetoed two bills intended to improve services to veterans. A half-dozen programs in health, job, and school benefits for Vietnam veterans, approved by Congress because of desperate need, have been cut, or the funds for them impounded. Various reports from both private and government sources indicate that personnel and facilities at VA hospitals are overburdened, causing a serious threat to patient safety.

Just last month the administration tried to raise benefits for mentally ill vets and reduce—up to 60 percent—benefits for amputees. Both Congress and the public were justifiably outraged by these miserable proposals. I commend my colleague, WILLIAM J. B. DORN, chairman of the Veterans' Subcommittee on Compensation and Pensions, for his quick action to stop these unconscionable cuts. Our Nation has the money to give the best of health care to all of its veterans, both

young and old. I realize that some would not agree with me, but I believe that amputees have sacrificed enough. They should not have to give up their benefits so that others might have better treatment.

At this point I wish to insert an editorial from the Chicago Sun-Times which highlights this "national disgrace." I want to commend Emmett Dedmon, the distinguished vice president, and editorial director of the Chicago Sun-Times, as well as his editorial staff, for this outstanding editorial which so succinctly portrays the problem facing our veterans. The editorial follows:

SHORTCHANGING THE VETERANS

The Veterans Administration has been accused by a congressional committee of a shocking lack of concern for those whose welfare it is supposed to help safeguard. A study prepared by the staff of a House Appropriations subcommittee asserted that thousands of ailing patients suffer from a dangerous lack of care at VA hospitals and sometimes are discharged in worse shape than when they were admitted. The 41-page committee study also accused the VA of trying to conceal hospital conditions by distorting records. The VA pointed to an increased staff-patient ratio, but the committee said the figures do not mean that many more employees became involved in patient care.

Taken alone, the investigators' report constitutes a serious indictment of the VA. But it is only the latest evidence that the VA's commitment to U.S. servicemen is less than genuine. On Feb. 14, the VA was forced by President Nixon to withdraw plans to cut benefits for amputees and other disabled Vietnam GIs because the proposal provoked instant and bitter outrage from Congress and groups concerned about veterans' benefits. Earlier this month, officials of the West Side Veterans Hospital refused to say how much taxpayers' money was being used to refurbish an executive suite at the hospital. The hospital's administration said it couldn't divulge this information because it was in the midst of an internal investigation of newspaper reports on the hospital's management. In 1971, patients at VA hospitals in Georgia and Texas were sweltering in summer heat without air conditioning while multimillion-dollar projects were under way to cool VA hospitals in the North.

Needed help may be on the way. Three bills increasing benefits for veterans by $1.2 billion were passed by the Senate on Tuesday. Unfortunately, two of the measures are similar to bills that President Nixon pocket-vetoed last October, partly on the ground they were too costly. We don't buy that argument here. These disabled servicemen have paid the cost of their care, some of them with their arms and legs. They are entitled to the best medical care the nation can provide. If the committee's report is accurate—and we believe its findings should be examined closely—that care is a national disgrace. Mr. Nixon on several occasions has expressed his and the nation's gratitude for the service rendered by these servicemen. Such gratitude should be expressed in dollars.

Mr. Speaker, recently I made my Chicago office available to help veterans in the 11th Congressional District of Illinois, which I am privileged to represent, find the jobs or career programs suitable to their individual needs. We are proud of the veterans in our community and with help from the city of Chicago and the people of the northwest side, we have been successful in this effort.

As a Member of Congress, however, it is my duty to see that all of our veterans throughout the United States, both old and young, get the necessary readjustment services. I intend to do all I can to make sure that the sacrifices of our veterans are rewarded not with promises, rhetoric, and high-sounding phrases, but with practical job, educational, and health programs suited to their needs.

I voted for the veterans bills in the 92d Congress, which were subsequently vetoed by the President, and I intend to do so again when these bills, and other similar measures, are brought to a vote in the 93d Congress—as they must be.

IRAN COMMENDED FOR RECORD SEIZURE OF ILLICIT NARCOTICS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. HORTON. Mr. Speaker, the success of our country's war on drug abuse hinges, to a great extent, on effective efforts to halt international drug trafficking. We are sharply critical of any country which, in our view, is failing to make a maximum effort to halt the flow of illicit drugs. It is equally important that we recognize those countries that are acting decisively to suppress narcotics trafficking.

For this reason, Mr. Speaker, I feel it is important that my colleagues be aware of the outstanding record of the Iranian Government and police force in the war on international drug trafficking. On February 10, 1973, the Iranian gendarmerie seized a world record 12.7 tons of opium which was being smuggled into their country. During the period December 21, 1971, to February 26, 1973, only 14 months, the Iranian police seized 51,333 pounds or 26 tons of opium, 81 pounds of morphine base, 80 pounds of heroin, and 5,591 pounds of hashish.

The significance of these seizures is further revealed in a telegraphed message from John Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs, to General Zargham, Commanding General of the Imperial Iranian Gendarmerie:

My staff in Tehran has notified me of the arrest of eight armed smugglers and the seizure of 12,700 kilos of opium near the Afghan border in Khorassan province by your men.

This most notable enforcement effort is very gratifying to me and all U.S. officials working on stopping international illicit narcotics trafficking.

To my knowledge this is the largest single seizure of illicit narcotics reported in recent history. I am most particularly appreciative of the efforts of the Iranian Government in suppressing illicit narcotics trafficking.

You and the Imperial Iranian Gendarmerie are to be commended for this remarkable achievement.

You have the U.S. Government's continued full support of your narcotics enforcement program.

I am extremely pleased to recognize these achievements of the Iranian Government because I have seen first-hand the operation of that country's narcotics enforcement program. Iran was among the 11 foreign countries I visited last December at the request of the White House Cabinet Committee on International Narcotics Control. The purpose of that mission was to assess the effectiveness of bans on heroin trafficking in the Near East and to underscore the importance our country attaches to those efforts. The commitment of the Iranians was particularly impressive in that the Shah of Iran has developed one of the most advanced programs of smuggling control, production control, and addict treatment anywhere in the world.

The record seizures of illicit narcotics are further evidence that Iran is completely serious about combating illicit trafficking of drugs into and out of Persia. The Iranian Government and police force should be commended by the Congress and by the American people for their outstanding record.

FIRST AID FOR REPRESENTATIVE DEMOCRACY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. BRASCO. Mr. Speaker, this administration has previously shown a significant fondness for talking about constitutional government. The President asks others to obey its dictates. Yet he shows a fine disregard for such niceties when it comes his turn as Chief Executive to set a national example. However, I will take him literally and adhere to the rules, particularly in the area of division of powers between the legislative and executive branches.

Rumor still has it that the Congress originates revenue bills. Unless that belief is dispelled by forces greater than Congress, I shall continue to retain faith in that constitutional mandate.

This means simply what the Congress appropriates and orders spent on a given public policy should be spent accordingly by the executive branch. It does not mean that half of it should be spent and the other half held back by the order of the President.

In recent months we have all become aware that in the now-swollen Office of Management and Budget there resides a new, almost omnipotent deity, and he is known as the accountant. Possessing a cash register instead of a heart, he spits on the end of his lead pencil and makes marks on yellow pads, a la his employer.

He makes large dollar marks for military hardware and very small ones for domestic benefit programs. He authorizes full expenditures for weapons systems and contracts to hardware merchants, such as Litton Industries, whose former President now heads this office.

Then he and his conferees authorize minimal and partial expenditures of congressionally appropriated and authorized funds for domestic programs benefiting

millions of Americans. I refer to programs involving health, education, childcare, housing, the elderly, and many others that the Congress in its wisdom has termed essential to the well being of America.

Now in a kingdom where a person rules by divine right, as they used to say, the Parliament could authorize expenditure of funds and a king could loll back on his throne and laugh at such feeble gestures of democracy on the part of a body elected directly by the people.

In a dictatorship, the kind which abounds around the world today, a single individual makes little pretense of adhering to the commands and dictates of a freely elected group of parliamentarians. He merely orders funds expended as he sees fit, and be damned to democracy.

Now that same rumor monger who informed me that Congress originates revenue bills has also informed me that we do not have one-man rule of either kind in this Nation; at least not yet. He told me that a strong rumor was being bruited about Washington which claimed that a freely elected Congress, reflecting the will of the majority of the people, could cause funds to be expended on existing programs without interference by a king, dictator or what have you.

Now if that rumor is true, and it is reputed to be based on the Constitution of this Republic, then there is no legal or constitutional ground upon which any part of the executive branch, from the President on down to his accountants, can defy the will of Congress and impound appropriated funds earmarked for specific, legally approved undertakings of this Government.

The Congress, resting its logic for such a policy again on that precious document, can and should vigorously oppose the impoundment policy.

The question is not whether there should be more or less government spending. The real issue is who shall control this vital process. If representative democracy is to endure in this land, then the Congress, which has always exercised this power, must reclaim it at any cost.

Toward this end, I have joined with an impressive list of my colleagues of both parties in introducing legislation designed to restore balance to the government process. It would prevent the President from impounding funds without first consulting Congress within 10 days after the action, and further, without explicit approval of the Congress within a 60-day period.

Perhaps the most outrageous element in this equation of executive usurpation of legally granted legislative powers is the grave inconsistency that an American President can withhold funds the Congress has already appropriated for badly needed domestic social programs, while at the same time, asks the same Congress to authorize billions of dollars for the rebuilding of Southeast Asia.

My friends, irony not withstanding, the issue is plain and the lines are drawn. Once again, Congress is faced with a simple choice. Either reclaim its authority or cease being a truly representative body. The choice is ours.

TOP GOES TO WORK

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ROBISON of New York. Mr. Speaker, given all of the uproar about the supposed elimination of the Community Action program, there have been those who have reacted as if it was the end of the world, but others have gone to work already, beginning to seek, as inevitably they must, the kind of community understanding and support necessary if local CAP agencies are to survive.

An example of the latter is Tioga opportunities program. Last week I was given a copy of the report which their able director, Glen Hine, has compiled as to what is facing TOP at the present time. Because of the great interest in the effect on CAP agencies of the changes which have been announced, I want to bring this report to the attention of my colleagues:

TIOGA OPPORTUNITIES PROGRAM, INC.,
Owego, N.Y., March 8, 1973.

Shortly after the release of President Nixon's proposed FY '74 Budget I had the opportunity to meet with Congressman Robison. At that time I expressed some of my concerns over the immediate and complete cut-off of funds for Community Action Agencies and the effect on a small rural county like Tioga. I also indicated that I believed the future of community action and its programs was now a local issue and that I intended to go home and seek local support and take a good hard look at where we are and where we are going.

On February 14, 1973 I presented our Board of Directors a three part paper updating them on our immediate position (copy attached). At this meeting the Board voted not to participate in the mobilization in Washington but to remain home, seek local support, and determine our most pressing needs.

During the past two weeks we have asked our community to respond. We wanted this response for two reasons. We wanted, first of all, to be able to give some indication of what the community says about Community Action. We give you these responses in that spirit. We believe they honestly reflect a wide cross section of participants, staff, community-at-large, Agencies, the business and professional community, churches and schools.

Secondly, we wanted to use our present situation to gain for ourselves a meaningful, productive, educational and creative experience. The letters that have come into our office have done just that for us. A careful analysis reveals the concerns of Tioga County citizenry and provides us with benchmarks to measure future activities.

These are confusing times for us! OEO Guidelines for the termination of funding, total upset in Regional OEO office, newspaper articles and radio and TV reports, increasing skepticism from many sources on Special Revenue Sharing to mention only a few which multiply the dilemma.

In the middle of this uncertainty let me suggest some areas of concern that require some consideration.

1. If the Office of Economic Opportunity is eliminated several immediate problems arise:

A. The bulk of office equipment is under OEO inventory. We will have offices but no furnishings or equipment. Some arrangement should be made to transfer this equipment to the Agency. Otherwise the county and the taxpayer will receive added costs to refurnish and re-equip.

B. Previous close-out of OEO programs has resulted in boxing and sealing of all grantee records. Much information and data will be lost for local use, unless arrangements are made for retention here in the county.

C. Staff and equipment, using maximum time-line will be phased-out and dispersed as follows:

(1) Manpower—Department of Labor—06/30/73—3 staff persons.

(2) Self-Help in Nutrition Education—OEO—09/30/73—5 staff persons.

(3) Conduct and Administration, Community Services, Senior Opportunities and Services—OEO—11/30/73—13 staff persons.

2. Tioga County, no matter how serious they may be in wanting continuation of these services, does not have the financial capabilities at this point of termination to fund these programs.

A. General Revenue Sharing is a new experience, divided among many political jurisdictions and came in 1972 as funding that was considered to be for priorities over and above existing programs. Added to this is the uncertainty of just how much will be received in any given year as evidenced in the reduced amount received by the county in 1973 over 1972.

B. Special Revenue Sharing is yet undefined. How can the county say at this time what they will do? Will there be Special Revenue Sharing? What will be the mechanism for getting it down to Tioga County? (If the population base of 75–100 thousand is considered this means that for Tioga County, funds could go to the State of New York, through local Development Districts or other Regional Planning Groups and finally to the County.) What kind of proposals will be required and how does a small rural county fare when faced with competition from organized, larger, more sophisticated county governments and large cities?

3. The situation then seems to point up the need for some form of *Transition Period*. It is totally unrealistic to expect that in view of the above uncertainties that a small rural county can finance, plan and adjust, without a transition option. If such a transition plan is not developed we are faced with some very serious consequences.

A. Programs still funded will become more costly to administrate since they are presently not funded or staffed to provide supportive service for family and children. The services provided by our Agency are unique to the county. Not only are they integrated services for our own programs but they also provide services to other county agencies.

B. There will be a break in delivery of services that will require added costs if they are to be picked up at a later date. Blocks of unique services are eliminated, integrated services are destroyed.

C. Present staff who are members of various Regional Planning Boards will be lost to the county. Many of these staff who have provided valuable voices for Tioga County with years of experience will be lost to the county as they relocate.

D. A great body of work must be pursued in developing local guidelines for delivery of services now that Federal Guidelines are eliminated. This is not necessarily a bad thing since it allows greater flexibility and sensitivity to local needs. However, it will be a difficult task for the county when OEO Guidelines for termination call for progressively reduced personnel who may lend their knowledge and skill to such a task.

GLENN A. HINE,
Executive Director.

PANAMA CANAL: A STUDY IN SOVEREIGNTY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. CRANE. Mr. Speaker, during the current sessions of the U.N. Security Council in Panama, 15–21 March, 1973, one of the subjects for discussion is U.S. sovereign control over the Canal Zone. Though the documentation on this subject is extensive and authoritative, it is not understood as it should be.

In an illuminating article in the November 4, 1972, issue of Human Events, the well-known weekly news report of Washington, D.C., Dr. Donald Dozer, eminent author and outstanding authority on U.S. Latin American policies, removes much of the confusion that has surrounded the subject of U.S. sovereignty over the Canal Zone and presents the matter in clear and simple terms. In so doing, he—

First. Shows that the U.S. possession of the Canal Zone is not a "lease" but a "grant" of sovereignty in perpetuity.

Second. Explains how the annuity of $1,930,000 paid Panama is not a "rental" but the adjusted obligation of the Panama Railroad assumed by the United States in the 1903 treaty and later gratuitously augmented by $1,500,000 from the State Department budget.

Third. Appeals for a strong reaffirmation of U.S. sovereignty by our Government, which would render the current negotiations "entirely irrelevant" and clear the way for the "major modernization" of the existing Panama Canal.

The objectives in the paragraph above can be accomplished by prompt action on pending measures in the Congress, among them House Resolution 201 and H.R. 1517, which were referred to the Committees on Foreign Affairs and Merchant Marine and Fisheries, respectively.

Because the indicated paper should be of special value at this time, I quote it as part of my remarks and urge its careful reading by all concerned with Isthmian canal policy questions:

[From Human Events, Nov. 4, 1972]

THE PANAMA CANAL: A STUDY IN SOVEREIGNTY

(By Donald M. Dozer)

Some 34,000 United States citizens residing in the Panama Canal Zone are vitally interested in the secret negotiations which have been proceeding for more than a year between representatives of Panama and three United States ambassadors, Robert B. Anderson, John C. Mundt and David H. Ward, for a new treaty or treaties with Panama.

Far more than their jobs are at stake. They understand conditions on the Isthmus and are concerned to maintain the strategic position of the United States in the Canal Zone and to protect it against the saber-rattling demagogy of Brig. Gen. Omar Torrijos, Supreme Leader of the Revolutionary Government of Panama. In certain quarters in the United States it is also feared that the new arrangements with Panama which are being negotiated will follow the pattern of surrender of our vital rights there which was established by the Eisenhower, Kennedy and Johnson administrations.

For many years United States policy toward Panama was based on the fact of perpetual and exclusive sovereignty of the United States over the Canal Zone. In the Hay-Bunau Varilla treaty of 1903, which still fixes the rights of the United States in the Canal Zone, Panama granted to the United States "in perpetuity the use, occupation and control" of the zone and authorized it to exercise "all the rights, power and authority within the zone . . . which the United States would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority."

Secretary of War William H. Taft injected an element of confusion into this situation when in 1905 he propounded the theory that Panama retained "titular sovereignty" over the Canal Zone, by which, he later explained, he meant residual or reversionary sovereignty; that is, if the United States should ever abandon the canal it would relinquish the zone only to Panama and to no other nation. Although the phrase "titular sovereignty" occurs nowhere in the treaty it is still used by the advocates of surrender.

But Secretary of State John Hay had already called titular sovereignty a "barren sceptre," and was virtually repudiated by the Supreme Court of the United States in 1907 when the court declared: "It is hypercritical to contend that the title of the United States is imperfect, and that the territory described [the Canal Zone] does not belong to this nation because of the omission of some of the technical terms used in ordinary conveyances of real estate." (*Wilson* v. *Shaw*, 204 U.S. 24.)

But this view has been repeatedly challenged since World War II. It has been perverted both deliberately by skillful propaganda and through default by lazy writers on this subject who parrot one another uncritically.

On this point students and ordinary citizens who consult popular textbooks in diplomatic history and modern reference works will find gross errors.

For example, Amherst historian Henry Steele Commager has written in his widely used textbook *The Growth of the American Republic* that in the treaty of 1903 "the Canal Zone was leased in perpetuity to the United States." Vera Brown Holmes in her *History of the Americas* similarly states that the treaty gave "the United States a lease on the Canal Zone in perpetuity."

Prof. Lawrence O. Ealy in his latest book on Isthmian canal problems regularly uses the term "lease" in referring to the United States position in the Canal Zone, calls it a "concession area" of the United States and supports Panama's claim to "proprietary ownership" over it. Even the new *Random House Dictionary of the English Language* describes the Canal Zone as "a zone in central Panama . . . leased perpetually to and governed by the U.S."

Neither the treaty of 1903 nor any subsequent treaty concluded between the United States and Panama uses the word "lease" or "leasehold" in defining the position of the United States in the Canal Zone.

In the original draft of the treaty which the duly accredited Envoy Extraordinary and Minister Plenipotentiary of Panama, Philippe Bunau Varilla, presented to Secretary of State Hay during the negotiation of the treaty in Washington in November 1903, Bunau Varilla proposed to "lease" the zone to the United States, but was persuaded to change the word to "grants," a word which in variant forms is used 19 times in the treaty.

This was the only modication which Bunau Varilla made in the Panamanian draft, and it was made in pursuance of the requirement of both the first (Walker) Isthmian Canal Commission and the Spooner Act that the United States must obtain full sovereign control over the zone through which the canal would be built.

In this form the treaty was ratified immediately by the Panamanian Provisional Government and was accepted by the United States as fulfilling Panama's conditions for the construction of the canal. The United States then proceeded to purchase all privately owned land in the zone, paying not only the legal owners but also those who were living there only under the concept of squatter's rights. Thus the Canal Zone became the most costly territorial purchase in United States history.

The treaty-based traditional view of the United States, affirmed and reaffirmed by many later attorneys general and secretaries of state, insisted that this treaty could be construed only as making a full, exclusive and irrevocable transfer of sovereignty to the United States. Under this view the United States later concluded treaties with foreign countries prescribing conditions under which they may use the canal, and as the sovereign power in the zone it has granted on many occasions asylum to political leaders from the Republic of Panama, seeking to escape assassination.

But a new interpretation began to be placed upon the position of the United States in the Canal Zone when Alger Hiss as a State Department employe in 1946, before his conviction for perjury, filed the annual report of the Panama Canal Co. with the United Nations under the Charter provision respecting non-self-governing territories. In the spirit of this report President John F. Kennedy met with President Roberto Chiari of Panama in the White House in 1962 and further weakened the United States position by assuring him that the United States did not claim sovereignty over the zone.

His successor, President Lyndon Johnson, arranged with President Marco A. Robles of Panama in 1965 for the negotiation of a new treaty which "will effectively recognize Panama's sovereignty over the area of the present Canal Zone." Three new treaties were subsequently drafted implementing this surrender of sovereignty by the United States, but as they failed to satisfy Panamanian demands they were never carried into effect.

Despite the fact that established treaty rights cannot be set aside unilaterally by Presidents nor be destroyed by the actions of Panamanian mobs or by inflammatory pronouncements by Panamanian dictators, the idea has gained wide currency that the United States really has no perpetual claim to the Canal Zone, perhaps even has no right to be there, and ought now to turn over its claim and its property there to Panama.

This idea has formed the premise of action by three previous Presidents of the United States, Eisenhower, Kennedy and Johnson, who yielded to Panama's demands for the flying of the Panamanian flag over the Canal Zone, for the sale of Panamanian postage stamps in the zone, for the use of Panamanian customs inspectors in the zone and many other symbols of sovereignty.

Panama now insists upon the full integration of the Canal Zone to Panamanian jurisdiction. Foreign Minister Tack is demanding, in his words as reported in the Panama *Star and Herald* of May 25 last year, that the zone be recognized as belonging "to the metropolitan area of the Republic of Panama geographically, politically, socially, economically and culturally."

In response to this demand the Nixon ambassadors in the current negotiations have already agreed to abandon United States treaty rights in "perpetuity."

Whence arises the contention that the United States merely leases the Canal Zone and therefore can only exercise something less than sovereign control over it? It stems from Article XIV of the treaty of 1903 in which the United States agreed to make "an annual payment" of $250,000 in gold to Panama beginning nine years after

the exchange of ratifications of the treaty, in addition to a purchase price of $10 million payable at the time of the ratification of the treaty. This annual payment of $250,000, which began to be paid at about the time the canal was opened to world commerce, was increased to $430,000 in 1934 to provide equivalence in compensation for the devaluation of the United States gold dollar.

This payment is now erroneously represented as a "rental" which the United States pays on its "lease" of the Canal Zone from Panama. A Harvard professor of international law, George Grafton Wilson, used this argument against the sovereign control of the United States over the canal in the early 1930s.

Prof. Charles Fenwick referred to the annual payment as "rental" in an editorial note in the *American Journal of International Law* in April 1964 at a time of nationalist demonstrations in Panama against the United States. And even distinguished Stanford Prof. Graham H. Stuart, in his *Latin America and the United States*, twice refers to this payment as an "annual rental of the canal" by the United States (p. 128).

Obviously if a man pays rent on a property he does not own it. If the $250,000 payment which the United States agreed to make annually to Panama were a true rental payment it would be so described in the treaty.

In fact the word "rental" is found nowhere in any of the treaties between the United States and Panama. This annuity is simple compensation to the former territorial sovereign of the zone for the loss of the annual franchise payment from the Panama Railroad.

This railroad had been originally built and opened to transisthmian traffic by United States investors in 1855 under concession from Colombia and had been enormously profitable. In 1867 the American owners, in order to extend this franchise for a term of 99 years, agreed to compensate Colombia with $1 million in cash and an annual franchise payment of $250,000. In this concession for the first time was mentioned the sum of $250,000 as the annual value of the railroad franchise to the territorial sovereign.

Later i.. the involved negotiation of the Hay-Herrán treaty of 1903, which provided for the transfer not only of the zone but also of the railroad to the United States, Colombia compounded her claim for losses to include not only the $250,000 which she had been receiving from the railroad but an additional $350,000 for anticipated losses of customs duties, taxation, etc., in the zone, making a total amount of $600,000. But Secretary Hay agreed to assume only the financial obligation of the Panama Railroad.

The Hay-Herrán treaty as finally signed on Jan. 22, 1903, provided for the cession of Colombia of the canal strip through Panama to the United States for a cash payment of $10 million and an annual compensation to Colombia in the amount of $250,000 for Colombia's loss in revenue from the Panama Railroad. In this treaty the United States obtained "use and control" of the canal strip for a "term of 100 years, renewable at the sole and absolute option of the United States, for periods of similar duration so long as the United States may desire," but it was obliged to acknowledge Colombia's continued sovereignty over the zone.

But fortunately for the United States—and ultimately for Panama—this treaty was not accepted by Colombia, and after Panama gained her long-sought independence she offered canal terms so favorable that the United States could not afford to reject them. This Hay-Bunau Varilla treaty incorporated all the amendments which had been insisted upon by the United States as necessary for the construction, operation and maintenance of an interoceanic canal and were agreeable to the stipulations of the Walker Commission and the Spooner Act.

This treaty, as noted above, granted sovereign control of the zone to the United States "in perpetuity" for the same purchase price; namely, $10 million and retained the article awarding $250,000 annually to Panama as compensation for her loss of the franchise payment of the Panama Railroad which she could claim as the new territorial sovereign and successor to the rights of Colombia in the railroad.

For these arrangements, it should be noted, Panama received equally large advantages; namely, the guaranty of its independence by the United States, the incalculable financial benefits which have flowed into it through the construction and operation of the canal and its consequent transformation from a land of disease and malnutrition into a healthy country with one of the highest per capita incomes in all Latin America.

The $250,000 annuity, as mentioned above, was increased to $430,000 in 1934 after the United States devalued the gold dollar. And in 1955 the State Department gratuitously added to this amount the annual sum of $1.5 million out of its own budget, making a total annual payment of $1.9 million. But neither the original $250,000 annuity nor the increased annual payment can, under the terms of the existing treaties between the United States and Panama, be construed as rental or as limiting the sovereign control of the United States over the Canal Zone.

In April 1971 about 100 members of Congress sponsored resolutions in the House reaffirming the sovereign position of the United States over the zone. These resolutions clarify and make definite United States sovereign rights, power and authority over the Canal Zone and canal and if accepted by President Nixon could and ought to be used to terminate the present negotiations which, though conducted in secret, are, according to reports, moving toward further concessions to Panama.

A strong affirmation of United States sovereignty by Washington would render the current negotiations entirely irrelevant and would clear the way for the adoption of measures for the major modernization of the canal which, under plans already laid before Congress and necessitating no new treaty arrangements with Panama, would assure the continued adequacy of the canal for the transit of the maritime commerce of the world well into the 21st Century.

GRADUATION EXERCISES

HON. PAUL W. CRONIN

OF MASSACHUSETTES

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. CRONIN. Mr. Speaker, at the recent graduation exercises of the Officer Candidate Class 73, U.S. Coast Guard Reserve, held at the Coast Guard Reserve Training Center, Yorktown, Va., my friend and colleague Mr. CONTE presented the principal address.

Congressman CONTE has long been in the forefront of those promoting programs and funding for a strong adequate Coast Guard and Coast Guard Reserve. In recent years he has been honored by the Coast Guard Affairs Committee of the Reserve Officers Association as one who has been instrumental in saving the Coast Guard Reserve. As the ranking member of the House Subcommittee on Appropriations for the Department of Transportation he has sponsored amendments to the appropriation bill which provided the necessary funding. I should like at this time to bring to the attention of the House Mr. CONTE's remarks. I should also like to extend congratulation upon his son's graduation and commissioning as ensign in the Coast Guard Reserve.

The address follows:

REMARKS OF THE HONORABLE SILVIO O. CONTE AT GRADUATION EXERCISES AT THE U.S. COAST GUARD OFFICERS CANDIDATE SCHOOL, YORKTOWN, VA.

Admiral Perry, Captain Hancock, distinguished guests, members of the graduating class, families and friends:

During my 22 years in public life, I have had the opportunity to deliver a great number of graduation speeches before colleges, universities and other institutions of learning. From this experience I have learned what a graduating class wants most from its guest speaker—brevity.

So, while it may seem a contradiction that a man can be a politician and also be brief, I intend to prove to you today that it can be done.

Standing here on the site where America won its final battle for independence, one inevitably thinks of history. And, as a member of the House Appropriations Committee, one of the more interesting little facts of Coast Guard history to me is the fact that this country paid only $1,000 for its first Coast Guard cutter back in 1791.

If we only could have kept the price of things at that level, Mr. Nixon might have been able to get that balanced budget he's been seeking.

While there has been some inflation in the price of cutters over the past couple of centuries, I'm sure all you graduates are glad to know that we've managed to offset that inflation by holding down pay scales.

As you know, the first cutter was named "Massachusetts." It was rushed into service to catch some slick operators who were smuggling goods into the country. Knowing Massachusetts, past and present, I always figured Alexander Hamilton decided to name the first cutter after the state with the most smugglers.

This is the first time I have been privileged to participate in a graduation ceremony at this fine school in Yorktown. And I want to thank all of you for this honor. Everything I have seen here today, and all that I have learned about this graduating class, reaffirms what I have learned from working with Coast Guard leaders during the past 14 years in the Congress. That is that man for man, pound for pound, the Coast Guard takes second place to no other service. You are being commissioned today as officers in a service that demands perhaps the greatest range of knowledge and expertise of any of this nation's military arms.

Since its inception in 1790, the Coast Guard has played a vital role in every conflict our country has faced. The skill and bravery of its officers and men, down through the generations, are legendary. And it has paid the great price always demanded of those dedicated to defending this country. In World War I, for example, the Coast Guard suffered greater losses, in proportion to its strength, than any of the other United States armed forces. But it got the job done, just as it did in World War II, in Korea and, most recently, in Vietnam.

The Coast Guard has proven that it is a vital component in the defense structure of this nation. We cannot, and we will not, give up that role.

But it is the diversity of duties of the Coast Guard that sets this service apart from the others; that makes it unique.

Seventy-two percent of this planet is covered by seas. That is the last great frontier on earth, and no one is more involved

in the wide range of activities relating to the seas than the Coast Guard. Whether your assignment is in marine sciences, safety or transportation operations, you will be involved in this great adventure. Whether you will be exploring the resources of the seas, combatting pollution or enforcing the maritime laws, your duties are spiced with the excitement of dealing with the unknown, the unpredictable, the challenging.

The description of the Coast Guard as a "diversified and demanding" service, is most accurate. It requires every conceivable kind of skill and knowledge. And because of its great variety of important roles, the nation's dependence on it never relaxes during times of peace.

Certainly those requirements of varied skills and knowledge are not being shortchanged by this class at Yorktown. Your 120 members hold more than 100 college degrees, representing 46 different academic disciplines. Your members come from 34 states and the country of Zaire.

Each class that graduates from this fine school has its own distinguishing marks—a group character. It may be a heavy inclination toward a certain science or technology, an extraordinary talent for seamanship, an unusual spirit or comraderie. I am sure that your class also has its special characteristics.

But one thing that will always mark this class is the remarkable series of events which swept across the world stage for the 17 weeks that you have spent here.

Since you entered last September, this nation has witnessed a landslide presidential election of record proportions, the death of the last two surviving former Presidents of the country and, most historic of all, a negotiated settlement to end the longest, and in many ways the costliest, war in our history.

Yours will be the first class of new Coast Guard officers to join the fleet in the post Vietnam peace era. But the great challenges you have been prepared to face by your training here still await you.

Foremost among these is the challenge of leadership. By your attendance at this school, and by your completion of this intensive training, you have chosen to take on the heavy responsibility that comes with leadership. By so doing, you have renounced a luxury in which far too many people today indulge—that of standing on the sidelines and criticizing the players. We have become too much of a "spectator nation," probably because it is much easier to sit in the stands and find fault with the players than it is to get down on the field and mix it up yourself.

The late, great Speaker of the House Sam Rayburn had a more colorful way of describing this situation:

"Any jackass can kick down a barn," he said. "But it takes a carpenter to build one."

Your achievement that we are celebrating today is proof that you intend to be among the carpenters of this world, to use the Rayburn analogy. The fact that you were accepted at this school, means that you have the potential for that role. Captain Hancock and his officers, over these past 17 weeks, have furnished you with the tools you will need. Now it is up to you.

For most of you, this will probably be the first time you have ever been placed in the position of commanding other men. I urge you to reflect seriously on this responsibility and to prepare yourselves mentally for this challenge.

This is perhaps the most difficult time in our history for assuming a leadership role. You must steer a firm and steady course through the hazards of rigid insensitivity on one extreme and an easy "anything goes" attitude on the other.

For this perilous journey you have many advantages. Perhaps the most important is that the leadership of the Coast Guard has recognized the realities of a changing time, and has adjusted admirably to them without sacrificing anything of the discipline and leadership that has always marked this great service.

Another helpmate, of course, is your own age. You are products of this age and thus you have a natural understanding of the attitudes of the young men you will be commanding during your Coast Guard career. I am confident that you will remain sensitive to such problems as race relations, drug abuse and others, which are afflicting all of the armed services.

The chain of command remains clear. Discipline and obedience remain prime requisites for any service to function efficiently. The proud tradition of the Coast Guard, and the dedication and expertise of your own commanders, remain the best beacons by which you can chart your course as young officers.

But just as you need these established guides, so too does the Coast Guard need what you are uniquely equipped to provide—new ideas, innovations, a spirit of adventure and enthusiasm. It is this process of constant renewal that has kept the Coast Guard abreast of the times throughout its more than 180 years of history. It is a tribute to the vision of the Coast Guard leaders, and it is a great reflection of the type of men this grand service has always attracted.

Because there is this great need for the abilities and spirit you stand ready to give today, I urge you all to eagerly grasp the opportunity which has been given you. Do not shrink from taking the bold step when that is the one called for. Remember, you can't cross a chasm in two small jumps.

I referred earlier to the era of peace that, hopefully, is now at hand. I do not want to end my remarks today without mentioning one of the specific challenges a post-war era always seems to bring on in our country. That is the effort to trim sails and cut back strength of the military services.

This entire problem is far too complex to deal with here without resorting to dangerous oversimplification. But to all members and friends of the Coast Guard here today, I can pledge that in the specific case of the Coast Guard, no such cutback can be tolerated. To the contrary, your mission is so varied and so necessary to the well-being of our country, that we in Congress must continue to provide the increased appropriations we have been so fortunate to secure in recent years.

More than 14 years ago, when I first came to the Congress, I was lucky enough to be appointed to the Appropriations Subcommittee handling the Coast Guard budget. That year, we obtained the funds for locating this great school at Yorktown.

In those days, much of the Coast Guard's equipment were hand-me-downs from other services. Working with such great Coast Guard friends in Congress as Vaughan Gary of Virginia and Gordon Canfield of New Jersey, we began to correct that inequity. When I became ranking minority member of that Subcommittee, that great effort was continued. And today, the Coast Guard has the very best cutters, planes, helicopters and other equipment that money can buy.

I mention all that here today because I want you, as young officers of the Coast Guard, to know that the importance of your mission is recognized and appreciated by the government in Washington. I recognize the contribution you will be making to your country and I want you to know that, as the old political saying goes, "you have friends in Washington."

The past 17 weeks have been strenuous and trying ones for you. I am sure that in the course of that time, you certainly did not view yourselves as objects to be envied. But today, you are to be envied. You are embarking on an adventure; an adventure in which you will be tested physicaly, mentally and spiritually. You will be challenged to perform up to your full potential. And that, my friends, is the best and most fulfilling way to live.

I commend you for your wisdom in choosing to serve in the Coast Guard. I congratulate you on your achievement here at Yorktown. And, with full confidence in your abilities, I wish you godspeed and good fortune in the years ahead.

Thank you for letting me share the joy of this occasion with you.

MINGUS MOUNTAIN

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. RHODES. Mr. Speaker, Mingus Mountain is located in the Prescott National Forest of north-central Arizona. It provides a beautiful backdrop to one of Arizona's most historic areas.

Painted in tall Ponderosa Pines, Mingus Mountain supports the deserted remains of Jerome, a one-time boom town of Arizona's great mining days. The Verde Valley below is the home of the once large smelter towns Clarkdale and Cottonwood; but the history of the region goes much further. Between the pine-covered slopes of Mingus Mountain, the Mogollon Plateau to the East and the red-rock beauty of Oak Creek Canyon to the North, are the Montezuma Castle National Monument and Tuzigoot National Monument, proud memorials to once great Indian societies.

Yet this beauty and historic drama are not the only reasons for enthusiastic interest in this area. Mingus Mountain today is the site of a 100-acre camp. Physical appearances do not distinguish the camp from many others accredited by the American Camping Association. There is a lake for boating, swimming, and fishing. There is a dining hall, kitchen, counselor's quarters, an arts and crafts room. There are camper's cabins, an area for evening campfires and trials and overnight sleep-out sites.

What distinguishes this camp are the campers. It is Camp Easter Seal, a camp for the handicapped, made available through the Henry Dahlberg Foundation of Tucson. Arizona's handicapped children 6 years of age and older are eligible to attend. Special sessions are also held for handicapped adults.

While the major goal of the camp is to provide fun, efforts are made to realize the great educational potential for the outdoor experience.

Certainly the handicapped appreciate the wonders of our great outdoors at least as much as those of us who are blessed to be free of handicaps. Camp Easter Seal has been a great success because, through the work of many, it has met a need that we far too often forget. Our handicapped citizens have every right to open access to this countries' natural wonders. Yet far too little consideration has been given the problems confronting our handicapped.

During the 92d Congress, we considered and passed legislation to restore the Golden Eagle Passport program to the

Land and Water Conservation Fund Act. Included in that legislation were special benefits for senior citizens. The Secretary of the Interior was "directed to develop a program for the issuance of a free annual admission permit to any person 65 years of age or older." This admission permit is called the "Golden Age Passport" and operates in the same manner as the Golden Eagle Passport. I feel that the same advantages we have provided to our older Americans should be accorded to the Nation's handicapped. We should assist and encourage those limited by handicaps in their desire to enjoy America's natural wonders.

For this reason I am today introducing legislation that would extend the special benefits we provided older Americans under Public Law 92–347 to our handicapped.

The free permit provided to the handicapped under my bill would be valid for admission to any designated admission fee area in the national park system or designated national recreation area administered by the Forest Service. It would also entitle the bearer to a 50-percent reduction in special recreational use fees, including camping.

Camp Easter Seal in Arizona shows the need and benefits the camping experience provides the handicapped. We must increase our efforts to meet that need. I urge early consideration for this legislation.

NIPCC: WHO NEEDS IT?

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1973

Mr. REUSS. Mr. Speaker, Robert Cahn, the very able environment editor of the Christian Science Monitor, has written a perceptive article about the first open meeting of the National Industrial Pollution Control Council.

Mr. Cahn—whose expertness in matters affecting the environment led to his selection as one of the three members of the President's Council on Environmental Quality when it was established in January 1970—concludes:

In this era, when the President is scrutinizing every budget for unnecessary committees and spending, some people may ask, "Do we really need a NIPCC under the Federal umbrella and with a $300,000 a year budget, including five employees in the $25,000–$33,000 a year bracket?" . . .

I commend Mr. Cahn's "Earthwatch" column of March 7, 1973, to Members of the Congress and to other readers of the RECORD, and insert it at this point in the RECORD:

[From the Christian Science Monitor, Mar. 7, 1973]

NIPCC: WHO NEEDS IT?

(By Robert Cahn)

Since January, a new law requires all presidential and executive agency advisory committees to open their meetings to press and public unless exempted by the President. A number of them find the adjustment difficult.

One organization particularly sensitive to the change is NIPCC (pronounced nip-see), the National Industrial Pollution Control Council. It's a body of industrialists who advise the Secretary of Commerce and the President on pollution abatement.

Those with good memories may recall NIPCC's brief notoriety when Ralph Nader and others camped outside a closed meeting room demanding entry to its sessions. They suspected the industrialists met in secret to discuss ways to lessen the impact of strict federal pollution laws on industry. They demanded NIPCC open its doors so consumer interests would be protected.

The industrialists felt that, inasmuch as they were set up to advise the President and the government on industrial programs and pollution, their deliberations should be secret. The doors remained closed. But incidents such as this led to passage of the new open-meeting law.

Why NIPCC was organized has never been satisfactorily explained to its consumer and environmental critics. Informed observers believe it was a concession by President Nixon in early 1970 to Maurice H. Stans, then Secretary of Commerce. Mr. Stans wanted a voice for industry to counter that of the new Council on Environmental Quality (CEQ) which Congress had established to advise the President.

Whatever its origin, NIPCC appeared in April of 1970. It was created by executive order as a committee under the Secretary of Commerce with a budget of $300,000 a year. Now the list of 196 members of the 28 NIPCC subcouncils reads like a "Who's Who" of corporate America.

In its three years, NIPCC has done some good work, as Chairman Cross reported at last month's first open meeting. It has helped speed the flow of information about pollution research.

But if NIPCC can be judged by its first open meeting, questions now can be raised about its usefulness. An audience of top industrialists along with public observers heard speeches from several administration officials.

CEQ Chairman Russell E. Train challenged the council to do more than work on pollution abatement. He suggested that, inasmuch as federal agencies now are required to subject major actions to environmental analysis and public comment, why couldn't industries follow suit when their major decisions have significant environmental impact. A method of ensuring that decisions take account of environmental effects is something that NIPCC could work on, he said.

Earl I. Butz, Counselor to the President on Natural Resources, gave a witty and evangelical talk, in a Billy Graham-Bob Hope style, on the need for finding a balance between environmental and economic interests. When he mentioned the delays caused by environmental lawsuits, he said, in light vein, that, when power shortages forced brownouts, maybe a way could be found to cut off the lights first for those who are fighting the Alaska Oil Pipeline. The industrialists broke into spontaneous applause. It was the only time they did so during the whole meeting.

After the speeches and a few questions, the meeting adjourned. There was no discussion among the NIPCC members. No subcouncil meetings, also required to be open to the public, were scheduled. The consumer and environmental group observers had nothing to criticize. The press had no story.

In this era, when the President is scrutinizing every budget for unnecessary committees and spending, some people may ask, "Do we really need a NIPCC under the federal umbrella and with a $300,000 a year budget, including five employees in the $25,000-$33,000 a year bracket? Or should it be reconstituted with industry funds and under the banner of the National Association of Manufacturers and the U.S. Chamber of Commerce?"

Of course, there is another option. If the President could find another $300,000, he could balance NIPCC's industrialists by organizing a council of leaders of consumer and environmental groups to advise him on pollution control.

Perhaps it could be called the National Consumer, Environmental, and Alaskan Oil Pipeline Fighters Council. But that would never wash in this town. How could anyone make an acronym out of NCEAOPFC?

OBSERVANCE OF PURIM

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ANNUNZIO. Mr. Speaker, the Festival of Purim, which is being observed this year between sundown March 17 and sundown March 18, is a holiday to celebrate, with feasting, gladness, and the giving of gifts, the historic day when the Jews were saved from their enemies, when their sorrow was turned to gladness and their mourning into happiness.

On this occasion, Jews throughout the world remember the decree of Queen Esther, the wife of Xerxes the Great—486–465 B.C.—to celebrate the deliverance of her people from extermination.

The story of Esther is one of the most moving in Jewish literature. It reminds us of the humility, courage, and faith which one woman possessed, and which, together with steadfast devotion to her people, gave them hope where there had been despair. This story of Esther and Haman is well known to all of us. Haman had tricked his King, Ahasuerus—or Xerxes—into issuing a decree of death against all Jews living in the Kingdom of Persia, which at that time stretched from India to Ethiopia. The date of execution, the 13th of Adar, was determined by a throw of the dice.

Haman's plot, however, was discovered by Queen Esther, the Jewish wife of the King. Protocol in the royal court dictated, however, that even the King's wife enter into his presence at only certain times. Esther is recorded as saying:

. . . though it is strictly forbidden, I will go in to see the King; and if I perish, I perish.

Esther successfully persuaded the King to spare the Jews, and Haman was hanged from the gallows which he had prepared for Esther's relative, the Jewish elder, Mordecai.

It is recorded that Mordecai wrote a history of all these events, and sent letters to the Jews near and far, throughout all the king's provinces, encouraging them to declare an annual holiday on the last days of the month. Queen Esther threw her support behind the plan and issued a decree, so the Jews adopted Mordecai's suggestion and began this annual custom as a reminder of the time when Haman, the enemy of all the Jews, had plotted to destroy them at the time determined by a throw of the dice; and to remind them that when the matter came before the king, he issued a decree causing Haman's plot to disintegrate and he and his sons were hanged on the gallows. That is why this celebration is

called "Purim" because the word for "throwing dice" in Persian is "pur."

All the Jews throughout the realm agreed to inaugurate this tradition and to pass it on to their descendants. They declared they would never fail to celebrate Purim at the appointed time each year. It would be an annual event from generation to generation, celebrated by every family throughout the countryside and cities of the empire, so that the memory of what had happened would never perish from their memories.

Mr. Speaker, history has shown that when Jews were being harassed and their religious freedom curtailed, it followed as night follows day, that all other peoples bore the same fate. Let us always be vigilant to prevent an erosion of the rights of all of our people.

On this occasion I extend my greetings to the Jewish people in the 11th Congressional District of Illinois, which I am proud to represent, in the city of Chicago, and all over our Nation, and express my sincere hope for their prosperity and well-being in the year ahead.

EXIMBANK SHOULD WAKE UP

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. DULSKI. Mr. Speaker, recently on the early evening news program, station manager George R. Torge of WBEN-TV in Buffalo, N.Y., editorialized on the activities of the U.S. Export-Import Bank.

Here is an agency which has a clear job to do: Promoting exports to capital-short areas of the world. But it keeps letting its enthusiasm run away with itself and winds up loaning money abroad which just does not meet the basic criteria.

The editorial hits the nail on the head. It is high time that the Export-Import Bank began casting a more critical eye on the loans it approves.

Mr. Speaker, as part of my remarks, I include the text of the WBEN-TV editorial which the station said appeared earlier in the Pittsburgh, Pa. Press:

EXIMBANK SHOULD WAKE UP

One thing about bureaucracy is its momentum. A government agency, set up to do a job, will continue doing it with increasing zeal, even after it no longer needs to be done.

A case in point is the U.S. Export-Import Bank. Its main task is to finance American exports through loans to overseas purchasers.

A praiseworthy goal, and the bank's low-interest loans have made sales possible where they otherwise could not take place.

Lately, however, the bank's momentum has led it to make loans to rich, industrialized, successful countries that can finance their purchases—usually U.S. commercial jetliners—on their own.

That is foolishly exporting capital to nations that do not need it.

The most flagrant case was an $11 million loan to a Japanese airline. It came when Japan had a $4 billion surplus in its trade with the United States, was awash in dollars and, to put it mildly, did not need foreign aid.

After some people woke up in Washington, lo and behold, two Japanese airlines bought 10 additional big jets and the $237 million cost is being financed by Japan's Export-Import Bank.

In this deal, the U.S. gets paid on delivery, instead of waiting 10 years as under U.S. Eximbank financing.

Though America's balance of payments is in chronic deficit ($10 billion last year), Eximbank has been blithely making loans to West Germany, Iran, France, Italy, Switzerland and Australia, none of which needs help.

A $20-million loan to Lufthansa, the West German airline, is fascinating. West Germany, of course, has $15 billion in its reserves and would like to get rid of some.

Nevertheless, Eximbank made the loan to Lufthansa at 6%, which is less than the bank itself pays to borrow money and is far less than American airlines competing with Lufthansa on the North Atlantic have to pay.

To avoid misunderstanding, the dissolution of the Export-Import Bank is not being suggested. It still has a role to play in promoting exports to capital-short areas.

But it's time the bank awakened to reality: An America running trade and payments deficits can no longer be profligate.

PAY DISPARITY SHOWN BETWEEN MEN AND WOMEN

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. FRASER. Mr. Speaker, on January 9, Washington Post Staff Writer Carole Shifrin's excellent article on pay disparities between men and women was published.

Sixty-five percent of all working women, and 80 percent of all minority women who work either have no husbands or are married to men who make less than $7,000 a year. Most women in these categories do not have a choice of working or not working—they work because they need the money.

The central economic problem of women is job discrimination. The Shifrin article follows:

PAY DISPARITY SHOWN BETWEEN MEN, WOMEN

(By Carole Shifrin)

Large income disparities exist between men and women in all industries and at all occupational levels, the Conference Board reported yesterday.

Overall, the median income for all women who were full-time year-round workers in 1970 was $5,440, compared to $9,184 for men, the board said, noting that women's earnings were, on average, 41 per cent less than men's virtually the same ratio as in 1939. These differences exist nearly a decade after passage of the Civil Rights and Equal Pay Acts.

In clerical jobs, in which more than one-third of working women are employed, the median income was $5,551 in 1970, 36 per cent less than men earn in clerical jobs.

The smallest relative income differential between men and women workers in 1970 was among professional and technical workers, where women's median income of $7,878 was still 33 per cent below men's income in the same kinds of jobs.

Male managers, officials and proprietors earned allmost twice as much as their female counterparts, the Board said. The median income of women in these occupations was lower than the median income of men in every major occupational group except laborers, the Board said.

Comparing the average weekly earnings of men and women, the Board said that as of May 1971, half of full-time women workers were earning less than $100 a week and only 6 per cent earned $200 or more a week. In contrast, more than a third of full-time men workers were earning $200 or more a week and only 15 per cent were earning less than $100 a week.

The board said the difference in pay is explained in part by differences in education, length of job experience, and continuity of employment, but it noted that women are closing the training and experience gaps the longer they are a part of the labor force.

The rapid increase in the number of working women since World War II is illustrated by statistics showing a 91 percent increase since 1948 in the number of women aged 20 and over in the labor force. The corresponding rise in the number of men has been only 20 per cent, the Board said.

The board said a number of demographic, economic and social trends explain the rise including a rising proportion of single women (a higher percentage of single women work than married women), declining birth rate and labor-saving appliances and fast convenience foods making it easier for wives and mothers to hold jobs; and rapid expansion of service industries creating new job opportunities for women.

ANNUAL REPORT—JOBS FOR VETERANS PROGRAM

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. DORN. Mr. Speaker, I have received a copy of the National Committee Jobs for Veterans annual report. This report was prepared by Mr. Frank M. McCraw, Jr., a retired U.S. Navy commander, and Mr. Irvin H. Lee, a retired Air Force senior master sergeant, who are employees of Jobs for Veterans, Inc. It gives me great pleasure to report that the unemployment rate of veterans—particularly Vietnam era veterans—was 5.9 percent in January as opposed to nearly 10 percent during the same month in 1971.

Much of this success can be credited to Mr. James F. Oates, Jr., national chairman and his special assistant, Bill Ayres, our former colleague who accepted this post at the request of President Nixon. With an annual budget of $250,000 this organization, assisted by a dedicated staff of employees, have obviously made inroads in increasing national awareness of the veteran as a job candidate. I would hope that the efforts of these talented men and women will not go unnoticed.

Also, I would like to quote from the committee's annual report:

The Advertising Council stated that during 1971 the use of advertising materials provided for the Jobs for Veterans promotional campaign had an estimated value of more than 19 million dollars. New materials distributed in 1972 by the Advertising Council have proved equally effective in terms of media acceptance. Calendar year 1972 estimates are expected to surpass 21 million dollars. The amount of public service advertising which Jobs for Veterans has re-

ceived is particularly significant since it is generally not given to government agencies.

Through the efforts of the Advertising Council and the committee the following achievements have been realized:

State and local task forces—those units which can best bring together all available resources in getting a veteran a job—numbered 476 at the end of 1972.

In conjunction with the Employment Service, National Alliance of Businessmen and the Federal Civil Service, the National Committee Jobs for Veterans in fiscal year 1972, filled more than 500,000 veteran job placements.

Also in fiscal year 1972, the committee through its promotional campaigns, was instrumental in motivating over 774,000 veterans to enroll in education and training programs.

At the local level, through the encouragement of the National Committee Jobs for Veterans staff, the number of veterans job fairs increased from 124 in 1971 to 217 by the end of 1972. More than 16,000 employers participated in these events offering job opportunities to some 275,000 veterans.

During 1972 more than 18,000 soon-to-be separated servicemen met with industry representatives during Overseas Job Information Fairs cosponsored by the Department of Defense and the National Committee Jobs for Veterans.

Despite the success of the committee more has to be done to decrease the pool of 240,000 unemployed Vietnam era veterans and those approximately 45,000 young veterans who will be discharged each month during the current year—especially those in the 20- to 24-age group and those on the disabled rolls. I am certain that the staff of the National Committee on Jobs for Veterans will proceed with vigor in its goal of seeking improved employment and training opportunities for those who have given so much of themselves for their country.

JOANNE WHITE

HON. PAUL W. CRONIN

OF MASSACHUSETTES

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. CRONIN. Mr. Speaker, Ms. Joanne White, one of the outstanding young ladies from my hometown, recently campaigned for election to the school committee. An editorial in the Andover Townsman aptly commended Joanne for her efforts, and I insert it in the RECORD:

JOANNE

We can not let Andover's 1973 election campaign pass into history without some pertinent remarks about a particular candidate.

Joanne White, a young lady, pursuing a career in education, sought election to the school committee.

Throughout the campaign she handled herself well, responding positively to questions and issues put before her.

There are those who have doubts about the ability of young people to handle such municipal responsibility.

The pert young lady, with infectious charm and display of intelligence, confounds the theory.

We would hope that her aspirations for municipal service were not dashed by her failure to attain election this year.

The youthful lady, through her efforts of the past few weeks of a difficult political campaign, provides one with confidence in contemplating the future of Andover politics.

Joanne, indeed, deserves such high praise, and I encourage her—and other young Americans—to continue to demonstrate such determination.

IN SUPPORT OF NEIGHBORHOOD SCHOOLS AND QUALITY EDUCATION—AGAINST FORCED BUSING OF STUDENTS

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HUDNUT. Mr. Speaker, as courts and school systems around the Nation struggle with problems of quality and equality in public education, the inflammatory question of forced busing usually dominates discussion. Because the legality of the several school systems in our 11th District of Indiana is now being challenged in Federal court, I wish to take this opportunity to reiterate arguments that I have expressed throughout my public career in support of the neighborhood school concept.

In the general discussion of busing I have raised several strong objections. First of all, I believe that in a democracy no policy that is overwhelmingly opposed by the citizenry should be rammed down the collective public throat. Barometers of public opinion demonstrate that as a people, we Americans support the goal of equal opportunity in education. However, by a tremendous margin we oppose forced busing as the means to this accepted end. Plowing ahead with forced busing in this situation cannot only be futile but counterproductive, potentially damaging the existing consensus on racial cooperation. Certainly the courts are sincere in believing that their orders will bring progress in equalizing opportunities. But I believe they fail to appreciate that the ill will and social dislocation created by coercive methods will outweigh by many times any progress that is derived in harmony and brotherhood.

There is additional evidence to support our suspicion that busing simply does not work. The first comprehensive study of the subject, undertaken by Prof. David J. Armor, of Harvard University, concludes that the quality of public education in a dozen American cities was, if anything, diminished by forced cross-town transportation. Classroom achievement did not improve among pupils of either race, and social relationships showed signs of deteriorating.

Another element to which I have frequently called attention is the cost in purely fiscal terms of massive busing schemes. This is not a facile or a smokescreen argument. In the Indianapolis case a busing plan confined to just the center-city school district would cost an estimated $3.2 million in the first year. That comes to 4 percent of the total budget for this year, and the possible alternative uses of such an amount are worth considering; $3.2 million would hire about 300 new teachers at current salary levels, an increase of 7 percent. Teacher/student ratios could be improved by a similar margin. Utilized to upgrade teacher salaries, the money would produce a 7-percent pay raise. The costs of busing plans taking in some or all of our suburban school systems are incalculable, but no doubt would be far in excess of the $3.2 million figure; thus, the better purpose to which such funds could be devoted are even more dramatic.

Lastly and most essentially, I do not believe that lasting liberty for all can be obtained by taking liberty away from some. Many of the most basic decisions an individal makes—where to live, how to live, and what work to do—are based in part on the freedom to select a suitable school for one's children. It is, of course, true that unfair housing and employment practices have sometimes prevented minority citizens from exercising this basic right, and this must not be tolerated. Freedom will not, however, be served by stripping the choice of schools from those who have it, but rather by guaranteeing it to those who do not.

Our Nation's beleaguered school systems already face burgeoning problems and carry staggering responsibilities. It is both unfair and unrealistic to demand that they assume the additional burden of correcting deeprooted social problems almost singlehandedly. Such treating of symptoms will not in the long run get at true causes and, as has been stated, can hardly help but exacerbate them. Only when a quality school has been established in every neighborhood, and freedom of mobility, housing, and employment insured for all our citizens will a true justice and sense of community come into existence. Given a commitment to, a faith in, and a patience with our children and our fellow Americans, these things will indeed transpire.

MRS. RUTH ALEXANDER NICHOLSON

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MANN. Mr. Speaker, the American National Red Cross is today honoring one of those persons who truly "lives in deeds." Being awarded a 1973 Ann Magnussen Award for outstanding community nursing service and leadership is Mrs. Ruth Alexander Nicholson, of Greenville, S.C.

Mrs. Nicholson has served as an active Red Cross volunteer for nearly a quarter of a century, giving freely of her time and skills for the enrichment and betterment of the community.

In 1967, as newly appointed nursing services chairman for the Greenville County Red Cross Chapter House, she initiated the enrollment of Red Cross

nurses, sponsored home nursing and mother and baby care courses, and organized nurses to give modified home nursing courses to deprived mothers at Office of Economic Opportunity community centers. She also organized the first nursing advisory committee for the Greenville County Chapter.

In her current position as coordinator of maternal and infant care at the Greenville General Hospital School of Nursing, Mrs. Nicholson provides leadership and guidance to many nursing students. She is president of the South Carolina Nurses' Association and has worked tirelessly to improve educational opportunities for nurses and to increase their involvement in the community.

In announcing Mrs. Nicholson's selection, the American National Red Cross noted that—

In the opinion of the judges, and all who have known her, (she) epitomizes the highest ideals of nursing and humanitarian volunteer service.

We of the Fourth District who have been the chief beneficiaries of Mrs. Nicholson's many civic endeavors are proud of her recognition and wish to extend our congratulations on her well-deserved honor.

SOCIAL SECURITY ACT

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. STARK. Mr. Speaker, on February 16, the administration launched yet another attack on the welfare of our Nation with the publication of proposed new regulations on social services grants under title IV-A of the Social Security Act. These regulations are to go into effect next Monday, March 19, unless the people express their opposition strongly enough. Yesterday, I sent a statement of my own objections to these outrageous provisions, to Secretary Weinberger at the Department of Health, Education, and Welfare, and I urge each of you to do the same as quickly as possible.

An excellent analysis of the purpose and effect of these drastic revisions appeared in yesterday's RECORD, at page 1500, prepared by the Washington research project and submitted by Mr. DRINAN, of Massachusetts. I recommend it highly.

At this time, Mr. Speaker, I insert my own letter to Mr. Weinberger into the RECORD. It describes the effect of these revisions on the service programs in my own district:

MARCH 14, 1973.

CASPAR W. WEINBERGER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. WEINBERGER: On February 16th there appeared in the Federal Register the proposed new regulations for social services under Title IV–A of the Social Security Act. I object vehemently to these proposed regulations. Although it has not been possible in the thirty days provided to assess the full impact of these changes on the many excellent service programs in the Eighth District of California, my preliminary studies indicate that they will have a near-disastrous effect on many of the best and most constructive ones.

Specifically, I object—

To the elimination of so many service requirements and optional programs. Employment-related child care, education and transportation are not optional. These services are necessary to many citizens struggling to make themselves fully productive and self-sufficient. Allowing states to eliminate such services is to encourage sadistic demagogues such as Governor Ronald Reagan to follow the most insensitive and self-defeating economizing. The elimination of non-job-related child care, legal services, and education and training programs is shocking in its disregard for social need.

To playing politics with our children's welfare. The elimination of day care centers standards and the increased ratios of children to adults are acts and omissions for which children will suffer.

To the increased demands made on other more expensive forms of assistance by your actions. The elimination of day care centers is a prime example of the self-defeating nature of these "economies." Mothers, unable to afford adequate care for their children, will be forced to quit their jobs, and will evantually wind up back on the welfare rolls. Eliminating home-care services for the elderly and infirm will force them into nursing homes.

To the new eligibility requirements, which cut out so many of the "past" and "future", and all other "group" recipients from the program.

To the elimination of a process for fair hearings and appeals. An ill-defined and vague grievance system will not provide the due process guaranteed by the Fifth and Fourteenth Amendments to the Constitution.

These regulations represent this Administration's sense of national priorities at its inhuman, short-sighted worst. They would allow the poor, the oppressed, the elderly, the sick, and those most in need of assistance from their fellow men, to suffer first and most grievously.

Mr. Nixon will withhold basic services from the needy ostensibly to save money and fight inflation. He will let these people suffer while he allows the Defense Department to increase its budget, hide cost overruns, falsify and conceal excessive personnel expenses by top officers. While subsidizing corruption at every level, he will not spend one cent in compassion. He betrays a sense of priorities counter to the finest traditions of American social responsibility, in flagrant defiance of fundamental morality, and deeply destructive of our already badly-damaged social fabric.

It would clearly be inhumane to put these regulations into effect. Human decency demands that you withdraw them.

Sincerely,

FORTNEY H. STARK, Jr.,
Member of Congress.

EFFECTS OF THE PRESIDENT'S BUDGET REDUCTIONS

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. COTTER. Mr. Speaker, the President's fiscal year 1974 budget and the impoundments and program reductions involving fiscal year 1973 funds have created considerable confusion and concern among municipal officials. To better understand what impacts these changes—proposed and actual—would have, I asked officials from First Congressional District towns in Connecticut to give me an analysis of the effects they perceive.

By far the most comprehensive report came from the capitol city, Hartford, which has the bulk of the HUD, OEO, education title I, and Model Cities activities and funds that come into my district. The responses from the suburban towns, while not of the same magnitude, indicate that the administration's budget policies have an impact beyond the city limits.

I want to share with you some of the responses I have received to date because I believe they illustrate the quandary the President's policies have created for towns and cities.

The responses follow:

CITY OF HARTFORD,
Hartford, Conn., March 2, 1973.

Hon. WILLIAM R. COTTER,
Member of Congress, Cannon Building, Washington, D.C.

DEAR BILL: In response to your request of January 29, 1973, I am forwarding to you a preliminary analysis of the program impacts of the President's Submitted Budget on the City of Hartford. A final report will be prepared at a later date when more complete information becomes available.

If in the meantime, we can provide you with further information, please let us know.

Best wishes to you and your endeavors during this session.

Sincerely yours,

EDWARD M. CURTIN, Jr.,
City Manager.

PRELIMINARY ANALYSIS OF PRESIDENT NIXON'S SUBMITTED BUDGET

This report is a cataloguing of a wide range of programs operated within the City of Hartford, through City, State and private organizations. As much as possible, programs have been quantified in dollars lost or gained, grouped by major program areas: Health, Education, Environment, Housing—Planning, Manpower, Office of Economic Opportunity—Community Action—Model Cities, and Welfare.

This is still preliminary in nature, utilizing every possible source of information. It is not all inclusive at this point in time due to ambiguities surrounding the Federal budget. The report does not replace categorical cuts with special revenue sharing funds because of the questions surrounding the amount, timing, and distribution of special revenue sharing within the State-Local structure.

A summary of the impact by program area is included at the end of the report.

HEALTH

Program	1972–73 level	Estimated cut	Estimated 1973–74 level
Family planning	$200,000	$150,000	$50,000
Crippled children	(1)	----------	----------
Mental health	(1)	----------	----------
Health total	200,000	150,000	50,000

[1] Undetermined.

The Family Planning program provides free clinic services to low income residents. Attempts to offset costs will include (1) billing the State Welfare Department for services provided to Welfare recipients and (2) the adoption of a sliding fee schedule for other clinic clients. These two revenue

sources are not expected to offset the reduction in Federal funds, therefore, a curtailment of Family Planning services to poverty clients is anticipated.

Two State health programs providing services to Hartford residents face possible reduction in Federal funds: Services to crippled children and mental health programs located at two community hospitals. The scope of these cuts has not yet been determined.

EDUCATION

Program	1972–73 level	Estimated cut	Estimated 1973–74 level
Title I—Educationally deprived	$2,207,000	$2,207,000	0
Vocational education	166,300	166,300	0
Bilingual and drop-out programs	558,000	558,000	0
Adult basic education	351,800	351,800	0
Educational total	3,283,100	3,283,100	0

Indications are that special revenue sharing for educational purposes proposes to replace these funds with a slight increase. The actual receipt of these funds, besides being dependent upon the range of factors affecting all special revenue sharing, relies crucially upon the distribution formula and the possible channeling of funds through the State government.

ENVIRONMENT

Program	1973–74 level	Estimated cut	Estimated 1974–75 level
Open space—capital improvement program—parks	$250,000	$250,000	0
Environment total		250,000	

These funds have been approved for the 1974 fiscal year, continuation after 1973–74 will not take place. Assuming the present commitment is honored, the cut will take place in 1974–1975. The City establishes priorities for park improvement projects within these funds.

HOUSING—PLANNING

Urban Renewal Projects for construction of low and moderate income housing, subsidized by HUD on a 75 percent basis, are "frozen" for an 18 month period beginning in January of 1973. This in essence is a fiscal 1973–74 funding loss. The following list presents the breakdown at $22,000 average cost per housing unit.

Project	Number of units	Project cost	HUD share (75 percent)
Underwood	200	$4,400,000	$3,300,000
Colt Park South	200	4,400,000	3,300,000
South Arsenal	280	3,960,000	2,970,000
Total	680	12,760,000	9,570,000

Similarly, the freeze on housing subsidy would result in the development of no new or rehabilitated housing in the Charter Oak-South Green Section I. This area will then be developed for predominantly non-residential use.

The Comprehensive Planning and Management Assistance Grant (701) does not face cutbacks in the Federal budget, but the $1,000,000 grant may be channeled through the State. The crucial question would then be the reallocation of funds to local governments. There is always a possibility that redistribution could be away from the city.

MANPOWER

Program	1972–73 level	Estimated cut	Estimated 1973–74 level
Recreation support Program	$8,550	$8,550	0
Co-op transportation grant	2,200	2,200	0
Neighborhood Youth Corps (NYC) (Summer program—CRT)	945,000	945,000	0
NYC out of school (year round program CRT)	244,400	10,400	$234,000
NYC in school program (CRT)	183,000	5,000	178,000
Concentrated employment program (CEP-CRT)	1,754,755	292,600	1,462,155
Residential Support Center (Job Corps)	160,000	160,000	0
Puerto Rican Businessmen's Association	(1)	20,000	(1)
Manpower total	3,297,905	1,443,750	1,874,155

[1] Undetermined.

The Recreation Support Program provides Project Co-op with 40 job slots for City youth in the summer. The Co-op Transportation Grant funds provide Co-op field trips. NYC provides jobs and supplies for City youth in a variety of government and non-governmental areas. The CEP and Job Corps also provide job training opportunities for inner-city individuals. These provide genuine self-improvement opportunities for unemployed, undertrained or unskilled individuals. The Puerto Rican Businessmen's Assn. provides entrepreneurial advice, training and assistance to Puerto Rican individuals in the City.

The Emergency Employment Program (EEA)

The EEA Program, as originally intended by Congress and the President, was an emergency measure instituted during a period of high unemployment to help alleviate the problem. It was planned for a two year period and was funded for the first year from FY 72 funds in the amount of $1.0 billion. The Act itself was for a two year period, having been signed into law in July, 1971. The planned appropriation for the 2nd year was to be $1.25 billion.

MANPOWER

To date, the fact that the Federal administration did not include in its budget proposals for FY 74 any provisions for a continued program, has a limited adverse affect on the City. Given a smooth transition from 1st to 2nd year program operation, it is conceivable that the EEA Program would terminate on September 1, and November 1, 1973, for Section V and VI respectively. Had this occurred, the fact that no budget proposal was made for EEA in FY 74 would have meant the termination of the City's program on or about those two dates.

Under current understanding of the intent of Congress and the President, the City may operate a reduced EEA program until June 30, 1974. The present circumstance under which the City is allowed to operate its program has resulted in a reduced level of operation in that the City could only expend on a monthly basis an amount equal to 1/12 of the first year's allocation of $927,500 and $1,206,024 for Sections V and VI respectively. In that the 2nd year program was to provide a 25% increase over the 1st year appropriation and this was to be applied to Section V only, the ceiling placed on our spending in August, 1972 has not allowed us to take advantage of the increased amount.

In essence, we may now operate a smaller program over a longer period and hopefully reach more people over the long run instead of having a short term high impact program which would reach a greater number at one time but probably fewer in the long run.

OFFICE OF ECONOMIC OPPORTUNITY—COMMUNITY ACTION AGENCY—MODEL CITIES

Program [1]	1972–73 level	Estimated cut	Estimated 1973–74 level
OEO, CAP versatile (CRT)	$815,000	$407,500	$407,500
State: ½ the non-Federal share for CAP (CRT)	450,000	450,000	0
Neighborhood legal services	210,000		
DCA match State share	52,000	262,000	0
Model Cities	2,284,000	1,522,665	761,335
OEO, CAA, MC, total	3,811,000	2,642,165	1,168,835

[1] These programs include those of a varied nature which do not readily fit within other program areas. For example, the larger part of affected CAA programs are included under manpower programs.

The OEO CAP Versatile (CRT) program includes two neighborhood employment teams, nine neighborhood service offices, one neighborhood service field office, a consumer protection program, and the CRT administrative services. This program is presently funded through 12/31/73, representing a half-year funding with nothing after 12/31/73.

The State share loss represents funds used to supplement the Federal funds. The assumption is then the loss of Federal would preclude the receipt of State funds.

The Model Cities program will not receive fourth action year funds for the period after 11/1/73. The program will, therefore, not be funded for eight months 11/1/73 to 6/30/74. The present $2,284,000 annual funding could be stretched to cover this period, covering fewer programs on a smaller scale. If the $2,284,000 authorization were expended normally within a 12 month period, it would flow out at a monthly rate of $190,333. Without refunding, the eight month period represents a loss of 8×$190,333 or $1,522,665 to the City.

Every Model Cities project will be affected. The following is a list of all Model Cities projects by program areas:

General Government

Model Cities Administration.
Citizen Participation.

Education

Bilingual Curriculum.
Community Scholarship.
Early Childhood Education.
Reading is Fun-Damental.
Basic Language Skills.
Training Institute.

Human Resources

Drug Rehabilitation.
Neighborhood Health Clinic.
Family Service Center.
Senior Citizens' Drop-In Center.
Welfare Outreach.
Clay Hill Recreation Center.

Law and Justice

Housing Authority Security Patrol.
Project Youth Sponsor.
Community Youth House.
Youth Contact.

Community Development

Employer Awareness.
Equity Investment Fund.
Contract Compliance.
Minority Construction Consortium.
Home Ownership Fund.
Housing Repair Fund.
South Arsenal Neighborhood Development.
Relocation Assistance.

WELFARE

The Federal Budget does not directly reduce funds for the welfare programs. In reducing other programs however, an economic environment which stimulates rising welfare costs could result. An initial possibility includes the assumption of 100 new assistance

cases through the reduction in community action programs. The accompanying costs would be:

Expenditures	$160,200
Revenues from State reimbursements	−152,280
Net city cost	16,920

The Model Cities Day Care Center receives an HEW grant through the State Welfare Department for 75% of the program with 25% provided by Model Cities funds. Indications on the availability of the HEW share have not been made. Some possibilities of the provision of the HEW funds for cost of children of AFDC mothers enrolled in Work Incentive Programs (WINS) have arisen. This still stands in the area of conjecture at this point. If this should materialize, 8 of 30 full-time and 15 part-time enrollees would be eligible for HEW funds of the total $270,000. This would mean a loss of 73% o. HEW funds or a $197,100 loss.

SUMMARY

The following table summarizes the basic program funding cuts of the Federal budget in the City of Hartford:

Program area and estimated cut

Health	$150,000
Education	3,283,100
Environment	250,000
Housing	9,570,000
Manpower	1,443,750
OEO-CAA-Model Cities	2,642,165
Total	17,339,015

1972–73 IMPACTS (CURRENT FISCAL YEAR)

Certain programs which have been operating within the City have faced cutbacks during fiscal 1972–73 which are then reinforced by not being included in the 1973–74 Federal budget.

The Federally-Assisted Code Enforcement (FACE) program lost $188,065 in fiscal 1972–73 from 1/1/73 to 6/30/73 and $225,500 in fiscal 1973–74 from 7/1/73 to 12/31/73, for a total program impact of $413,565.

The National Alliance of Businessmen who operate an on-the-job training program on a Department of Labor grant through the Chamber of Commerce. This provides job slots for individuals who complete other training programs (Work Incentive and Concentrated Employment). The 1972–73 cutback amounted to a loss of $340,000, the vast majority of which would directly involve Hartford individuals or companies.

The housing program stands to lose $750,000 in 1972–73 on the Clay Hill project. The HUD requirements include acquisition and disposition of property by April 30, 1973, an impossibility. Attempts to obtain waiver of the requirements or transfer of the funds to Colt Park South Project are now underway.

PROGRAM IMPACTS

The 1973–74 Federal budget does have some program rather than direct fiscal impact on the City. The area of Civil Defense is particularly noted in this, with the abolition of the Office of Emergency Preparedness (OEP) and the reduction of the role of the Small Business Administration with the division of program administration between Housing and Urban Development and the Treasury Department. Hartford will then have to apply to a multiplicity of federal offices for disaster recovery assistance. The result will be one of administrative problems.

GLASTONBURY, CONN.
February 5, 1973.

Hon. WILLIAM R. COTTER,
House of Representatives,
Washington, D.C.

DEAR MR. COTTER: In response to your letter requesting information regarding the impact of the President's budget for fiscal year 1974 and related Presidential actions, the Town of Glastonbury at this time is involved in two federal programs, one, redevelopment, and the other water pollution control.

To date, freezing of funds in the Department of Housing and Urban Development has not affected the redevelopment project. There is a real concern about the freezing or holding back of water pollution control funds. To date, the State advanced money for the project now underway. However, should federal funds not be released, it is possible that the project will, at some point, have to be halted.

I am not sure what your position is regarding the President's action in ignoring the mandates of the Congress regarding funding of federal programs. However, it is my opinion that the power taken by the President in this regard cannot be justified. I would hope that the Congress will find a way to overrule the Chief Executive.

Very truly yours,
DONALD C. PEACH, *Town Manager.*

BLOOMFIELD, CONN.,
February 8, 1973.

Hon. WILLIAM R. COTTER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN COTTER: In answer to your letter of January 29, 1973, there are two major Programs of the Town of Bloomfield which would definitely be affected by the HUD "freeze" of January 5, 1973.

The first of these is the neighborhood development program in the southeast area of town. As you well know, based on the recommendation of the Hartford Area HUD office, we are in the process of preparing applications for a neighborhood development program along Blue Hills Avenue and a Housing Code enforcement program in the abutting residential areas. It was our hope to get at least preliminary funding of these programs in FY '74. In view of the "freeze" we will probably delay such programs because it would not appear feasible to fund such programs (estimated cost $5,000,000 over a 5 year period) from local tax funds.

The second area in which we had hoped to participate is open space land acquisition. We had hoped to apply for Open Space funds for acquisition of land along the Farmington River and an unusual island in the river within our town boundaries. With the "freeze" we either will have to fund the entire purchase from local funds or see the lands inevitably lost to the public because of purchase by private interests.

On another matter, I would like to take this opportunity to point out the serious impact of the potential cut-off of the Emergency Employment Act. The Town of Bloomfield has received a total of $75,395.07 to date under this program. We have filled some 9 positions and have transferred 2 people to permanent employment. If the program is discontinued, I do not believe that more than one of the positions can be funded from local monies. Therefore, stopping the program will probably add eight more to the unemployment rolls and have a significant effect on existing programs.

If there is further information which would be helpful, please contact me.

Sincerely,
CLIFFORD R. VERMILYA,
Town Manager.

AIRPORT SUCCESS STORY

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1973

Mr. PARRIS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article published recently in the Washington Star-News which describes the rapid growth of the Manassas, Va., Municipal Airport.

At a time when the large metropolitan airports of this country are becoming more and more congested, the steady growth of the smaller airports is becoming the newest aviation success story.

I believe the tremendous popularity of the Manassas Airport is a very important chapter in that success story.

The article follows:

ON WINGS—PLANES, AND FANCY

(By Charles Yarbrough)

Except for the confirmed airplane driver or devotee, few passers-by even passively interested in that kind of birdwatching are aware of the general aviation supermarket built and building at Manassas Municipal Airport. There are few in the country like it.

In fact, the passer-by may even miss the airport itself. For guidance—and it's worth a sight-seeing trip—it is about three miles south of Manassas on Virginia Route 28 "just past the county dog pound," as one native direction-finder charts it.

It also is five miles south of the old, sod hilltop field dedicated in 1932. In later years big-band-musician-turned-pilot Frank Marshall nurtured and moved the airport to its present status.

Picture an immaculate, automobile-style private aircraft. It is the literal showpiece of a 22,000-square-foot facility Marshall built more than a year ago as his Piper distributorship headquarters.

Newest thing in the showroom-hangar-office building is the Washington "hub" of Lease-A-Plane International, the sort-of "Hertz-Avis" of the flying world.

Growth of the airport is such that only slightly less than a short takeoff away is the first of the big tenants on the field, Colgan Airways, which deals in similar aviation products—a Cessna agency, flight training aircraft rental, air taxi and charter.

And they are friendly competitors.

Lease-A-Plane is headed by Dewey Clower as president; Robert Ware as general manager and has a fleet of 10 Aircraft now flying about 50 hours each a month. And who's a typical leasee at $23 an hour on a Cessna 172, for example?

"It currently is the pleasure pilot," Clower says. The Lease-A-Plane system, with 30 "hubs" over the country, also has the Lafayette Escadrille club, which brings 15 percent discounts and occasional pleasure fly-ins.

Last Saturday, veteran pilot Jim Evans did an awesome wring-out of one of the leasing fleet's newest planes, the high-wing aerobatic Bellanca Decathlon, an energetic and versatile relative of the Citabria.

The "open house" was cold and gusty. The performance was warming and enlightening, even to old airplane-watchers.

At one point, boring into the brisk north wind, Evans' Decathlon had a ground speed of about 15 miles an hour. The high-wing little dilly weighs about 1,200 pounds; sells well-equipped in the $18,000 range, and cruises at 135.

It will do about everything the Blue Angels do—except Mach I.

The Manassas airport that Frank Marshal moved off the sodded hilltop in the mid 1960s is almost a Cinderella story.

Owned by the town of Manassas and operated by an airport administration headed by Ralph H. Moore, it has one paved runway 3,600 feet long.

In the hopeful plans—a parallel runway

6,000 feet long capable of handling small and medium jet aircraft.

Currently it is "home base" to almost 200 general aviation aircraft, at tie-downs and hangared.

SENATE ACTION ON MINORITY STAFFING

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, last week, the House came within one vote of permitting a direct vote on my amendment to provide the minority party on a committee with up to one-third of the committee investigative staff funds. I want to personally thank the 17 Democrats who stood with us on this important congressional reform issue. Their courageous stand was a clear indication that the bipartisan reform spirit which originally put through a similar amendment to the Legislative Reorganization Act of 1970 is still very much alive, and I hope we can continue to enjoy the continued and increased support of our reform-minded friends on the other side of the aisle.

A similar effort is being made on behalf of adequate minority committee staffing in the other Chamber, and one of the leaders in that campaign is my friend and colleague from Illinois (Mr. PERCY). On Monday, February 26, 1973, he made a very eloquent and persuasive plea for minority staffing on the Senate floor. At that time he said:

Much has been made in our discussions since the convening of the 93rd Congress of the need for reassertion of the authority of the Congress vis-a-vis that of the Executive Branch. I suggest that we view the issue of minority staffing in that same perspective. In seeking adequate support for the minority, we are seeking to strengthen our institution by strengthening our deliberations through better preparation, more thorough investigation, and a vigorous and fully adequate exercise of our manifold responsibilities for legislative oversight of Federal Government activity.

I fully concur in the thought of our senior Senator from Illinois and at this point in the RECORD include the full text of his remarks and commend them to the reading of my colleagues:

REMARKS BY MR. PERCY

Mr. President, there are a number of arguments on which the claim for adequate staffing for the minority on committees and subcommittees—at least equal to one-third of the amount provided for the majority—rests.

The best support for this position is the Legislative Reorganization Act of 1946 as amended. Section 202(a) provides for appointment of one-third of the professional staff of standing committees by the minority. The spirit of the Legislative Reorganization Act should surely apply to the minority staffs of the subcommittees, which under the law, are now assured of fair consideration in staffing. Section 133(g) of the Legislative Reorganization Act of 1946 as amended provides that "the minority shall receive *fair consideration* (emphasis added) in the appointment of staff personnel pursuant to any such annual or supplemental resolution" providing funds for subcommittees.

The question, then, is what "fair consideration" actually means. One interpretation of "fair consideration" would be that the minority of each standing committee and subcommittee should receive a portion of that committee or subcommittee's funds equal to the proportion of seats the minority party holds in the Senate—43 percent in this Congress—or a portion equal to the relationship of the minority to the majority on the committee or subcommittee in question—

In this case the Permanent Subcommittee on Investigations, which would be 40 percent.

We—the minority Members of the Senate—have chosen to interpret "fair consideration" as being an allocation of one-third of the funds of committees and subcommittees for the minority, and this position is consistent with the Legislative Reorganization Act of 1946. Support for this position was supplied by the Senate very recently in our debate on Senate Resolution 60, which, of course, provided for the creation of the Select Committee on Presidential Campaign Activities. Section 6 of that resolution provides that the minority members of the select committee shall have one-third of the professional staff of the select committee—including a minority counsel—and such part of the clerical staff as may be adequate.

Though the Senate's discussion about division of the clerical staff of the select committee was rather clouded, I think that the remarks of the distinguished Senator from North Carolina (Senator ERVIN), and the distinguished Senator from Rhode Island (Senator PASTORE), illuminate the intention of the majority with regard to its minority staff. Senator ERVIN offered an amendment—page 3847—that—

"The minority members of the select committee shall have representation on the staff of the select committee equal at least to one-third thereof."

Senator PASTORE, in remarks on the same page, made clear that the amendment offered by Senator ERVIN would provide in effect one-third of the staff of the select committee measured on the basis of the proportion of the total funds for staff that would be made available for the minority. In short, I believe the recent debate on minority staffing for the Senate's newest committee, the Select Committee on Presidential Campaign Activities, provides ample support for the one-third principle for minority professional staff of our other committees and subcommittees and indicates that clerical staff would certainly equal if not exceed one-third of total clerical staff in order to be adequate.

Certainly, Mr. President, I do not think, and I do not believe any Member of this body could argue in fairness and in light of the provision in the Legislative Reorganization Acts of 1946 or 1970, that "fair consideration" could mean as little as 15 or 20 percent of the staff of a committee or subcommittee.

Mr. President, much has been made in our discussions since the convening of the 93d Congress of the need for reassertion of the authority of the Congress vis-a-vis that of the executive branch. I suggest that we view the issue of minority staffing in that same perspective. In seeking adequate support for the minority, we are seeking to strengthen our institution by strengthening our deliberations through better preparation, more thorough investigation, and by a vigorous and fully adequate exercise of our manifold responsibilities for legislative oversight of Federal Government activity.

This argument is very persuasively expressed by a respected Democratic Member of Congress, Representative RICHARD BOLLING of Missouri. In his 1964 book titled "House Out of Order," Congressman BOLLING wrote:

"Without the staff to frame alternative proposals, the minority cannot make its position clear on bills sponsored by the majority. Surely the discussion of alternatives is an important part of the Democratic process, because it informs the public, compels a more careful and penetrating consideration of bills, and in my experience nearly always results in sound legislation."

The minority staffing situation has improved markedly since 1964, but the argument is as valid now as it was then. As recently as last December 5, at hearings of the Senate Ad Hoc Subcommittee on Congressional Reorganization, Common Cause Chairman John Gardner said:

"The ability of Congress to hear and consider both sides of controversial issues is limited by insufficient staff resources for the minority party . . . it would be fair and prudent to implement the Legislative Reorganization Act of 1970 to assure adequate minority party staffing."

Mr. President, this body is obviously organized on party lines. Is it in the essence of our system. The majority party goes to great lengths at the outset of each Congress to determine the precise ratios of minority to majority on each of the committees, and these ratios are reflected—though sometimes less precisely—in the membership of the subcommittees. It is frankly rather comical that, after the majority party so carefully delineates the measure of its partisan strnegth on the committees, that majority members then turn around and argue that the work of the committees and subcommittees is nonpartisan, that one staff—appointed by the majority—is at the service equally of all of the members, whether of the majority or minority party. I say that in full respect and deference to the very highly competent and professional men and women that staff our committees and subcommittees, that there is no such thing as an entirely nonpartisan staff. The committee system is organized and expected to operate on a minority/majority basis, and the minority should have the staff to fulfill its role in our system.

Mr. President, I must emphasis that this is a minority issue, not a partisan Republican one. Were the Democratic Party the minority in Congress, I suggest that it would be in the Democrats' interest to have full implementation of the Reorganization Act. What we are asking for now is full treatment for both sides.

Mr. President, I wish to commend the two subcommittees of our committee on which we have designed a one-third relationship of minority to majority staff, measured by the portion of total subcommittee staff funds that are available for the minority.

On the Subcommittee on Executive Reorganization, chaired by Senator RIBICOFF, the minority has available $99,552 of the $258,400 total staff funds of the subcommittee, or 38 percent. The minority appoints 5 of the 13 staff members.

On the Subcommittee on Intergovernmental Relations, chaired by Senator MUSKIE, the minority has available $86,768 of the $283,424 for total staff funds, or 31 percent. The minority appoints 5 of the 18 staff members of the subcommittee.

These are the results of the development over time of harmonious working relationships between the minority and majority members of these subcommittees. I believe that both Senators RIBICOFF and MUSKIE realize that the minority staff has strengthened their subcommittees and not hindered or impeded them in their work. Both are to be commended highly for their approach to the minority staffing problem, in the same spirit in which the very distinguished ranking minority member of the Rules Committee, Senator COOK, in debate last week commended the chairman of the Committee on Public Works for conforming to the one-third principle and thus providing fairly for the minority.

Finally, Mr. President, I want specifically to commend the Senator from Montana (Mr. METCALF) who is the chairman of our new Subcommittee on Budgeting, Management, and Accounting. The budget was initially submitted with a disproportionately low amount for the minority. When his attention was called to this problem, the chairman revised his subcommittee's initially submitted budget in order to make available one-third of the funds for minority staff.

The Senator's action is exemplary: It demonstrates the spirit of cooperation that I have found always characterizes his approach to problems. I believe I speak for the ranking minority member of the subcommittee, Senator SAXBE, in saying that the staffing arrangement spelled out on pages 30 and 31 of the report on Senate Resolution 46 is entirely satisfactory. It provides an amount of $45,152 for the minority out of a total staff allotment for the subcommittee of $135,456, or exactly 33 percent. This accommodation was made by the gentleman from Montana (Mr. METCALF) without increasing the total amount of the budget for the subcommittee.

HOWARD PHILLIPS SPEECH AT BURDETT COLLEGE

HON. PAUL W. CRONIN

OF MASSACHUSETTES

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. CRONIN. Mr. Speaker, I would like to present the remarks of Howard Phillips, Acting Director of OEO, delivered at the commencement exercises of Burdett College in Boston, Mass., on June 29, 1972, in the RECORD:

REMARKS DELIVERED BY HOWARD PHILLIPS

By the very definition of democracy, the degree of liberty in a free society can be measured by the extent to which citizens are able, through established processes, to exercise control over the State—and over that which is subsidized by the State's treasury.

In a representative democracy, as in the United States, ordered liberty requires that citizens may hold accountable for the policies and actions of the State those of their fellow citizens to whom they have entrusted their proxy in the delegated decisionmaking process.

That is not to suggest that the citizen need always be pleased, or even satisfied, with the acts or omissions of his delegates or of the State itself. It does demand, however, that the acts and omissions of the State derive in some fashion from the wishes of elected officials. Accountability has meaning only if those whom we reward or punish for their behavior have indeed had some control or potential for control over the events by which we evaluate them. How futile and self-deceiving it is to "throw the rascals out," if the "rascals" are as blameless and without authority as we.

Where the power of elected officials to act on our behalf in holding the State accountable is absent, the system from which they derive their representative authority is transformed into a facade which conceals the diminution of individual liberty.

If Presidents and Senators and Representatives cannot guide the State and be held responsible for its coures, how much less can private citizens believe that their opinions and preferences exert any controlling impact on the sovereignity to which they pledge allegiance.

Accountability is essential to our rights. Yet the trend of recent years has been to weaken accountability and to strengthen that elitism which results from reposing decision-making authority in bureaucracies and groups beyond the reach of democratic recall.

Depressing evidence of the tendency to elitism and non-accountability can be seen in many areas in addition to Government: Industry, mass communications, education—institutions in these and other areas which impact upon our lives, operate, more than ever, in a one-way manner, unrequired to take into account the interests and views of those who are touched by them.

Growth, complexity, and technological progress have had as their corollaries for the private citizen: Loss of personal influence, loss of sensitivity to diverse needs and values, and indifference to separate worth.

Expecting efficiency, convenience, and ready satisfaction, we have instead witnessed confusion, frustration, and the kind of amoral corruption that is the consequence of departure from absolute standards of behavior and performance.

In private institutions, created to serve private ends, non-accountability to persons upon whom an impact is made, while undesirable, is bearable, at least to the extent that citizens have the freedom to avoid involvement with those institutions.

With regard to the State, however, we, the people have an unavoidable stake in demanding accountability to us, through those whom we have chosen to govern. Our interest derives not merely from the fact that our contact with the State is unavoidable, but from the separate consideration that we are the source of the State's authority.

My own experience in the Federal Government during the past four years has led me to the disturbing conclusion that elected officials have much less control over the State's activities than our standard texts in political science would lead us to believe.

If we're not runing things and they're not running things, it seems reasonable to ask: Who is?

Well, you might answer, the Federal bureaucracy is. And the answer is at least partially correct. After all, the job of a legislative body is to set policy in cooperation with the executive branch, which must also carry it out. Since we are a nation of more than 200 million people with a budget far in excess of 200 billion dollars, it is reasonable and necessary that bureaucrats be retained who shall manage operations by the authority delegated to them.

One problem, however, is that after bureaucracy reaches a certain size, the chain of command, or accountability, if you will, is stretched fairly thin, making it relatively tempting, and often easy, for bureaucrats to forget the source of their authority and to arrogate policy-making authority to themselves as a supplement to their policy-executing duties. This possibility is easiest in those areas of Government activity where legislated policy is loosely defined and subject to varying interpretation. It is exacerbated when bureaucracies grow so large and independent as to develop a life of their own, and become more concerned with serving their own prerogatives than with responding faithfully to the elected authority they were initially created to serve.

The scope of Federal authority in 1972 is so vast and diverse that no Member of Congress or executive branch department head can be aware of, let alone be able to exert influence over, more than a fraction of even those issues and programs within his or her particular sphere of specialized responsibility.

That is bad enough. Worse, they are ever more forced to rely for policy development and execution on a bureaucracy whose independence has grown at as rapid a rate as reliance on it has increased.

This is not so much the fault of bureaucrats, who have merely moved to fill a vacuum, as it is of us, for failing to keep our system up to date with the expansion and technological change in our society.

But wherever the fault may lie, it is individual liberty which suffers, as elected officials accountable to us, lose control over the actions of the State. "Things are in the saddle and ride mankind."

Recognizing this, President Nixon has proposed a sweeping series of reforms designed to make Government more manageable and structurally accountable to popular control. Civil service reform, executive reorganization, revenue sharing: All of these proposals, if enacted, will work over the long run to restore power to the people, whose service, in a free society, must be the objective of power.

But the enlargement of bureaucratic power is not the only evidence of decline in accountable, representative government. Another development, whose importance is not widely appreciated, is the surrender of power by Government to private groups, some of which have organized solely for the purpose of receiving Government funds to be expended privately on matters deemed to be of public concern.

There is no doubt that some, perhaps considerable, good has been achieved by the further delegation of public funds and authority to private and "quasi-public" grantees. But some results not so good have also occurred, not least of which is diminished citizen control over the uses to which the Federal Treasury are put.

This delegation of public authority to private groups is particularly invidious when it entails use of Federal funds to subsidize political advocacy which goes beyond, or is in conflict with democratically established public policy.

I concur with the view put forward in 1959 by Supreme Court Justice William O. Douglas, that "the notion that first amendment rights are somehow not fully realized unless they are subsidized by the State" is incorrect. As Mr. Justice Douglas said, "such a notion runs counter to our decisions and may indeed conflict with the underlying premise that a completely handsoff policy on the part of Government is at times the only course consistent with first amendment rights."

You may ask, understandably, what has all this to do with fighting poverty, which is the mission of the Office of Economic Opportunity, which I represent. It has a great deal to do with it, far more than could be fairly described or analyzed in the time available to us this evening.

Poor people have the same rights as other citizens of our republic and, in terms of public policy should not be defined as a class apart, except insofar as the absence of economic resources so distinguishes them.

The problems of the poor are different from those of the rest of us by degree, in the sense that they suffer them more acutely and are less able, without assistance, to overcome them.

Political theory holds that when available power is not exercised, its boundaries become subject to redefinition. This rule applies with equal force, whether or not power is democratically derived. The basic choice, in regard to policy for the poor is whether the poor shall be allowed to act for themselves or whether others, speaking in the name of the poor, shall act for them, with the poor having little or no say in the matter.

The choice has been variously defined and cannot, in a practical world, be fairly made in absolute theoretical terms. But, in the final analysis, the alternatives are, on the one hand, to focus upon services and benefits for the poor, as meted out by others, or, conversely, to emphasize a strategy wherein economic power is transferred to low-income citizens in a manner which allows them to make market decisions on their own behalf. This has been characterized as a choice between a service strategy and an incomes strategy.

Such characterization, of course, involves some oversimplification, but, conceding this,

it reasonably serves to describe the conclusion of the Nixon administration to support a domestic strategy geared to upgrading the economic power of the poor through cash transfer mixed with services, rather than to emphasize service delivery or subsidy not tied to economic freedom of choice.

One illustration of this policy is the tuition voucher experiment now being conducted by OEO, which will give poor parents the same power to choose their children's curriculum now available to parents who send their children to private schools.

"Power to the people" has become an overworked phrase which symbolizes different things to different people. Upon reflection, however, I believe the finest expression of its meaning and hope can be found in policies, such as those on which President Nixon is embarking, which strengthen representative government, hold operations accountable to democratically-chosen policy-makers, limit use of public funds for advocacy of privately-determined goals, and give individuals greater power to shape the course of their own lives.

These commencement exercises celebrate a departure point in your lives, symbolizing the fulfillment or academic goals whose achievement further enables you to play a rewarding role in society. I am grateful for having had the opportunity to share this evening with you, and wish you well as you go forth.

AMERICAN LEGION'S 54TH ANNIVERSARY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DORN. Mr. Speaker, it is a very special pleasure for me as chairman of the Veterans' Affairs Committee to pay tribute today to the American Legion on the occasion of its 54th anniversary. The American Legion, throughout its proud and illustrious history, has been a powerful influence for a strong America. The American Legion has advocated policies which would guarantee the peace by keeping our Nation vigilant and strong. The Legion has very effectively advocated programs and legislation in behalf of our veterans, their widows, and orphans. The dynamic and distinguished commander of the Legion, Joe L. Matthews, has prepared a splendid address before the American Legion of Delaware commemorating the anniversary, Mr. Speaker, and we are happy to call to our colleagues' attention the following excerpts from the commander's address:

ADDRESS BY JOE L. MATTHEWS

Thank you very much and good evening to our distinguished guests, American Legion and Auxiliary friends of the great Department of Delaware, ladies and gentlemen, let me start this message by wishing our great American Legion a happy fifty-fourth birthday.

Truly, I'm delighted to be observing the Legion's birthday here with you in Delaware for you are the First State and The American Legion certainly is first among all the veterans organizations of the world. As they say in the world of sport: "We're Number One," and I'm dedicated to the proposition that we are going to stay there.

It was duly noted by yours truly that when I was elected as your National Commander we were heading for an eighth straight year of membership growth nationally—an objective that was realized well before the end of 1972. Now we are going for nine in a row and I don't intend to be the National Commander who sees that string broken.

I know all of you in this room rejoice with me that the Vietnam war is over for Americans and that our men held prisoner of war for so long are coming home. The American Legion is prepared to help where help is wanted or needed, and I know I speak for The American Legion of Delaware when I say that.

Ironically, at the very time the cease-fire was announced the cries for amnesty for draft dodgers and deserters of the Vietnam era again are heard throughout the land.

The American Legion's position with regard to amnesty is well known and needs no repeating here, but I'm going to repeat it anyway. We are unalterably opposed to any blanket amnesty. We believe each case should be decided on its own merit with the innocent set free and the guilty punished to full extent of the law. These so-called Americans were not there when their country needed them. In most instances, instead of helping they were a hindrance, and America's concern right now should be for those who served and not for those who ran.

Ladies and gentlemen, this position was unanimously reaffirmed at our National Convention in Chicago last year, and I can assure you it is a position from which The American Legion will never back down.

Even before the cease-fire in Vietnam was finally achieved, there was, and I believe you all sensed it, a new spirit of detente abroad in the world. A spirit which was a motivating factor for the 10-day visit I made in mid-December to Soviet Russia and communist Poland. We felt the trip was both desirable and necessary if the Legion is to maintain its tradition of being abreast of world affairs and in tune with trends of the times.

Certainly we are in tune with modern day trends, for our President visited both major communist capitals of Peking and Moscow during this past year in an effort to enhance the possibilities of peace on Earth. As you well know, The American Legion supported those trips by the President as being peace seeking in nature.

We felt we might make some further contribution to the cause of peace if we established a contact between American war veterans, through The American Legion, and the war veterans of those communist countries which we visited.

Before I touch on some of the highlights of this visit, and I still think it was a most worthwhile venture, let me reassure you that The American Legion is not going soft on communism and neither is the National Commander.

I am proud to be an American. I am proud to be an American Legionnaire. I believe in our system and I believe it is absolutely the best system, and the best way of life that man has yet devised. I felt this way before leaving for the Iron Curtain countries, and my feelings are unchanged today.

To say the least, however, I am excited about some of the possibilities this trip may have opened up, and I think that you, too, as concerned citizens, will share this excitement in the knowledge that your own organization, The American Legion was open-minded and far-sighted enough to seize upon this opportunity.

While our visit concentrated on the veteran to veteran aspects of our relationships, we were invited to the office of Mr. Alexei Pavlovich Shitikov, the presiding officer of one of the two bodies of the Supreme Soviet who told us his people were impressed by agreements concluded by President Nixon last spring, and willing to support all means to promote world peace.

Hope and cautioned optimism would seem to best describe the feelings which we brought away from the Soviet Union.

Since my return, I have been asked by a number of people how I would assess the accomplishments of this first American Legion visit to the Soviet Union and Poland—successful, unsuccessful, or somewhere in between. The answer must be that we have made only a small step through a door held very tentatively ajar. That the step has been taken, and that we were so warmly received must place the stamp of moderate success on our visit. Obviously, it was impossible for us to come up with all the answers, but I believe strongly that the way has been paved for a significant Legion contribution to that much sought after goal of a "generation or more of peace." It isn't necessary to tell you that veterans as a group are highly dedicated to the elimination of war as a means of resolving differences. We found this to be as true of the Soviet and Polish war veterans we met as it is with Legionnaires.

Having established these relationships with the Soviet and Polish war veterans, the next step is clearly up to us. They have explained their positions in their own homelands, and they are watching and waiting for us to do something positive to keep our relationship alive. In the realization that matters could not remain at dead center, I have formally invited the veterans groups from both nations to send representative delegations to our upcoming meetings for the purpose of meeting with Legion officials to explore means for further strengthening ties.

As National Commander, I have also urged Legionnaires everywhere who have the opportunity, to consider a trip to the Soviet Union and Poland. To see the people and hear their views will, I can assure you, be an interesting and rewarding experience.

If what I have brought out in this report to see seems on the positive side, let me say it was intended to be, for I am firmly convinced that only in dealing with the situation in a positive way will we be able to solve the many problems inherent in the achievement of better relationships with the Eastern bloc countries. Equally positive, however, must be our insistence on certain conditions to agreement, as indeed the Soviets have done. Most important of these are:

1. Our moves in the direction of detente must be undertaken on the basis of full consultation with our allies. This is an established Legion position.

2. As I pointed out earlier, we must deal with a position of strength, meaning a level of military preparedness sufficient for any continugency as well as large enough to provide a negotiating basis for future arms limitation agreements.

3. While recognizing legitimate Soviet aspirations, we must insist on the basis of genuine reciprocity—of equal give and take on both sides.

It is my firm opinion that we have taken the first step toward the attainment of that elusive peaceful coexistence, and I urge all of you to do everything in your power to continue the momentum of that first step to the end that our children, our grandchildren and the generations as yet unborn may never have to experience the dreadful consequences of war.

TESTIMONY BEFORE AGRICULTURE COMMITTEE BY SOUTH CAROLINA FARMERS, MARCH 14, 1973

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1973

Mr. THURMOND. Mr. President, on Wednesday, March 14, 1973, a group of

farmers from Bishopville, S.C., testified before the Senate Agriculture and Forestry Committee concerning the extension of the 1970 Farm Act.

These men had read that the committee wanted to hear the views from the grassroots, and they asked me to make arrangements for their appearance. It was a pleasure for me to introduce Messrs. Harvey Shaw, E. B. McCutchen, Don McDaniel, and Richard Hearon to the committee.

Mr. Shaw served as the spokesman for this group. He is a native South Carolinian and a graduate of the University of South Carolina where he majored in engineering. He started farming when he returned home from college and farms about 500 acres of cotton.

Mr. President, I ask unanimous consent that Mr. Shaw's remarks be printed in the Extensions of Remarks.

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

STATEMENT BY MR. HARVEY SHAW

Mr. Chairman, gentlemen of the committee: We are cotton farmers from Lee County, South Carolina—not representing any particular group or organization, but hopefully to express the feelings of many cotton farmers of our area. Lee County, being one of the smallest counties in size, is the largest cotton producing county in South Carolina.

We, the farmers of the United States, are indebted to you for all that you have done for us in the past and certainly hope that we will live up to your expectations in the future.

We appreciate the opportunity and privilege to appear before you today. It may not be possible for us to bring any information that you have not heard many times, but it is certainly our hope and desire that our presence and statements will emphasize certain facts that we feel will be necessary for your consideration of a farm bill.

We believe we, as farmers, are the only group of people in America today who have had the initiative and fortitude to stand, for twenty years, the squeezing from both ends and still survive. Do the people of the nation really believe we can live by the old adage—If we pick up a calf the day he is born and every day thereafter that we will be able to pick him up when he weighs two thousand pounds? We have had to absorb an approximate ten percent increase in the cost of machinery each and every year for at least twenty years, as well as two to five percent yearly increase in the cost of everything the farmer uses—chemicals, insecticides, fertilizer and labor from one end and decrease in allotted crops in acreage, poundage and prices from the other end. The Department of Agriculture, which we thought was organized to help the farmer, at times seems to be trying to kill him.

Gentlemen, even we could not have done it without volume! We have been cut from sixty-five percent of the population in the Nation to three percent. Don't you think it is dangerous to put the Nation in the hands of less than three percent of its people for food and fiber? Don't let us get much smaller, because I am afraid we might be more dangerous than the labor movement has been or ever could be.

Give us a continuation of the 1970 Farm Act and quit worrying about the small subsidies that we *get* in comparison with the large subsidies that we *give*.

Let us balance world trade with exports in food and fiber against imports in oil and other products necessary for us to survive. Farmers are the only group in the Nation that can accomplish this.

The big farmer did not kill the family farmer. The consumer did it, by refusing to let him make a profit. Now America wants him back, but they are not willing to pay the price that it takes for him to survive. The larger farmer is now paying these families more for rent than they were able to net farming themselves.

It is a physical impossibility to grow cotton today without slaves or volume. Thank God slaves have been eliminated! The Department of Agriculture and Congress have certainly cut volume with the use of limitations. We do not consider ourselves large farmers in our area by any means, but any further reduction in limitations will certainly cause undue hardships and further reduction in volume.

Gentlemen, give us a continuation of the 1970 Farm Bill and you will be proud of us in the next five years!

Thank you.

THE ITALIANS IN AMERICA

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, my very good friend, Judge Edward D. Re of the U.S. Customs Court has written a very fine review of "The Italians in America" by Rev. Anthony F. LoGatto.

Mr. Speaker, because ethnic America seems to be coming back into fashion this book I am sure, will be of great interest to many Americans, those of Italian descent and those who are interested in one of America's largest ethnic groups.

Mr. Speaker, I include Judge Re's review at this point in the RECORD:

BOOK REVIEW

(By Edward D. Re, Judge, U.S. Customs Court)

At a time when America has once again become aware of the rich pluralism of its people, Father LoGatto's new book is a welcome contribution. In the words of the author:

"The melting pot image of America was the product of its time. Today, the very idea is not only non-acceptable but is a disservice to our immigrant fathers whose painful progress constitutes our American heritage. The evolution from attitudes of disdain for unwanted, undesirable minorities to the valued appreciation of nationality and cultural origin, is one of the chief glories of these United States. Indeed, the 'unmeltable ethnics' of America are its very fabric. There is only a steady and unbroken stream of ethnics emerging from the Santa Maria of Columbus and the Spanish caravels and the Mayflower, to the Raffaello, the Queen Elizabeth II, and the roaring 747's. . . ."

He reminds his readers that: "This little volume is the story of one of those groups—the Italians, who came, who stayed, their children and their children's children."

In a compact volume of only 149 pages, filled with notable facts of past and present history, there is set forth for the reader a broad panorama of the Italians in America. This is accomplished in three ways: First, there is a "chronology". It begins with the discovery of America by Columbus, and highlights events of American history connected with men and women of Italian ancestry. Second, there is documentation which presents, in whole or in part, more than twenty historic documents illuminating various momentous events of American history. Third, there are eight appendices which contain a roster of names under headings such as, "award winners", "business, industry and organization", "creative arts", "entertaining arts", "Italian-Americans in government", "professions", "Italian-Americans in sports". Surely many more names could have been added, but limitations of space mandated that "just a few representative Italian-American names" be used in each category. Several surprises are in store for the uninitiated in the field of Italian-Americans. It may perhaps not be surprising to learn that Dean Martin was born Dino Crocetti, but Anne Bancroft as Anna Maria Italiano!

The Chronology in 26 pages depicts many events of American history some of which are of course, well-known. But how many know that Henri de Tonti in 1686 set up the first trading post in the Arkansas River, that Philip Mazzei inspired and collaborated with Thomas Jefferson on a series of articles espousing political freedom, that an Italian by the name of William Paca signed the Declaration of Independence, and that Alessandro Malaspina in 1971 headed a scientific expedition surveying the Pacific Coast from Alaska to Mexico. Many other fascinating examples follow by the score.

The section containing "documents" will be particularly appreciated by the student of American history who can read portions of the actual charter of Ferdinand and Isabella of Spain to Columbus, which set forth in detail the nature and extent of his commission and the rewards for which he bargained so shrewdly. This section also ransoms from a large number of reference works such historical gems as the "journal of Columbus' first voyage", the "letters patents of King Henry the seventh granted unto John Cabot and his three sonnes. . .", the "observations and recordings" of Amerigo Vespucci made during his voyages to America, a letter written by Benjamin Franklin to Philip Mazzei, and an account of Washington's farewell address as contained in a book written in 1839 by Charles Botta entitled a "History of the War of Independence of the United States of America."

Since so much more could have been said, and so many more noteworthy names included, it is regretted that the book is not larger and more complete. These limitations, however, are understandable since the book is part of an Ethnic Chronology Series and had to conform with the format already established.

As all schoolchildren know, our national motto "E Pluribus Unum" means "from many one". It was suggested by colonial patriots to demonstrate the benefits that would result from a union of the original thirteen states. Since then it has acquired a larger meaning that suggests that America consists of many people from different lands. In current language it reflects American pluralism because of its many ethnic groups. Father LoGatto's book sheds additional light on that ethnic group that first came to America with Columbus and the explorers that followed him.

The Italians in America makes available an additional teaching tool in the increasing number of courses on ethnic studies. It appears at a time when the contribution of all ethnic groups to America needs to be better understood and appreciated. By having provided the reader with so much valuable and interesting information in so short a space, Father LoGatto has contributed greatly to that better understanding and appreciation.

THE LATE HON. LYNDON BAINES JOHNSON

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. GINN. Mr. Speaker, the beginning of this year brought deep sorrow to our Nation with the death of Lyndon Baines Johnson, our Nation's last living former President.

It was my great personal honor to have known Lyndon Johnson during the years of his Presidency. Although I extended my deepest sympathy to the Johnnson family at the time of his death, I would like today to take this opportunity to join with the many other Members who have expressed, in the forum of the House, their sorrow at the passing of this outstanding man and public leader.

President Johnson was a friend of Georgia and of Georgians. During his 12 years in the House, he worked closely with our own distinguished Representative Carl Vinson in Mr. Vinson's efforts to bolster our national defense.

Upon his election to the Senate, Mr. Johnson formed an early friendship with the man I consider to be one of the greatest Senators in our Nation's history—Senator Richard B. Russell. When Senator Russell declined to accept the post of Senate whip in 1951, the position was opened to Lyndon Johnson, and his election to that position launched his rapid advancement within the leadership of the Senate.

The friendship of Senator Russell and Lyndon Johnson endured for decades, through Mr. Johnson's career in the Senate and then through all the years of his service as Vice President and as President.

Lyndon Johnson was a politician in the very highest sense of the word, a master of putting together a consensus and a skilled leader in the tactics of the legislative process. He understood the responsibilities of Members of Congress and he held them in respect.

I remember Lyndon Johnson as a warm and remarkable man, a man of enduring compassion and the willingness to take on any task and fight for what he believed to be right. He had an astounding ability of persuasion, and he used this ability to establish some of the most far-reaching programs in the history of our Government.

His decisions were based upon many things—his faith that the people of America would realize their promise and potential of equality for all, and his faith and trust in God's wisdom and guidance.

But the thing I remember most about President Johnson was his advice to new Members of Congress. He told them to always "vote for the people." I believe that Lyndon Johnson lived up to that promise, and I believe there can be no better epitaph for him than, "Lyndon Johnson, the man for the People."

LET US STOP USING FEDERAL MONEY TO SUBSIDIZE LOBBYING

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. DICKINSON. Mr. Speaker, on Tuesday, February 20, 1973, many people from various States came to Washington to demonstrate and lobby. One of our colleagues who supported this action stated on the floor of the House:

> Today, we, as Members of Congress, are being visited and lobbied by people from every walk of life, united in their determination to protest.

There is no doubt that one of the reasons that our free society has endured as long as it has is that we have been able, through the process of election and nomination and the process of having a Congress and a judiciary and an executive branch, to solve social problems in an orderly manner.

In a free society people have the right to engage in marches, in boycotts, in protest demonstrations, and in legislative lobbying. It is also a part of a free society that the funding for such activity originate from private sources and does not come from any government source.

There is no question that if the automobile industry, for example, lobbied through the support of Federal funds that we would be most outraged. Yet, when so-called poverty workers lobby with funds received by grants from the Federal Government, very few of us become terribly disturbed.

Are not all lobbyists basically alike in their desire to influence legislation and should not all such activities be subsidized by private sources?

On February 20, 1973, the lobbying effort was organized under the leadership of the National Association for Community Development—NACD—which is largely made up of more than 10,000 individuals and agencies who are involved in the so-called war on poverty. According to NACD's financial statement covering January 1, 1972 to September 30, 1972, $44,375 out of the $90,684.35 which they received as revenue came from OEO-funded agency dues. NACD further states:

These agency funds provide overall operational funds and permit a broader servicing function than would otherwise be possible.

According to NACD's up-dated by-laws dated September 1972, article VI, section 2, concerning the composition of the board of directors:

The 65 directors shall be elected, chosen from the field of community development with four elected from each of the Office of Economic Opportunity's 10 regions for a total of 40.

It, therefore, appears to me that the organization and mobilization effort which brought so many poverty lobbyists into Washington through NACD was approved by, carried out by, and paid for by individuals who are on the payroll of OEO and who used OEO funds to produce the $44,373 in revenue from agency dues which keeps NACD going.

It is interesting to find, however, that under article II, the articles of incorporation, sections 1, b, 9, of the NACD's by-laws, is stated:

Provided further, that no substantial part of the activities of the corporation shall consist of the carrying on of propaganda, or of otherwise attempting to influence legislation.

I further quote from another source, the mimeographed "congressional meeting guide" which was given to each poverty lobbyist:

> Meeting your Congressman should provide you with an opportunity to let him know your concerns and let him know that your support of him, as a politician, rests upon his response to your concerns. You should make sure the Congressman or Senator makes his position on issues that concern you very clear. Upon leaving you should have answers to questions outlined below. Space has been provided under each question for your notes.

I continue:

> NACD Mobilization for Domestic Unity needs your reaction to the Congressional meeting. Please complete the questionnaire on the reverse side of this meeting guide and return to your group leader.

What I am suggesting, Mr. Speaker, is that this is just one more example of how funds given out by OEO have been blatantly used for political ends and not for the administration of programs on the local level.

I am compelled to refute the statement of one of our colleagues of February 20, 1973, and I quote:

> I am glad that they are here. I think it evidences that the American people will oppose any dictatorial use of power that robs the poor to give to the rich.

What I feel we must accept is that the people who are actually robbing from the poor are those individuals who use OEO funds, distributed through specific grants for particular programs to combat poverty, for purely political activities.

To quote the head of OEO, Mr. Howard Phillips, during an interview with Elizabeth Drew on her television show "Thirty Minutes With * * *," and I quote:

> There has been a tremendous amount of money given to people through the poverty program to organize welfare demonstrations, to organize rent strikes, chapters of the National Welfare Rights Organization, to give support to organizations like the American involved in the peace movement. We've even had some grantees who have gotten involved in gay liberation. And frankly, I think that sort of thing has very little to do with poverty.

I agree with Mr. Phillips wholeheartedly. Such gross mismanagement of the poverty dollar must stop. When an organization such as the NACD specifically states in its by-laws that the organization cannot attempt to influence legislation and then turns around and actively organizes a lobbying effort on a national scope, subsidized by OEO funds, then I think that the time has come to take a hard look at the poverty program.

We must improve it. We must put a stop to the ever increasing poverty industrial complex. We must reassess the situation in realistic terms and I feel the

only alternative is to begin to restructure the poverty program at once.

PHASE III BLUES

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. EILBERG. Mr. Speaker, the President has declared that his economic program is a great success. Obviously, he does not do the shopping for the White House kitchen and his landlord has not raised his rent since the phase II controls ended.

It is also obvious that he is out of touch with the average worker and his family or he would know that it is becoming almost impossible for these people to buy the best or even adequate food for every meal and that rent increases are forcing some people out of their homes.

On Tuesday, March 13, the Philadelphia Inquirer ran a page 1 story with the headline "Nation Writhes Under 'Phase III Blues' as Prices Go Up and Up."

The story outlines the situation of the elderly, middle-income families, and small businessmen. No one seems to be prospering.

Perhaps what these people will have to do is declare war on the United States, lose, and then apply for rehabilitation funds.

At this time, I enter the Inquirer story into the RECORD:

NATION WRITHES UNDER "PHASE III" BLUES AS PRICES GO UP AND UP

(By Bill Thompson)

Cautious, conservative and 71 years old, she talks softly and deliberately about how her dollar is buying less and less, week by week.

She lives in an apartment building in Northeast Philadelphia, and she's on Social Security. "Don't use my name," she asks, "I'm too old to bear reprisals."

Most of the people in her apartment building share her economic plight. They are over 65, and they're finding it increasingly difficult to live.

"Everything keeps going up," she says, "especially food. We eat less. If we're going to survive, things will have to change. When will this ridiculous increase in the cost of living end?"

What this woman is suffering from, besides lost buying power, is the Phase III blues.

Nobody knows where the price spiral will end, and there's little evidence so far that Phase III, the successor to Phase I and II in President Nixon's economic-stabilization game plan, will end the pressure on her and others like her, young and old, across the country.

Except for controls put on petroleum products last week, there's no indication that the Nixon Administration is yet ready to take "the stick out of the closet" to keep the cost of living in line.

Since Jan. 11, when Phase III was announced and mandatory anti-inflation controls were made voluntary, these things have happened:

In February, the national cost of food increased 2.3 percent, the largest monthly increase in more than 20 years. In the Philadelphia area, food prices rose 1.7 percent.

Wholesale prices climbed 1.9 percent in February, the steepest increase since 1951. If the wholesale prices of raw and processed food continue to climb at the rate of the last three months, the annual rise would be more than 50 percent by December.

The U.S. Department of Agriculture predicts that super market prices will increase by 6 percent before summer.

Since phase III abolished the Rent Advisory Board, some rents in the Philadelphia area have risen by as much as 200 percent.

The Philadelphia office of the state consumer protection bureau, the Philadelphia Fair Housing Commission and the Internal Revenue Service are being bombarded daily with howls of consumer anguish over rising prices.

In most cases, they must reply that they can be of no help whatever.

"We're getting hundreds of calls a day," says Robert Nicholas, deputy attorney general for the state consumer protection agency here.

"The complaints involve everything you can think of," he says. "Rent, food, cigarettes and other small items. But phase III has removed many guidelines. When we tell the consumer that there's nothing we can do, they want to know from us what they can do to bring down prices."

Nobody wants to shoulder the blame for the increases. Supermarkets say it's the processor; the processor says it's the farmer. The retailer says it's the wholesaler; the wholesaler says it's the manufacturer, ad infinitum.

The greatest number of complaints, however, involve rent increases. The abolition of the Rent Advisory Board gave landlords the freedom to raise rents without control.

The large rent increases also are tightening the economic noose on the elderly woman and her neighbors in the Northeast apartment house. She says she can eat less to compensate for higher food prices, but there is no way she can adjust for higher rent—except move.

She has lived there for eight years, without a lease. When she moved in, she paid $80 a month. At the beginning of this year, she was paying $95 a month.

That was before phase III killed the Rent Advisory Board. On Feb. 23, she received a letter from a new landlord saying:

Her rent would increase by $40, to $135, on March 1. (That's 42 percent.)

She also will have to sign a lease and put up another $135 immediately as an escrow.

If she couldn't scrape up the $270, the letter also would serve as a 30-day eviction notice.

"We all feel that a small increase is warranted," the elderly woman says. "But this is totally unfair. Some of us will not be able to come up with all that money. It's going to be a great hardship."

"Phase III has complicated the rent problem," says Rudolph Tolbert, director of the Northwest Tenants Organization. "Frankly, it has put us right back where we were before Phase I."

Tolbert says his Germantown office is is flooded daily with complaints from all over the city about rent increases. "We expect many more complaints before the end of the year, particularly around June, when many leases expire," he adds.

The Internal Revenue Service continues to watch the stabilization program, particularly the behavior of landlords. Under Phase II, the revenue agency could penalize them for violations.

As an IRS spokesman says: "Since the mandatory guidelines for rent control have been abolished, there's nothing we can do but watch what's happening.

"If we see anything unusual or abnormal, we will forward the information to the Cost of Living Council in Washington and they will determine whether the voluntary guidelines under Phase III should be replaced with mandatory ones."

The IRS has already observed a trend in rent increases. The higher increases are being set by landlords with a smaller number of apartment units to rent. Landlords with a larger number of apartment units are keeping rent increases down to about 7 percent.

Landlords or their representatives, like the elderly woman, also ask for anonymity when they speak about rent increases. The appraiser for the Northeast Philadelphia apartment building of eight units, for example.

"They're old people, and they've been living on charity. They haven't been out in the world, so they have no idea of what rentals are up to now.

"The landlord has to make a profit," the appraiser says. "With real estate taxes, heat, the repair percentage and maintenance, that property will only bring about a 12 percent return (a year).

"I know they are old people, but it's not our fault. The government should subsidize them or give the real estate people a break by letting them get a property loan at about 7 percent or something like that. (Commercial loans run much higher.)

"Those people are living in a good location, and that's what you pay for today. Location."

The tenants of the Northeast Philadelphia apartment building have registered their complaint with the Philadelphia Fair Housing Commission, whose spokesman says it is getting at least 300 similar complaints daily.

There is, however, no appeal of rising food prices. Many housewives say their grocery costs seem to be rising every day.

Supermarkets say there isn't much they can do about that. They add that it's unfair to say they're taking advantage of Phase III by hiking food prices, since the larger markets must continue to notify the Federal government about their food prices.

A spokesman for the Supermarket Institute says food price hikes are caused by higher farm prices, greater demand and rising marketing costs. But this argument makes no dent upon two strangers who, as they fumble through a supermarket meat bin, complain to one another about their grocery bills.

Other things are bugging consumers; Cigarets have gone up to 55 cents a pack. Lunching in Center City is more expensive. Some popular sandwich places have increased their prices.

Customers reacted to a new price list posted in a N. Broad st. Chuckwagon on Feb. 21:

"Prices going up again?" a customer asks.

"It's the wholesale prices that's doing it," the employe tries to explain.

"It's Phase III," another customer injects.

"I wish you would tell them (the customers) that," the employe snaps, pained to be the target of consumer discontent.

Some local manufacturers are also complaining about the repercussions of Phase III. Quaker Chemical Co., for example, says prices of some commodities it buys rose by as much as 30 percent in February. Tallow wax, used to make candles, was one of the commodities.

"What we have is rampant inflation and ridiculous runaway prices," a spokesman for the chemical company says angrily, echoing the outcry heard before there were any Phases.

This, of course, means that manufacturers who are paying more for their materials will have to sell them to wholesalers at a higher price. This means the retail prices will increase.

Although it's too early for labor unions to assess the ramifications of Phase III, union representatives are generally pessimistic about its effect on the worker. "The whole thing is ridiculous and completely unfair," says Edward Toohey, head of the local AFL–CIO Council.

"It stands to reason that wage increases should follow price increases," he says. "The whole economic program is doing nothing for the consumer."

AFL–CIO President George Meany has said labor will not be restrained to 5.5 percent pay increases this year if food prices continue to soar—as they seem certain to do.

So begins the spiral, once again.

A TRIBUTE TO JAMES LEFTENANT, SR.

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. RONCALLO of New York. Mr. Speaker, it saddens me to report that a noteworthy member of my community, Mr. James Leftenant, Sr., died this month. I would like to pay tribute to this man, whose life was a credit to his community, his family, his religion, and his race. I submit for insertion in the RECORD the following account of his life, in order that my colleagues may share in my admiration of the fine life led by this man:

[From the Amityville (N.Y.) Record, March 8, 1973]

NORTH AMITYVILLE MOURNS

Services for James Leftenant Sr., who died on March 1, were held Monday at Bethel AME Church. The church was filled to capacity and necessitated additional seating arrangements in order to accommodate the relatives and friends to this beloved and humble man.

The Rev. F. H. Worten, pastor of Bethel Church, stated he had known the deceased for only a short time prior to his illness but in that time had enjoyed a beautiful relationship with him. Ministers from neighboring churches made brief comments on their admiration for Mr. Leftenant, all agreeing that he was loved and respected by those who knew him, that he was an industrious man, one who dearly loved his family, and one who devoted his life to helping others.

The Rev. John Lee, former pastor of Bethel, now serving in Albany, NY, eulogized Mr. Leftenant. Rev. Lee stated that when he first came to Amityville in 58, he became acquainted with Mr. Leftenant and they developed a sort of son and father relationship and used to call Mr. Leftenant, "Pops."

He stated that in all of the 12 years he had known "Pops" he never heard him speak ill of anyone, that he was the kind of man you could go to in times of distress, and that "Pops" had a way of "picking you up" and pointing out the beautiful things in life.

He stated that this man led a beautiful, simple and Christian life. He characterized him as "truly a man of God", one who loved people and loved his community.

Mr. Leftenant was born Sept. 24, 1882, in Goose Creek, S.C., the youngest son of a slave, Timothy Leftenant, and Amy Milligan Leftenant. Mr. Leftenant was a firm believer in the value of a good education and was motivated by this to move to LI with his children in 1923.

Mr. Leftenant was a good husband and a devoted father. He lived in No. Amityville for 50 years and was able to see his dreams fulfilled. His strong desire to educate his children became a reality. He leaves to mourn him his wife, Eunice Middleton Leftenant; 7 daughters: Amy Leftenant, a Jr. high school teacher in Brentwood; Clara Jordan, who formerly taught in Amityville and is now striving toward a professional career in singing; Nancy Colon, who retired after 21 years in the USAF and presently employed as school nurse at Amityville Memorial HS; Lieut. Col. Mary E. Leftenant, chief nurse at Hahn AFB, Germany; Joan Jackson, nurse-teacher and homemaker; Orane Brewster, homemaker; and Gabriella, homemaker and employed by the Amityville School District; 5 sons: James Jr., Suffolk County detective Sgt. and president of the Amityville Board of Education; Charles, a graduate of Bulova Watchmaking School; Herb, a mechanic employed at Republic; Louie, employed at Grumman; Christopher Sr., self-employed; 22 grandchildren; 19 great-grandchildren and a host of relatives and friends. A sixth son, Samuel, departed this life in 1944, a casualty of WW II.

In closing, this columnist wishes to join with the hundreds of others who were present to lift their voices in praise for this beloved man. When his deeds were weighed, words were inadequate to express the real depth of his inborn love, peace and understanding.

HEALTH PROGRAMS EXTENSION ACT OF 1973

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. HASTINGS. Mr. Speaker, as a member of the House Subcommittee on Public Health and Environment, I am today introducing the Health Programs Extension Act of 1973.

The purpose of this legislation is to extend for 1 year the following authorities due to expire on June 30, 1973:

Health services research and development, health statistics, public health training, migrant health, comprehensive health planning, Hill-Burton programs, allied health training, regional medical programs, population research and family planning, developmental disabilities, medical libraries, and community mental health centers.

My introduction of this legislation should not be construed as a personal endorsement of all these programs, but rather a necessary mechanism to permit the Congress, which established this authority in the first place, the necessary time to make a responsible evaluation and decisions.

I am supported today by the bipartisian cosponsorship of the entire Subcommittee on Public Health and Environment. Chairman ROGERS and Mr. NELSON, the ranking minority member, have assured me of concurrent hearings on individual programs while this legislation is being considered. As Chairman ROGERS so succinctly stated to HEW Secretary Caspar W. Weinberger when he testified before our subcommittee:

This Subcommittee will not condone dismantling of existing programs until the Congress decides whether these programs should be continued, should be modified, or, perhaps, terminated. It is the Congress that has developed these programs, and it is the Congress that will determine their fate.

As the administration has indicated, there is indeed need for some concern about the programs now in place. As they are now structured they have not been able to close the gap in medical care organization and delivery. There is no doubt that these programs should be restructured and, in fact, I myself am in the process of developing legislative proposals that would do just that. This subcommittee, of which Mr. ROGERS is chairman and Mr. NELSON is ranking minority member, has shown great leadership in the area of health legislation and is also currently engaging in efforts to restructure the Public Health Service Act to make its provisions more responsive to the needs of the Nation in the years to come.

It is my feeling that the Congress should not be bullied into haphazardly mandating new programs to be in place before the June 30 deadline, because of a lack of cooperation from the administration. This should not be viewed simply as a confrontation between the executive and legislative branches. For neither can afford a victory at the expense of the American public which has indicated its desire for a better health-care system.

Today I am calling for a new spirit of cooperation by the executive branch, which has clearly indicated its priority for change, with the Congress which has put these programs into place. I believe that the current programs should be held in place until the process of review and evaluation through hearings, and the development of new proposals in the form of public law, can be completed. The administration and the Congress should work together toward this end.

I might add, that identical legistlation was introduced in the Senate last week with the promise of early action.

THE MINIMUM WAGE BILL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Ms. ABZUG. Mr. Speaker, this morning, I had the privilege of appearing before the General Subcommittee on Labor of the Education and Labor Committee, to present my views on H.R. 4757, the minimum wage bill pending before that subcommittee.

As I told Chairman DENT and the other members of his subcommittee, it is indeed tragic that we did not enact a minimum wage bill during the 92d Congress and I hope that we will rectify that injustice early in the 93d Congress.

The text of my statement to the subcommittee follows:

TESTIMONY OF BELLA S. ABZUG

Mr. Chairman, I appreciate this opportunity to appear before the Committee in support of H.R. 4757, raising and extending the minimum wage and extending its overtime coverage. At the same time, I must express my conviction that the bill under consideration is far from adequate, and my hope that it will be strengthened as a result of these hearings. Further, I feel that our failure to move *any* minimum wage legislation through the Congress over the past two years, with inflation spiralling relentlessly upward, is most tragic.

Although minimum wage legislation passed both Houses of Congress in 1972, it did not reach conference. This year, it is imperative

that we press for action, in view of the current dismantling of poverty programs and the removal of controls on profits—actions which leave the poor sliding ever deeper into hopelessness.

I appreciate the fact that federal, state and local employees are covered in this bill, for overtime as well as minimum wage coverage. It is essential that these often overworked employees receive compensation for extra time. In fact, it is hard to understand why they have not been included all along, since so much of the responsibility for the daily operation of our society rests with them.

I am gratified also that employees of conglomerates and agricultural firms are included. They too deserve both minimum wage and overtime coverage, to end the exploitation that troubles so many of us as we learn more of actual conditions on agri-business farms and other corporate enterprises.

But I am especially happy that domestic workers are included in this bill. It is dismaying to realize, amidst all the pressure for raising wages to keep up with inflation, that a group of 16 million Americans, including one and a half million domestic workers, is still struggling to live on a minimum wage that in most states is still at the federal level of $1.60 an hour. For a forty-hour week, this comes to $3328 a year—well under the official definition of poverty-level, $4000 for a family of four. Yet inflation hits this worker just as it hits all of us—in the rent bill, at the grocery store, in the department store. Even those receiving the statutory minimum wage are well below the poverty line. $1.60 now buys less than the former minimum of $1.25 did in 1966 when the Fair Labor Standards Act was last amended.

Even under the bill we are considering, a worker earning a proposed minimum of $2.00 would receive only $4160 a year; but the Bureau of Labor Statistics "Lower Living Standard" set $7200 as the minimum decent level for a family of four.

The situation is even worse than that. According to the 1970 census, more that three and one-half million full-time wage and salary workers earn less than $60 a week, less, in many cases, than they would get on welfare. These are the working poor.

Two-thirds of them are women. Most of them head families. How on earth can anyone support a family, in these times, on less than $60 a week?

Twenty-five million people in this country live below the poverty level. Another 30 to 50 million live just above it, in the $4000 to $5000 bracket. Sixteen million of these people are not presently covered by minimum wages, and 57 percent of this group consists of women.

Over two million workers are classified by the Department of Labor as "private Household Workers." Ninety-eight percent of them are women. In 1969, the median wage of a full-time household worker was less than $2000 per year. Eighty-one percent had total cash incomes, including all forms of supplemental income, below $2000 a year. Fifty-seven percent were below one thousand a year.

We must remember, too, that privately employed household workers do not usually receive standard benefits such as pay for sick leave, vacation and holidays—even when their employers go on vacation—nor employment nor workmen's compensation benefits. Most household employees work more than forty hours per week but are not compensated for the extra hours.

There is an unfortunate exception in the present bill: domestic workers who "live-in" will not be entitled to overtime compensation. Presumably the rationale is that they're "part of the family"—but even if "the lady of the House" works a 20-hour day for free, she should not expect her helper to do so. (This is one of the belated realizations that dawn on us women as the concept of sisterhood grows.)

Let us face the fact that one of the reasons it has been so easy for Congress to stall on passing minimum wage legislation is that those affected have been largely unorganized. Fortunately, just as organizations have formed to help farm workers and other groups, there are organizations formed to protect the rights of working women and to raise their living conditions; for example, the National Committee on Household Employment. They receive a great deal of support and encouragement from women's groups, such as the National Organization for Women and others who are unanimous in agreeing that a minimum wage of $2.50 is the very least acceptable.

Yet for some groups included in the present bill, wages would move by slow steps from $1.60 to $1.80, then to $2.00 after a year, and after another year, to $2.20—by which time $2.20 may not even buy a loaf of bread.

Why is it so impossible to set a floor of $2.50, effective 30 days after enactment and covering all workers not presently covered? I do not see how, in good conscience, we can do less.

We seem quite able to do incredible things in building useless hardware for the destruction of human beings—whereas we have gone on for six years now, debating the possibility of a decent minimum wage for the working people who keep our country going.

Large employers such as hotel chains and conglomerate enterprises oppose minimum wage legislation because they are eager to keep profits up and costs down. That seems legitimate but we tend to forget that when industry doesn't pay, government has to. Thousands of full-time workers' families must still get supplemental welfare payments. This means that the tax-payer is helping to subsidize big industry.

It is unfair to the tax-payers and grossly unfair to the workers whose labor keeps our economy running smoothly, to say that they are entitled to less than $5200 per year.

I trust that the Committee and the Congress will act with dispatch on this long overdue legislation.

MR. GAMBREL'S GRIST MILL

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. CARTER. Mr. Speaker, at this time, I wish to share with my colleagues an article on Mr. Ed Gambrel's grist mill which appeared in the Harlan Daily Enterprise for March 6, 1973.

In its day, the grist mill was a gathering place for a microcosm of society. Politicians, preachers, drummers, root diggers, and rascals flocked to the place whose walls rang with the news of the day.

I take this opportunity to commend Mr. Gambrel for his desire to preserve a tradition of the past. His craft is an art now, but the spirit of friendship it generates will continue to grow with each turn of the miller's wheel.

WITH FOOD PRICES SOARING, GRIST MILL PROVES HANDY

(By Mabel Collins)

With food prices soaring as they are today, one wonders about the "good old days" when pioneer Harlan County families raised two-thirds of their own food.

Somehow they found ways and means and their pantries were usually filled. Bread, the staff of life, was made from ground corn in a grist mill.

One of those mills is in existence today. Ed Gambrel, who lives at Dayhoit, has been operating his mill for 35 years. It was once run by gasoline engine but now it is electric powered.

People come from miles around to have their corn ground. "I've ground up to 300 bushels in a week," he said. Some pay a fee for the grinding and some pay a toll. The toll is a gallon of corn for every bushel.

"Why, I wouldn't take a fortune for that mill," Gambrel said. It is situated in the yard and covered with a shed to "keep the weather out." It's sort of a smoke house, he said.

"Back about 30 years ago my daughter was grinding and I was cranking the motor," he said. The big wheel broke in three pieces and cut his head badly. The "V" scar still remains.

"It was so hard to crank off that I took and bought an electric motor in 1942," he said.

Gambrel prepares the corn by putting it through a sheller. It also has a big wheel with a crank and the ear of the corn is slipped into place and the crank feeds it through.

The shelled corn is placed in the hopper which holds two bushels. It grinds and feeds into the shaker and comes out into a box. Then the fine meal is separated from the coarse.

"I always keep the sack hanging on a nail by the box and fill it from the bin, he said. Some times I put the box over the mouth of the outlet box and fasten the sack to it so it will run directly into the bag. Saves time," he said.

Years ago, going to the grist mill was a big event. One old timer recalled riding a mule up the river to Poor Fork to the Tom Jones mill.

Mrs. Mint Jones could operate the mill as good as any man. She would take the bags of corn down off the mule's back and take out her toll and go to work.

Fain Anderson's father came here from Virginia and put in several grist mills. He was called a "millwright."

One very prominent mill was on the banks of the river near the Main Street bridge. It was powered by water. A dam was built just above it. In the early years it was operated by Ben Rice and later by Hamp Huff.

"Water ground meal makes the best bread in the world when it's fresh ground," one old timer said. It tastes just like "gritted bread" she added.

Those were the days and it's somewhat of a comfort to know that you can still have homeground meal if you have the corn.

THE NIXON ADMINISTRATION WANTS TO END THE WAR ON POVERTY

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. DRINAN. Mr. Speaker, on March 10, 1973, my congressional office conducted an extensive hearing on all aspects of the effects of the administration's budget cuts on the antipoverty program in my district in Massachusetts.

One of the most forceful presentations was made by a distinguished public servant, Mr. Edwin C. Kepler, the very effective executive director of the Montachusett Opportunity Council.

I attach herewith the excellent statement made by Mr. Kepler:

STATEMENT OF MR. EDWIN C. KEPLER, EXECUTIVE DIRECTOR, MONTACHUSETT OPPORTUNITY COUNCIL, LEOMINSTER, MASS.

With the imminent demise of the anti-poverty program, a cause to which I have devoted nearly eight years of my life comes to an end. During that period I have served as Executive Director of two community action agencies and spent almost four years as a self-employed consultant to various human service organizations, including the Office of Economic Opportunity.

I am one of those President Nixon refers to as "professional poverty workers." He used the term disparagingly, claiming that we have grown rich by drawing inflated salaries while denying the poor the help intended for them.

Those charges are untrue and grossly unfair. We poverty workers have handled hundreds of millions of dollars during the past eight years without a major scandal. Certainly we have not wasted money on luxury as the military brass does, nor have we had cost overruns as those common to the munitions industry.

None of the hundreds of anti-poverty workers I've known has grown rich, as some public officials do. In my own case, my present salary as Executive Director of an anti-poverty agency is six thousand dollars less than the industrial salary I gave up in 1965 when I joined the War on Poverty.

By standard criteria for determining salary levels—number of people supervised, reporting level, decision-making responsibilities, fiscal responsibilities, and the range and depth of knowledge required to fill one's position—my present position should pay me considerably more, not less, than I earned in industry years ago.

The official Administration line is that the antipoverty program has been a failure. The propagandistic purpose of that line was revealed by the recently published White House memorandum outlining a strategy for dismembering OEO before Congress could react. If nothing else, the scheming character of that memorandum shows that the Watergate mentality remains alive and well in the White House.

The President's men have charged that community action agencies have been top-heavy with overhead costs. They have charged that we have employed so many staff people that the money we receive "never gets to the poor". These charges, too, are false. The budget for the central administration of my agency, for example, is just under nine percent of our total funding comparable to other well-run social agencies.

As for the charge that we misuse money intended for the poor, most of our programs provide service to the poor, not welfare payments. Naturally, most of the money in a service program is used to employ staff. Those who criticize service programs on the grounds that the money does not go to the poor are either ignorant or intentionally deceitful.

Some of our training programs, such as the Neighborhood Youth Corps, do include funds to be paid to trainees. Guidelines for this program permit 35 percent of the budget to be used for operating costs and require that a minimum of 65 percent of the funds be paid to trainees. In my agency until recently, our NYC operating costs were only 22 percent of the total program budget, permitting us to use 78 percent for payments to trainees. The recent cutback in funding levels for NYC programs has destroyed this efficiency.

The main charge against the anti-poverty program is that we have failed to help the poor. That charge is such a big, blatant lie it tends to dumbfound those of us who have given years of our lives to this effort. For my part I can say that the two community action agencies with which I have been associated over the years have to my certain knowledge helped thousands of people either to escape from poverty or to deal less despairingly with it.

A recent audit of 591 anti-poverty agencies conducted by Administration appointees in OEO provides a wealth of statistical evidence that the community action program, in the language of the report, "is already producing highly constructive results in both urban and rural communities and the trends indicate that continued efforts in this direction will produce substantially greater results on a small investment.

The Administration may say the anti-poverty program is a failure, but many mayors of this country, the public officials who are closest to the poor and who know what is being done for them, do not agree, as indicated by the protest they have made.

Further, the recent Harris poll showing that more Americans oppose than approve the cuts in the President's budget for social programs is an indication that the majority of the people are not fooled.

The big lie technique of Administration spokesmen stands exposed. Millions of Americans know that the anti-poverty program is a success—not an unqualified success, of course, but a sufficient success, nonetheless, to warrant continuation and support.

Recently some new criticisms of community action were introduced by the man President Nixon has made Acting Director.

Howard Phillips, 32, newly appointed director of the Office of Economic Opportunity for the announced purpose of dismantling it, reportedly said of OEO, "I think too many of the underlying concepts were flawed—the concept that you have to have counter institutions and a counter culture and the whole class concept." He also said that treating the poor as a class in itself is a "Marxist idea."

One wonders if Mr. Phillips realizes that most of the great institutions of the present—Christianity, the free market, and democratic government, for example—began as counter institutions. Counter cultures have a respected place in pluralistic American society, as the history of the Mormons illustrates.

If a society cannot tolerate the testing of counter institutions and counter cultures, it is by definition a totalitarian society. It follows that anyone who advocates the elimination of counter institutions and counter cultures is by definition a totalitarian.

As for Mr. Phillips' suggestion that the poor are not a class apart, it is difficult to know how to take such nonsense. Surely he is not suggesting that he thinks this is a classless society, or that the concept of "class" has no meaning! No, it is more charitable to assume that he is ignorant of the day-to-day realities experienced by the poor and of the hostility and even hatred which millions of Americans express toward this country's poor.

Actually, the class gap between those people who are in America's affluent mainstream and those who are excluded from it grows wider daily. Increasing inequality—economic, social and political—between the underclass of the nation's poor and the rest of society is one of the most irrefutable and most explosive phenomena of our time.

Mr. Phillips charges, in effect, that the strains and tensions that develop from growing inequality among different classes of Americans have been exacerbated by the antipoverty program. That is no doubt the way the Nixon Administration intends the history of OEO to read.

The facts are to the contrary. The net effect of the antipoverty program has not been to increase class tensions, but to relieve them. It has done this by opening opportunities for the most able and the brightest among the poor to find acceptance in mainstream America. Its greatest success has been in "creaming" and co-opting the natural leaders among the poor. The consequence has been a dissipation of the potential of the poor as a class to assert their grievances effectively.

Current government statistics indicate that there are now about 25,000,000 Americans who are in poverty. At the time the anti-poverty program began, the figure was 35,000,000. But it is a mistake to conclude from these figures that only 10,000,000 people have escaped from poverty during that eight year period.

What must not be overlooked is that poverty is endemic to our economic system. Our system not only pulls some people out of poverty, it also pushes others into poverty. Ten million is the *net* figure of those escaping from poverty during the life of the anti-poverty program. The actual figure is no doubt considerably larger.

Except for bright and talented young people, most people born in poverty cannot escape without help, and neither can most people who fall into poverty in later life. The myth, asserted by President Hoover and repeated recently by President Nixon, that anyone who is poor can, if he tries, look out for himself is cruel nonsense.

To escape poverty, people need special help. Those for whom no escape from poverty is possible need special help also. The community action program has been furnishing that help.

The Administration's propaganda effort to turn people against helping the poor is not in the best interests of the country. OEO and community action deserve America's support.

SMALL PROGRESS BY WOMEN

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. FRASER. Mr. Speaker, an article in the Washington Post of March 11 by Claudia Levy discusses the minimal advances American women have made into management positions. Much of her information comes from Theodora Wells, coauthor with Rosalind Loring of "Breakthrough: Women Into Management." The Levy article follows:

INROADS INTO MANAGEMENT ASSESSED: SMALL PROGRESS BY WOMEN

(By Claudia Levy)

"The bank economists concluded that sex bias not only costs women tens of billions of dollars yearly in wages but that it costs the nation billions in lost output because women's services are underutilized." Report on a study by Chase Manhattan Bank.

For the amount of effort they have put into it, American women have made minimal inroads into management, says a training consultant who is co-author of a recently-published guide for corporations on moving women out of the "female ghettos" and into the executive suites.

Theodora Wells, co-author with Rosalind Loring of "Breakthrough: Women into Management" (Van Nostrand Reinhold Co.), says that in this era of federally mandated affirmative action pledges, she can't name a major corporation that has advanced significant numbers of women into administrative jobs.

Women continue to make up about 2 percent of the nation's management ranks, and most of that 2 percent is kept at the lowest of these administrative jobs, she says.

In the last six to eight months, Ms. Wells has detected some opening up in corporations but for the most part, she said in a recent interview, companies are "creaming off the most high-potential women and making good PR out of these in token positions."

Often, she says, token women are "set up like clay pigeons" just for the appearance of adhering to affirmative action plans. "That is not good faith. Two or more in a department at the time of breakthrough is good faith."

Part of the problem is that "most managers are so used to looking for 'the best man for the job' that they rarely hear their own assumption that only a man can qualify." Executive search and placement agencies and consulting firms are a rich source for management men, the authors say, but not for management women. For lack of pressure from corporations, few of these firms will deal with female jobseekers, even if it is a violation of federal law, she said.

Companies continue to ask women how they will be able to combine marriage and career ("as though men did not combine them all the time"), the writers assert. Executives still think sexual tensions between male and female managers will disrupt working relationships "although employers seem to worry very little about the distraction of sexual attraction between men and their female secretaries."

Employers fail to understand the potency of the women's issue, says Ms. Wells, who is a principal in her own firm. Wells-Christie Associates, communications and training consultants, in Beverly Hills, Calif. Studies have even indicated that the "more prestigious the institution, the fewer women are employed," the authors said.

But by late 1971, in the matter of equal pay alone, nearly 88,000 employees, most of them women, had been awarded $35.6 million in back pay as a result of the Equal Pay Act of 1964, a law that only governs men and women working at the same company. Among those corporations who went to settlement were Wheaton Glass, American Can, RCA and Midwest Manufacturing and, more lately, the $12 to $15 million back pay award to female and black employees of American Telephone and Telegraph.

Ms. Wells sees the Office of Federal Contracts Compliance as having little real effect on government contractors when it comes to employment of women. Many of these companies "may have written beautiful affirmative action plans, but most have barely begun to implement them," she said. She also detects some backlash of male employees, "particularly where there have been budget cuts in government or cutbacks in industry."

One fallout of this, is the "pitting of minorities and women against each other to divide up the small gains," she said.

Ms. Wells and Ms. Loring, who is director of daytime programs and special projects for the extension program at the University of California at Los Angeles, recommend awareness and supplementary training for male and female employees where needed, recruitment of the "best possible women" (and then equal treatment) and restructuring of the career ladder for female employees. It helps to engender a climate of social approval of women managers, they said.

Those successes women have had can be closely linked to the rapid growth of women's caucuses at American companies, colleges and governments, Ms. Wells said. And those caucuses are developing links with sister organizations in related fields.

Women who have repeatedly trained men to advance beyond them, women who see themselves shut off from the informal but highly effective "sponsorship system" that eases young men into the corporate structure, are carrying around a "huge load of anger," Ms. Wells perceives, "and they have a problem of coping with that anger."

Ms. Wells, who spent 12 years in middle management as a training manager of a Los Angeles savings and loan association, predicts that, while the percentage of women in the work force may not rise much above its current 38 per cent, "the percentage of women in supervisory, professional, managerial and executive positions will increase dramatically."

And she intends to help women advance with her next book, a guide to making things happen by getting together, "preferably cooperating, but if necessary, confronting." Its working title: "How to Climb the Ladder When There Isn't One."

SAVANNAH RIVER AEC FACILITY LEADER IN ENVIRONMENTAL RESEARCH

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DORN. Mr. Speaker, we are tremendously proud of the world famous Atomic Energy Commission Savannah River Plant near Aiken, S.C. This magnificent facility has become a world leader in the peaceful application of nuclear technology and advanced research. The Savannah River Plant, together with the billion-dollar nuclear generation complex under construction by Duke Power Co. in Oconee and Pickens Counties, makes our area of the Southeast a national leader in nuclear technology.

Mr. Speaker, we are pleased to call to our colleagues attention the following story that tells how dedicated researchers have devised a method of using old tires to improve the quality of streams by cleaning up mercury pollution:

OLD RUBBER TIRES AID IN SOLVING MERCURY POLLUTION

AIKEN, S.C.—Old rubber tires—a nuisance to 20th century America—may afford a solution to another environmental problem, mercury pollution.

Scientists at the Savannah River Plant have discovered that rubber from discarded tires "captures" mercury in a flowing stream and absorbs it. Their work, begun in 1970, is described in a patent application now pending in the United States and five foreign countries.

Three South Carolina natives and a Tennessean, all now employed by the Du Pont Company at the Atomic Energy Commission plant, are named the inventors.

Credited with the original idea is Edward L. Albenesius, a research manager in the Savannah River Laboratory and holder of degrees from the College of Charleston and the University of North Carolina.

"Any chemist knows that sulfur and mercury form a very insoluble compound—they merge together when exposed to each other," Dr. Albenesius said. "It occurred to me that since commercial rubber has a high sulfur content, it might be useful in finding a solution to the mercury problem that became so visible in the late 1960s."

Albenesius discussed the idea with Edwin R. Russell, a chemist in the laboratory. It was decided that Russell's first experiment with mercury would involve the use of a ground-up rubber sink stopper in a test tube. He ran a mercury solution through the tube and found that the rubber reduced the mercury content in the solution from 100 parts per million to less than one part per million.

After Albenesius reported the success of the experiments in January 1971, more extensive tests seemed indicated and the work was picked up by A. Ray McJunkin, a chemist in the laboratory. About this time, Whitney Tharin Jr., an engineer in the separations technology section, approached McJunkin with a genuine problem involving mercury pollution. McJunkin told Tharin of the experiments performed in the laboratory and the two decided to try rubber to remove mercury from a process stream exiting from one of the plant's chemical separations facilities.

Tharin obtained a supply of ground rubber from an Augusta businessman and the rubber was installed in test equipment operating in the process stream.

The experiment was a success, and the method was then put into use in the plant's heavy water production area to clean up small amounts of mercury from heavy water being reprocessed after use in the reactors.

The four inventors recognize that other methods developed since they began their work may have diminished the value of their idea. Ground rubber, for example, can absorb only a limited amount of mercury before it becomes saturated. However, it remains the least expensive method.

They also feel that their experiments have barely scratched the surface in exploring the real potential of their discovery. Uses in environmental clean-up, they add, are still in the elementary stage.

"It was a long-shot idea," declares Albenesius, "but we particularly liked the 'two birds with one stone' aspect of the thing; that is, using a plentiful nuisance—old tires—to improve the quality of streams by cleaning up mercury pollution."

Background information on four inventors follows:

Edwin L. Albenesius, research manager, Savannah River Laboratory. Holder of degrees from College of Charleston and University of North Carolina.

Edwin R. Russell, chemist, Savannah River Laboratory. A Columbia native, Russell was one of two black scientists who participated in the first nuclear chain reaction experiment at the University of Chicago in 1942. He is a graduate of Benedict College in Columbia and holds a master's degree from Howard University. He is credited with nine patents issued during his career as a chemist.

A. Ray McJunkin, chemist, Laboratories Section of Works Technical, Savannah River Plant. He joined Du Pont at Savannah River in 1950s after 11 years with Alcoa in Tennessee. He is a graduate of Maryville College with a degree in analytical chemistry.

Whitney Tharin, Jr., engineer, Separations Technology Section, Savannah River Plant. He is an Alledale resident, a chemical engineering graduate of the University of South Carolina and began working with Du Pont in 1951.

A LITTLE HONEST GRAFT

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. SCHERLE. Mr. Speaker, everyone connected with a $225,000 antipoverty grant to aid Washington, D.C.'s minority business enterprises seems unable to comment on what has happened to the money. Even to a casual observer, however, the chummy "family" relationships now under investigation by the FBI smack of skullduggery.

It seems that in 1971 the United Planning Organization, a local offshoot of the Office of Economic Opportunity, was

casting about for a way to use up a left-over quarter of a million or so before it reverted to the parent agency's treasury at the end of the fiscal year. UPO Director Jeanus B. Parks hit upon the idea of establishing a nonprofit revolving fund, called the Brookland Fund, to lend money to needy black businessmen. The same men who directed the fund had earlier founded Brookland Enterprises, a profitmaking diversified investment firm. It was to this company that they loaned the $225,000. Luckily, one of the directors was a bank officer, so his bank could store the money for awhile until they figured out how to spend it.

Exactly what this cozy confluence of interests has produced is still shrouded in mystery, as none of the principals in the case deigns to answer questions. Said UPO director and Brookland mastermind Parks:

I have more important things to do now than responding to reporters' inquiries.

Presumably his chief concern is finding an alternative source for the $7 million in OEO funds that UPO will be losing shortly. After all, without a little honest graft, how is a poor businessman to survive?

PETER FRANCISCO DAY

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1973

Mr. SCOTT of Virginia. Mr. President, the Governor of Virginia has designated March 15 as Peter Francisco Day in Virginia. This is in recognition of his services during the Revolutionary War.

I ask unanimous consent that a statement by Gov. Linwood Holton, of Virginia, making this designation, be printed in the RECORD at this point.

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

COMMONWEALTH OF VIRGINIA,
Richmond.

PETER FRANCISCO DAY, 1973

Peter Francisco was a lad of only four or five years when he was left upon the wharf at City Point near Petersburg in June 1765. This boy was reared by Judge Anthony Winston of Hunting Towers in Buckingham County.

At sixteen years of age he enlisted in the Continental Army; engaged in eight major battles and was wounded six times. Left for dead on March 15, 1781, he recovered sufficiently to defeat nine of Tarleton's troops single-handedly. He became the most famous private soldier of the American Revolutionary War because of his courage and fantastic feats of heroism and was known as the "Hercules of the Revolution." General Washington had an oversized sword especially made for him and he was present with his friend, General Lafayette when Lord Cornwallis surrendered at Yorktown.

After the war he acquired a home in Buckingham County, where he reared his family. He died January 16, 1821, while serving as Sergeant-at-Arms in the House of Delegates in Virginia.

In memory of this hero of the Revolutionary War, March 15 has been designated Peter Francisco Day. I bring the occasion to the attention of all our citizens.

LINWOOD HOLTON,
Governor.

RAISING THE SHIELD

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. WALDIE. Mr. Speaker, one perspective on the question of newsmen's shield legislation is useful for its reflection of the current climate confronting the press and even more, perhaps, for the probable future direction of efforts to impose restrictions on news sources. Mr. Dick Fogel, assistant managing editor of the Oakland Tribune, provided this perspective in a thoughtful address last month to the California Newspaper Publishers Association convention in San Francisco. Offered somewhat prior to the consensus as to the type of legislation Congress ought to enact which I believe is now emerging in behalf of an absolute and unqualified bill, Mr. Fogel raised a number of questions without attempting to provide the answers. In the light of recent debate and experience, I believe those answers are found in the passage of unqualified legislation which will not attempt to define newsmen, but which will recognize a press privilege as broad as first amendment interpretations of press, which, in my view, have already established by precedent and in a broad workable way the limits which are constitutionally prescribed and by which we in the Congress are bound.

Mr. Fogel's remarks follow:

RAISING THE SHIELD

(By Dick Fogel)

(The comments followed a talk by United States Senator ALAN CRANSTON)

The news industry is certainly indebted to Senator Cranston for spearheading the fight for shield legislation on the Federal level.

In some places during this talk, I will echo his opinions and comments. In others, I won't.

What I shall try to do is offer some background on the underlying causes which have brought about current efforts to obtain shield legislation.

As time permits I will review with you some of the arguments and questions which have been raised in the controversy over what kind of law we should have. I feel it is important you consider all aspects of this argument because as publishers and editors you bear such a serious responsibility in helping maintain a *free* and *independent* press in this country.

In this sense the word *independent* is no less important than the word *free*. The one depends on the other. And both depend upon your determination to exercise your basic individual right to acquire such information as you can and publish it as you see fit. The day you cease to do this, the day the American press ceases to be independent of government and independent of any group or agency which would make judgments for it is the day to start the countdown on the loss of other liberties and democracy as we have known it.

This is never a remote danger. *It is a very short step.* It is a short step because of a basic tendency of people who get into government to want to rule rather than serve the electorate.

It was only last September that President Marcos of the Philippines began to sever existing avenues of information and strangle an independent press in order to seize power not given him by that country's constitution.

His actions provide a warning and a thesis which might be stated this way:

"No matter how benevolently motivated, no matter what excuse or justification is given, actions taken to control news information or to suppress or destroy the press are aimed either at acquisition or perpetuation of power."

Now how does this relate to shield legislation in the United States?

Let's go back and explore the difficulties we have been experiencing.

How often has a friend of yours outside the news business asked you: "What's this ruckus between the government and the press all about?'

Given that question I might explain it this way:

The collision between the government and press during recent times has been rather indiscriminate.

We of the press are, as usual, at war with the continuing bureaucracy which through one administration and another fends off public scrutiny as a convenient means of avoiding criticism.

We are guarded in our dealings with Congress lest we become enmeshed in legislation which could prove restrictive.

With the judicial system and that part of the administrative branch which works in conjunction with it, we are confronted with two convergent and adverse trends which inhibit our ability to get out important news.

One is the inordinate concern of many judges over the possible and sometimes improbable effects of news reporting on the conduct of trials. The resulting imposition of gag orders and the coercive use of contempt power have brought about a rising demand for some kind of shield legislation.

The second trend concerns efforts by government investigators and prosecutors to obtain forced disclosure of information which we acquire in the course of our news-gathering activities.

It now becomes increasingly clear that this is a defensive response to historic conditions. It represents an effort to cope with the emergence of dissent, disorder, civil strife, subversion and even the possibility of insurrection. Time was when a subpoena here and there or even a simple request brought the newsman forth to testify or to talk. But then the agitation and violence intensified, notably during the Democratic convention at Chicago in 1968, and we saw the aggregate or cumulative effects of thousands of subpoenas on our ability to bring forth the news. There was born a concept asserting a Constitutional basis for maintaining a free flow of information to the public. This concept reached its zenith in the 9th Circuit Court opinion in the Earl Caldwell Case. It foundered, however, in the Supreme Court opinion which combined the issues of the separate prosecutions of reporters Caldwell, Paul Branzburg and Paul Pappas. That court did, however, invite passage of shield legislation.

Representatives of the press sought White House support for such legislation just one month after the Supreme Court decision.

But subsequently, on at least two occasions, Assistant Attorney General Roger C. Cramton has told Congress that Justice Department guidelines limiting issuance of subpoenas make even a qualified privilege unnecessary. An Associated Press story from Washington said that Cramton claimed granting of absolute privilege *would subordinate the national interest in vigorous law enforcement to the interests of the press.*

Add to that statement the arrest of Jack Anderson associate Leslie Whitten and there would appear to emerge a pattern in the efforts of prosecutors to establish grounds for control of information.

Commenting on Whitten's arrest on charges of unlawful possession of stolen documents, Chicago Sun-Times Editor James Hoge said: "I think that soon we'll see the Administration proposing legislation and creating court tests meant to define impermissible news sources."

It is logical to think so since the concept is similar to that which was used in the prosecution of the Los Angeles Free Press for publication of the names of narcotics agents.

If this is so, we would have to ask whether in the future a newsman would still have the latitude to find out what he is able to or whether he would feel compelled to turn a deaf ear, so to speak, to that which comes his way.

Would we ultimately have to wait for government *imprimatur* before looking at an advance copy of some agency's annual report or some supposedly confidential memorandum or at, on the local level, some juvenile's rap sheet?

All of which brings us to specifics as to what kind of privilege ought to be sought.

First of all, of course, we should be on guard lest the shield we seek be converted into a yoke which would weaken our independent status.

There are those who argue with some logic that we should rely on the First Amendment.

For my own part I would like to see eventually *a guarantee of the individual right of free expression without retribution.* This in my opinion would be stronger and more enduring than special status for the newsman based on a legislatively supported societal necessity.

Barring that, however, the first problem with drafting a shield law based on something other than function is defining who is a newsman . . . or news person . . . and who is not.

According to a reasonably recent count, more than 100 Congressmen have developed, presented or backed something like 25 different shield proposals. They run the gamut.

Let's say you favor unqualified privilege. Have you really thought it through?

Do you think that Congress ought to enact a pre-emptive statute? Senator Sam J. Ervin, perhaps our leading authority on law and the press, is said to doubt Congress has the power to do so.

Do you think a newsman should be immune from testifying about a crime he sees committed? The Supreme Court has already said he must testify.

What about libel cases?

Should a reporter be required to appear even if he doesn't have to testify? That was an issue in the Caldwell Case.

Whom does the law protect? I have a grave suspicion that under the American Newspaper Publishers Association bill sponsored by Senator Cranston that it protects advertising men.

If you provide a definition broad enough to protect a newsman by job rather than function, there are all kinds of horrible creatures who might well crawl under your shield. But more important than that is the question of who shall decide who is a newsman, who isn't, and what distinguishes him from ordinary citizens.

What about situations where there is no other source of information *and* where there is an established, compelling and overriding national interest *and* where there is probable cause that the protected person has information clearly relevant to a specific crime *and* where the seeker of such information must prove all this?

What about situations where public safety and human life are at stake?

These and many other questions will be raised before Congress and in public debate.

If my mentioning them here I have developed more heat than light, perhaps that is well. It is important that the press, at least, come together on the issue.

Judge Harold Medina has said the press should "fight like a tiger" for its freedom.

I sincerely hope it will.

LIBRARY OF CONGRESS CONFIRMS PRESIDENT USES IMPOUNDMENT TO OVERRIDE CONGRESS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. LEGGETT. Mr. Speaker, I have been telling my constituents for over a month now that many of the proposed cuts in the Nixon budget represent a set of national priorities that is topsy-turvy. I should also be telling them that the proposed budget is only one element in a well-oiled campaign to disregard congressional authority and turn back 40 years of effort on behalf of the common man.

The attack on the Congress and the Constitution has taken many forms. We have seen vetoes, pocket-vetoes and freezes. The President has terminated congressionally authorized programs without so much as consulting the Congress, and he has drastically altered Federal regulations in a frenzied attempt to legislate out Federal support for social services without approaching the legislative branch.

Another element of the Nixon strategy is impoundment. Throughout the debate over impoundment the Nixon administration has tried to argue that the withholding of funds by the executive branch is an old device used by Presidents dating back to Jefferson which places Federal money in reserves for routine financial reasons.

It is now clear, however, that the Nixon impoundments amount to a serious departure from the practice of previous administrations. The Nixon impoundments are not routine. They differ in size, scope and intent from impoundments of previous Executives.

Mr. Ash has testified that $8.7 billion is currently being withheld by the White House. The Library of Congress has indicated to me, however, that the items excluded from the OMB report bring the numbers to more than double the official amount. These exclusions include:

Six billion dollars of EPA contract authority for water and sewage treatment facilities,

Three to four billion dollars in highway funds,

Three hundred and eighty million dollars in proposed rescissions of 1973 appropriations,

One point nine billion dollars in HEW-DOL money appropriated via continuing resolutions and,

One billion dollars plus held by the various administration actions.

The Library of Congress report indicates that when these figures are added to the $8.7 billion reported by the administration, the level of impoundment reaches $18 billion, far above the amounts withheld by any previous President.

More importantly, the Nixon impoundments have been undertaken for entirely different reasons than in past administrations. In the past, impoundments have been defended on the grounds that they are necessary to regulate the flow of funds to agencies, particularly in the cases of long-lead time projects for which funds were appropriated on a no-year basis. As Mr. Schick of CRS indicates, when agency plans firmed, the funds were released by OMB.

Thus, impoundment in the past is considerably different from impoundment as we know it under Mr. Nixon. In January 1959, Budget Director Maurice Stans testified that $6.5 billion was being held in reserve, but approximately half the money would be spent in the current year and half in subsequent years. Of the $6.5 billion impounded in 1959 under President Eisenhower only $69 million was never spent. Similarly, in 1966 Budget Director Charles Schultze reported that $96 million was being permanently impounded by President Johnson out of a total reserve of $8.7 billion. This means, Mr. Speaker, that in past administrations nearly 99 percent of the impounded money was earmarked for future expenditure, with only 1 percent denied to the agencies.

The same cannot be said for the Nixon administration. The 1974 budget and the President's impoundment report indicates that $6 billion of the reported $8.7 billion will never be spent as it was intended by the Congress. The President, of course, argues that these impoundments are needed in order to hold down spending and to maintain economic stability. I submit, Mr. Speaker, that this is merely a shallow rationalization of a clear attempt by the President to circumvent congressional authority and cut Federal spending without congressional approval.

On Wednesday, March 14, I addressed the House concerning the Library of Congress exposé on President Nixon's impoundment. At this point in the RECORD, I would like to insert the full text of that report:

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., March 8, 1973.

To: The Honorable Robert L. Leggett.
Attention: Owen Chaffee
From: Allen Schick, Senior Specialist in American Government, Congressional Research Service.
Subject—Presidential Impoundment of Funds.

In response to your letter of February 23, I have investigated current and past impoundment practices. The findings support your contention that past actions tended to be more for routine financial management while current impoundments often are for the purpose of terminating or curtailing programs.

The impoundment question has two related aspects: (1) What has been the trend of aggregate impoundments over the years? and (2) What are the purposes for which impoundments are made? Any findings are complicated by the fact that "impoundment"

is a term that has no precise legal meaning and its definition has shifted over time.

TOTAL LEVEL OF IMPOUNDMENTS

It is difficult to determine past levels of impoundment; regular and comprehensive reports are available only since 1971. The data cited in the DSG report is based on a tabulation published in the April 19, 1971 issue of *U.S. News and World Report*. On January 24, 1973, Senator Ervin wrote OMB to request data on past impoundments by the President. In his reply—a copy of which is attached—OMB Director Roy Ash replied that OMB "does not keep records of each specified impoundment from the beginning of the Republic." He then cited 1971 hearings as "the most complete compilation of material we are aware of on the subject." This response casts doubt on OMB's claim (in its February 5, 1973 report to Congress) that over the past decade impoundments have been in the neighborhood of 6 percent a year compared to only 3.5 percent at the present time.

Even if past data are accurate, the current figures understate the actual impoundments and related actions of the White House. The figure reported by OMB and published by DSG is $8.7 billion. But items excluded from the OMB report bring the numbers to more than double the official amount. Five types of exclusions merit attention.

(1) $6 billion of EPA contract authority for water sewage treatment facilities, excluded on the ground that this is not an appropriation only contract authority. Whatever the merits of this technical argument, it is not applied consistently by OMB for other contract authority is included in its report.

(2) $3–$4 billion in highway funds. In June 1972, OMB reported highway-aid impoundments at $5.7 billion; half a year later the amount was down to $2.4 billion. Was there a massive release of highway money? Has highway construction been accelerated? No. What happened was that because of its deadlock over the diversion of highway trust money to mass transit, the 92nd Congress failed to adopt a new highway aid bill. Consequently, if was not possible to apportion the funds that would have been in the new legislation or to withhold any funds.

According to Department of Transportation officials, if the highway legislation had been enacted last year, the amount held in reserve would be at least as high as the June 1972 level.

(3) $380 million in proposed rescissions of 1973 appropriations. In his 1974 budget, the President proposes to rescind $382 million in 1973 appropriations, of which $283 million is for manpower training programs. The OMB report claims that "these amounts have been apportioned to the agencies pending Congressional action."

Nevertheless, the Administration has taken steps to ensure that the anticipated savings will be realized. Otherwise, the monies might be obligated or spent by the agencies before Congress acts and it would be too late to rescind the appropriations.

(4) $1.9 billion in HEW-DOL money appropriated via continuing resolution. No continuing resolution money was incorporated in the February 5 OMB report. It is now certain that HEW-DOL will have to make do with a continuing resolution for all of fiscal 1973. But the President has indicated that he intends to hold spending $1.9 billion below the level authorized by Congress. For all practical purposes, he has decided to impound the funds added by Congress.

(5) $1 billion plus held up by various administration actions. These include the moritorium on subsidized housing, the cutoff of FHA emergency loans, the moritorium on manpower training enrollments, and the change in regulations for social service grants. While the exact amount cannot be determined, $1 billion is a very conservative estimate.

When the figures suggested here are added to the $8.7 reported by the Administration, the level of impoundment reaches $18 billion, far above the amounts withheld by any previous President.

THE PURPOSE OF IMPOUNDMENT

Dollars tell only a portion of the story; another part relates to the purpose and duration of the impoundment. The common feature of all impoundments is that budget authority voted by Congress is withheld by OMB. But the historical evidence suggests that in the past normal reserves were established early in the fiscal year to regulate the flow of funds to agencies. This sensible management of the Government's finances was particularly necessary for long-lead time projects for which funds were appropriated on a no-year basis. When agency spending plans firmed, the funds were released by the Budget Bureau.

Thus in January 1959, Budget Director Maurice Stans reported to the House Appropriations Committee that $6.5 billion were being held in reserve. But he noted that approximately half the money would be spent in the current year and half in subsequent years. ". . . we are not holding any money in reserve which the agencies are ready and prepared to proceed to expend. . . . Of that total [6.5 billion] only $69 million is reserved for savings that we have worked out with the the agencies of amounts appropriated which they will not plan to spend." (House Committee on Appropriations, The Budget for 1960, p. 33.) In other words, 99 percent of the impounded money was earmarked for future expenditure, with only one percent denied to the agencies.

A similar pattern emerged in 1966 when Budget Director Charles Schultze reported $96 million held in reserve for savings. "funds we have no intention of spending at the moment, this year, in future years, or at any time. . . . In addition, we reserve no-year funds for future use. This is a deferment. . . Third, we have other cases in which we reserve funds this year for future apportionment later in the year if conditions change in the same program." (House Appropriations Committee, Hearings, The Budget for 1967, p. 69.)

This limited use of impoundments was the avowed practice of the Nixon Administration as late as May 1971. At that time, the impoundment report showed $12.2 billion in reserve, two thirds of which was scheduled for release within a year, with additional amounts held for contingencies. But the May 1971 report claimed that the impoundments were for routine administrative and financial purposes, just the "continuous process of funds coming into the tank and funds going out."

However, the current impoundments are for the purpose of terminating or curtailing programs approved by Congress. The Federal Impoundment and Information Act (Title IV, P.L. 92–599) requires the President to include in his report the period of time for which the funds are to be impounded. OMB's February 5, 1973 report skirts this requirement by stating that "the period of time during which funds are to be in reserve is dependent in all cases upon the results of such later review."

Nevertheless, indications of the President's intentions are contained in the 1974 budget as well as in the impoundment report. The budget contains a long list of savings anticipated from program reductions and terminations. (See the 1974 *Budget*, pp. 50–57). Many of the savings are projected for 1973, the current fiscal year. The only way many of these savings can be secured is through the impoundment actions of the President. Thus among the programs scheduled for termination and reduction in 1973 are water and sewer grants, rural environmental assistance and REA loans—programs which also appear prominently in the impoundment report.

That report classifies programs according to the reasons for which the funds have been withheld. Significantly, almost $6 billion of the reported $8.7 billion are justified as needed to hold down spending or to maintain economic stability. (This includes impoundments for which more than one reason is provided.) Impoundments in more than 100 programs are justified on these broad and questionable grounds. These are the programs ticketed for elimination or curtailment. This is the use of impoundment power to override congressional will, to change national policies and priorities.

But not one penny is withheld from military programs for this reason. In the case of the military, all the impoundments are temporary—the routine deferment of construction and procurement spending until the funds are needed. The full brunt of the President's expansion of the impoundment power is delivered on civilian programs. This dual standard suggests that the economy drive in which impoundment is a major weapon is more a strategy to kill social programs than to save taxpayers' dollars."

GIRL SCOUTS 61ST ANNIVERSARY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ANDERSON of California. Mr. Speaker, for 61 years the Girl Scouts of America have provided the girls of our Nation an opportunity to develop their values, to make contributions to our society, and to have fun in the process.

During the week of March 11 through March 17, the members of the Girl Scouts of America are celebrating their 61st year of service. I take pride in saluting this outstanding organization during their anniversary.

One of the largest voluntary groups of its kind, the organization is open to all girls from 7 through 17 who agree to the goals of the group.

The Girl Scout pledge reveals the heart that binds such diverse girls together. The promise reads:

On my honor, I will try:
To do my duty to God and my country,
To help other people at all times,
To obey the Girl Scout laws.

Over the years, the organization has been responsive to the changing needs of their members, but has continued to uphold the high ideals of service, friendship, and patriotism.

A major objective of the current 3-year period is to achieve a membership reflective of the total population. That means that the Girl Scouts are actively attempting to build better relations among persons of all ages, religions, ethnic groups, and economic backgrounds.

Another prominent Girl Scout program of the 1970's is Eco-Action which is geared to help girls understand the web of environmental relationships through activities and programs designed to preserve and protect our ecology.

However, the traditional activities of camping, friendship circles, and service

projects have not been forgotten. Grandmothers, mothers, and daughters still share memories of the same songs and goals.

Mr. Speaker, this anniversary week is an opportune time to give our support to today's 3.9 million members and the countless future members of the Girl Scouts of the United States of America.

HOW FAR SHOULD DEVELOPMENT GO?

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BRASCO. Mr. Speaker, virtually every community in the land has problems regarding development, zoning, adhering to Federal noise and sewer requirements, size, and concentration of housing population, and ancillary support services ranging from health care to education. In short, communities suffer from the lack of comprehensive planning.

A portion of my district known as the Rockaways, long a popular beach resort for the people of the city of New York, is confronted with such a development controversy.

Monster high-rise housing is beginning to chcke off the beach area, ignoring the fact that housing can be built anywhere, but beaches and oceans can never be duplicated. Recently, plans for more than 40 nursing and proprietary homes, totally in excess of 9,000 beds, have been exposed. Fortunately, after a fierce struggle, we were able to obtain zoning changes which significantly cut down the size of this project.

Certainly we all recognize the need for housing and facilities to care for the aged and infirm. However, to fully appreciate the frustration and at times complete desperation of the citizens of the Rockaways, let us look at all the facts:

First. Sanitary and storm sewers in the area are totally inadequate. A modest rainfall produces immediate flooding and causes human waste to back up into the basements of homes and onto the streets. There are no new sewers planned until 1975, and at the rate population is growing, engineers admit they do not know whether they will be adequate for conditions at that time.

Second. This is a high density noise area because of its proximity to the city's airports. However, Federal standards with respect to noise and adequate sewer systems have been completely ignored.

Third. The beach area has been allowed to deteriorate, causing severe damage to a once beautiful boardwalk.

Fourth. The neighborhood's population has grown so suddenly and spectacularly that existing public services are strained beyond the point of reasonable endurance. The inevitable breakdown of such services will cause new residents, as well as those who have been there for some years, to suffer equally.

Mr. Speaker, when one asks how such a state of affairs was allowed to develop, or where was the city planning commission, the answer is clear.

For too long, city planners have abdicated their authority to plan and have reduced themselves to a mere approval body. The sad story goes something like this:

A developer puts together a project not predicated on community needs or comprehensive planning, but solely on the need to make a buck. He then goes to the city planning commission and asks for its approval. Deluged with requests from all over the city, the planners, who are constantly fighting with community groups to maintain their credibility, abandon their primary role of planning and become tools of the developers.

This situation has caused many areas of the city to disintegrate and its ravages are now being felt in the Rockaways.

Failures of this type in communities across the country have proved, beyond a question of doubt, that uncontrolled growth without planning will inevitably wreak more havoc than it will alleviate difficulties.

Since the city of New York has failed to meet its obligation to plan for a viable community in the Rockaways, and has allowed the violation of Federal noise, health, and sewer standards; and since this disaster has been undertaken with the use of Federal housing and health funds; I am calling for a Federal investigation by the General Accounting Office and a moratorium on further development until the investigation is completed.

Mr. Speaker, the complicated task of rebuilding our cities will never come to pass unless we strive to guarantee some quality of urban life for all. Planning is the only intelligent route and I for one will not countenance further development of the Rockaways without a total and comprehensive plan.

LICENSE RENEWAL APPLICATIONS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. RAILSBACK. Mr. Speaker, recently I cosponsored legislation with Congressman ROONEY which will restore order and stability to the broadcasting industry. This bill is identical to H.R. 13072, which I cosponsored in the 92d Congress. Since no action was taken last year, I urge immediate and favorable consideration of the bill in this Congress.

The first provision of the legislation will extend the length of a broadcast license from 3 to 5 years. As we all know, the 3-year license period has existed for decades. While it may have been suitable for an industry in its infancy, it has little relevance to the proper functioning of a mature industry. In fact, at the present time, the Federal Communications Commission gives little more than a pro forma review and approval to the thousands of applications which must be filed every 3 years. I am convinced that extending this period would provide a great administrative improvement. Since the FCC can call for the early renewal of a license, a longer duration would in no way deter the Commission from accomplishing its regulatory objectives. And it would certainly be a welcome relief to the broadcasters who must file time and time again, every 3 years.

The second provision of my bill will require that in any hearing for renewal of a broadcast license, the application for renewal be granted if the applicant is technically, legally, and financially qualified, if he has not shown callous disregard for the law or the FCC regulations, and if his broadcast service demonstrates a good faith effort to serve the community needs and interests as outlined in his present and immediately prior license renewal applications. Clearly, the intent of this provision is to insure that broadcasters who have provided good service to their communities will have their licenses renewed.

Mr. Speaker, over the past several months I have discussed this language with broadcasters in my district in Illinois. They have explained how important it is to them. I am convinced that by enacting this proposal, the broadcaster can devote more time to better programing attuned to the needs of his community.

LYNDON BAINES JOHNSON

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. COTTER. Mr. Speaker, many years will pass before historians can make the historical assessments of the life and presidency of Lyndon Baines Johnson. However, each person in this country can and should record his fresh and personal opinions of this great man; so that; future historians will have the benefit of our perception of his great worth.

It was with a deep sorrow that I learned of the passing of Lyndon Johnson. This country lost not only a great leader; we lost a compassionate American. All those who had been sick and could not get medical care; all those who had been hungry and could not get food; all those who had been discriminated against and could not gain equality, all of these people lost a man who had fought all his life to aid them. Lyndon Baines Johnson grew up in poverty and came to Washington in the midst of the depression. And from the days of the New Deal to the days of the Great Society, he worked to help those people, the forgotten Americans. As a Senator and as President, Lyndon Johnson was a mover and a shaker. He moved this country to a closer commitment to its people in order to make the promise of America a reality. He shook from the Nation's laws all remaining forms of the racial discrimination which had scarred our history.

Let us not be content to honor Lyndon Johnson in words and memorials. Instead

we must honor this man by continuing the commitment which he began. In his own words, "Let us continue."

Some have said that the death of Lyndon Johnson symbolically marks the end of the "can do" attitude that has characterized the American people. I hope that it will not die, but instead be channeled to serve the basic human instincts that characterized the life of Lyndon Johnson and the history of this great Nation.

THE SENATE HIGHWAY BILL

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. KOCH. Mr. Speaker, the Senate's vote yesterday giving localities the option of using $850 million annually in urban road funds for rail and bus public transportation is an important step toward the solution of our transportation problems. It recognizes the change in an increasingly urban society's transportation demands. And it is a necessary modification in the transportation program of a country that is in the midst of pollution, urban mobility, and energy crises.

For too long urban communities have had to choose highways over mass transit, even if transit might better serve the public, because only highway moneys have been available. This bill will give the localities the option to use these transportation dollars for that form of transportation most suitable for their needs; sometimes this will be highways, and other times mass transit.

The highway lobby argues that the gasoline, oil, and tire taxes are held in "trust" for highway users. But, I would submit that there is nothing more sacred about collecting taxes on gasoline than on cigarettes or liquor, the proceeds from which go into the General Treasury. All taxes bear on the taxpayer and diminish the public's ability to carry other taxes. Furthermore, prior to 1956, the taxes on gasoline went into the General Treasury; after 1956 they were earmarked for the highway trust fund. There is no transgression committed in the Congress broadening the list of eligible expenditures to better accommodate today's transportation needs.

Right now a disproportionate share of our transportation dollar is being spent on highways. As a consequence, both mass transit and highway users are suffering. Because of inadequate mass transit, people are crowding the roads—causing traffic congestion and increasing accident numbers—when they could be more economically and efficiently carried by mass transit if it were available. In New York City, we are facing critical pollution problems because of the number of cars pouring into Manhattan daily. If more people do not switch to public transportation in the next few years, the city will have to restrict auto traffic in the central city if we are to meet air quality standards by 1975. It would be better for everyone if mass transit were improved and by choice those who could use public transportation did so, leaving the roads to those who need to drive their private cars.

It is essential that the House bill also provide this flexibility. Other items in the Senate bill important to mass transit are those expanding the mass transit capital grant program through UMTA by $3 billion and allocating $400 million annually for mass transit operating assistance.

The administration has opposed operating assistance for mass transit. But, it is essential that while we are investing in needed capital programs, we work to salvage those systems we already have. This means providing operating assistance so that the cycle of deteriorating service and equipment and rising fares that has plagued mass transit for the past two decades can be stopped.

Today the Federal Government expends some $63 billion in various subsidy programs; $400 million annually is little enough for the maintenance and improvement of a public facility that affects 70 to 80 percent of the population of our country.

Some protest that we do not subsidize automobile ownership and operation and thus we should not subsidize mass transit. But, I would point out that in fact the Federal Government subsidizes automobile travel to the tune of $1.4 billion a year. I have received information from the Treasury Department listing the costs to the Federal Government of deductions related to auto ownership and operation. The estimated costs of these deductions in three categories are as follows:

	Millions
State and local sales taxes on automobiles	$300
State and local gasoline taxes	500
Interest on loans to finance automobile purchases	600

The total is $1.4 billion.

Finally, Mr. Speaker, I would like to bring our colleagues' attention to the section of the Senate bill providing assistance through the highway trust fund for bicycle lane development. This is a provision which I first proposed in 1971; it is one that will assist in enabling the bicycle to fulfill its proper role as a viable form of everyday transportation for urban dwellers.

SPRINGFIELD, VT., HIGH SCHOOL RECIPIENT OF BELLAMY AWARD

HON. RICHARD W. MALLARY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MALLARY. Mr. Speaker, I rise with pride to bring to the attention of the House an honor which will be presented to Springfield High School in Vermont this fall.

Springfield is proud to have been chosen as the recipient of the 32d annual Bellamy award. The award is made in memory of Francis Bellamy who, as many of you know, was the author of the Pledge of Allegiance to the Flag. Springfield will retain this honor for 50 years in a distinguished group of outstanding secondary schools throughout the Nation. Springfield was chosen—in the words of the Bellamy advisory board—

> For its long history of working with industry to provide one of the oldest and strongest co-operative machine training programs in the Nation . . . for its graduates who have distinguished themselves in the technical and engineering fields, in the arts, education and government, for being a truly comprehensive high school that has developed a curriculum in tune with the philosophy and objectives of the school, for a faculty that has aided and trained its young people to become accomplished and prominent in the state: in oratory, academically, in athletics and in the arts.

The Bellamy advisory board also cited—

> Students who exhibit and express genuine citizenship training by this year's highly successful voter registration drive organized at the high school expressly for new student voters, local civic and service organization that make significant contributions to Springfield youth each year with scholarship awards and other honors, and an advisory group to the school board which is constructively active in areas of finance, curriculum, and facilities.

Finally, the award was made because of the school's "healthy attitude toward all races and creeds, and a cooperative and informative local and area press."

I am pleased that Springfield High School has been so honored. The award is represented by presentation of a U.S. flag, which will be flown over the Capitol on May 18, to the school.

REMARKS FOR ST. PATRICK'S DAY

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HANRAHAN. Mr. Speaker, the feast of St. Patrick is observed every year with greater enthusiasm the world over wherever the Irish people have settled. There are few saints more beloved. Moreover, he has become a symbol of indomitable faith and heroic courage to millions, beyond the Irish community itself. Here in America his feast day is a universal celebration, and he is honored by men and women of every faith and ethnic origin.

In part, this is due to the fact that both his life and his writings embody principles of fundamental significance in a time of unrest and challenge, of violence and oppression. It was in no easy or peaceful world that St. Patrick grew up; he learned what it is to be ruled by force and violence or to exist without rights stronger people are bound to respect.

From this experience, deepened by his frequent meditation, St. Patrick developed a harmonious combination of apparently contradictory qualities: he became a peaceful man, possessed of fiery courage; a humble man, who stood boldly before kings and chieftains, and defied their wrath; a lover of the oppressed and enslaved, bravely devoting his energies to their liberation and protection, yet no

less devoted in his concern for their enslavers and oppressors, preaching to them with a persuasive affection that derived from his deep awareness of the harm they did themselves in practicing violence and injustice.

A man of compassion and courage, St. Patrick has been admired through the ages as a champion of steadfast faith, of the rights of minorities and individuals, and of small nations and people. His life has ever been an inspiration, particularly to the Irish people to whom he dedicated his ministry, among whom he lived and taught and died. May that spirit today sustain all who would advance justice, brotherhood, and liberty among men and nations in a troubled world. On his feast day, I salute St. Patrick and all who share in the Irish heritage, whether through blood-descent or spiritual affinity. May his spirit help heal the grievous conflicts of our time and, under God, guide us all toward a better world.

SPEECH DELIVERED BY SUFFOLK COUNTY EXECUTIVE JOHN V. N. KLEIN

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. GROVER. Mr. Speaker, while anguished cries of thirst are heard on Capitol Hill and throughout the land as the Federal Government's free-flowing money taps and spigots are tightened or turned off, some Government officials at the receiving end have the courage to speak out for the work ethic, personal pride, and individual initiatives which are the basis, if not the end product, of the President's new federalism.

Such a person is county executive John V. N. Klein whose message to the Long Island Association should be read by all my colleagues:

SPEECH OF JOHN V. N. KLEIN

I want to say at the outset that I am very happy to be with you of the Long Island Association here today; I have, in the several years I have been involved in local government, always had a warm and cordial relationship with this organization, its officers and members which has, and continues to provide civic service of a truly professional nature to our region.

I know some of you better than others. For instance, I know John Brewer, your watchdog of the treasuries of both Nassau and Suffolk Counties. For some strange reason, John Brewer, in recent years, always seems to pop up at Suffolk County's budget preparation and adoption time. Yours is a very familiar face, John. You remind me a little of the image of the average Internal Revenue Service auditor. But in retrospect, none of John Brewer's criticisms are ever without very constructive basis. We may not follow all of his suggestions, but we sure do know he's there.

When Mr. Vanderwaag first contacted a member of my staff with his kind invitation for me to join with you here today, he suggested that I gear my remarks to a kind of state of the county message. With his permission and yours, I would like to alter that topic just a little. I would, instead, prefer to direct my remarks to something that I think we are all very much aware of these days, developments that have dominated the media for some weeks now. I refer specifically to President Nixon's proposed budget and some of the heat and fire that some of the areas and programs he would like to see cut back or reduced has produced here, across this state and across this nation.

What are we talking about when we discuss the President's campaign to cut Federal costs? Are we talking merely about the fact that he wants to reduce the national budget by some $6-billion? Is this a discussion about the Nixon proposal to whack some 113 separate so-called "great society" programs? Are the President's proposals really aimed at socking the poor and the sick and the old and the minorities? Or, is President Nixon's real message to us here on the local scene one which has been muted by outraged cries of protest from those who may have misread his intentions.

Is President Nixon really saying to us: You on the local governmental scene have been lulled into expecting to both have your cake and eat it too. You have been advocating local home rule, but you expect the Federal Government to support that jealously-guarded right of self-determination with Federal cash and no questions asked? Isn't that what President Nixon is really trying to say to us?

Isn't the President stating that many of the great society programs of this nation have failed to work properly, therefore they should be replaced with something more responsive to human need or dropped entirely? Isn't his message, through the Federal budget route, more directed to the premise that it is about time that we on the local governmental scene evaluated what for so long has been taken for granted; salvage what you think should be salvaged, but admit defeat in other areas; drop certain programs and redirect your priorities in more relevant areas.

I think that is exactly what President Nixon is telling us. I am not going to get into a long dissertation here today on what federally-subsidized programs are good and should be perpetuated and which have not worked and should be abandoned. I don't have that kind of expertise at this point. We in Suffolk County are right now looking at what the Federal Government has been giving us in funding for many different programs. We are inventorying just where Suffolk's $90-million in Federal dollars has gone and whether that money has produced a good result or a failure. And when we are through taking a hard look at that, we will make our own priority judgments and come to some hard conclusions. We are deep into evaluating how we have gone about administering that which has been coming down to us from that Federal money pipe, and that is still another message that the President is so forcefully delivering to us.

And it is now that I make this point to all of you here today: the President of the United States of America has both enunciated and demonstrated a determination to cut Federal costs. Where that drive will end will only be known when the Congress acts one way or another on his proposals.

But I really cannot quarrel with President Nixon's budget-cutting efforts. As one individual deeply committed to local government, who has dedicated his adult life to public service, I say to you that before anyone goes jumping to conclusions about the oversimplified right or wrong of some of his proposed spending cuts, they had better take the time to back away from this issue and try and see what the President is really trying to do here; what it is he is really trying to tell us. That Federal spending is too high and is resulting in high taxes cannot be disputed. That a reordering of our priorities not only nationally but locally as well is urgently needed right now also cannot be argued. And how do you take the steps toward those ends? By doing just what President Nixon proposes to do—by cutting out unnecessary spending and irrelevant programs and telling us on the local level: You decide where you want to go and how you want to get there. I'll give you $22-million worth of revenue sharing, says President Nixon, plus some supplemental revenue sharing. You can pretty much make the decisions on how you disburse that revenue sharing, he says. But, unless I read him wrongly, he is also saying: the day of the giveaway programs has passed. Now is the time to tighten your belt, America; to bite that bullet; and to prove yourself capable of handling your own destinies.

Nobody in my experience has ever measured up to any kind of a person by getting something for free. Unless a person works for what he gets, where is the human need for incentive; for human dignity, for pride? What I think President Nixon is telling all of us in a nutshell is simply: have pride in yourselves as hard-working, productive citizens of the United States of America because if you work for it, there is nothing you cannot accomplish; there is no goal that is too high or too far for the person who stands on his own two feet and supports himself and his family with his back or his brain. We do not want a society which rewards a man for staying home and not working; we opt for a society of doers.

That is what I believe our President is saying to us. And that happens to be what I truly believe this Nation and we as the people who make up this Nation have always believed.

Thank you.

SPCA CELEBRATES CENTURY OF SERVICE

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DU PONT. Mr. Speaker, in recent years I think all of us have become increasingly aware of the delicate balance between man and his environment. Certainly Congress has focused its attention on important legislation affecting the environment, including legislation designed to protect endangered species. We must not forget, however, that we all owe an obligation to treat all animals, not just endangered species, in a humane manner.

As I am sure my colleagues are aware, one organization which has played a vital role in educating the public about humane treatment of animals is the Society for the Prevention of Cruelty to Animals. The Delaware chapter of this organization is now celebrating their first century of service. I want to congratulate them for their unyielding devotion to the cause of caring for unwanted animals, educating young people in the field of humane treatment of animals and for their efforts in seeking protective legislation for animals.

The Delaware legislation recently enacted a proclamation which honors the efforts of the Delaware SPCA, and I request that this proclamation be inserted in the RECORD at this point:

PROCLAMATION

Whereas, the Delaware Society for the Prevention of Cruelty to Animals is determined that no animal should suffer needlessly; and

Whereas, to that end, the Society maintains shelters for the care of lost, unloved, and unwanted animals, brings humane education

to young people, and crusades for necessary and fair animal protection laws; and

Whereas, the Society has been instrumental in transforming public opinion toward the treatment of animals; and

Whereas, the Delaware Society for the Prevention of Cruelty to Animals is now celebrating its first century of service;

Now, therefore, I, Sherman W. Tribbitt, Governor of the State of Delaware, do proclaim February 20, 1973, as "Delaware SPCA Day" and urge all our citizens to join with the members of the Delaware Society for the Prevention of Cruelty to Animals in seeking humane treatment and care for all animals.

ECONOMIC DEVELOPMENT ADMINISTRATION

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. McKAY. Mr. Speaker, in his state of the Union address in 1970, President Nixon made an important commitment to rural America. I would like to quote from the President's speech:

For the past thirty years our population has also been growing and shifting. The result is exemplified in the vast areas of rural America emptying out of people and promise—a third of our counties lost population in the 1960s.

What rural America needs most is a new kind of assistance. It needs to be dealt with, not as a separate nation, but as a part of an overall growth policy for America. We must create a new rural environment that will not only stem the migration to urban centers, but reverse it. If we seize our growth as a challenge, we can make the 1970s an historic period when by conscious choice we transformed our land into what we want it to become.

The President has met his own challenge in a baffling way. He has taken an ax to programs that have been the lifeblood to farms and rural areas all over America.

Mr. Speaker, I have taken a close look at the activities and the accomplishments of the Economic Development Administration and I believe that it has proven its worth. The EDA has been a critical factor in bringing industrial growth, services, and acceptable employment levels to the rural areas of this Nation. I am convinced that it would be a serious mistake to curtail the EDA programs.

Mr. Speaker, John J. Leete, director of the Division of Industrial Promotion in the State of Utah, wrote to me recently in support of EDA. I would like to quote from his letter:

It is with considerable emphasis that I mention to you the continued need for those individuals employed by, and those projects funded by, the Economic Development Administration. In many areas of Utah this office simply has no reliable economic development representatives except for those now working within the EDA framework. Our efforts to promote greater industrial activity in Utah would be seriously curtailed by the elimination of these positions.

Mr. Jesse Tuttle, director of the Southeastern Utah Economic Development District, and a man whose judgment I respect, wrote to me recently:

The Economic Development Administration, which is funded through the Commerce Department, should be continued. EDA funds all the Economic Development districts in the United States with most of their administrative budgets; in some States every county is involved. Funds for public works projects have largely come from this agency. We just can't depend on revenue sharing for these projects. To eliminate EDA would be very damaging to everyone concerned.

Mr. Speaker, the challenges presented by rural America are greater than ever before. I urge my fellow Members of Congress to join me in supporting H.R. 2246, to extend the life of EDA for 1 year.

SENIOR AIDE PROJECT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. FRASER. Mr. Speaker, on March 13, the House voted overwhelming support for the Older Americans Act, H.R. 71.

The elderly of today have served America well, and America now needs to serve its older generations so that they may continue to share the benefits of our society. President Nixon, before the 1971 White House Conference on Aging, stated that he did not want the volumes of information and recommendations of the Conference to simply gather dust in the Library of Congress or in the Office of the President. Yet these volumes have been laying around for over a year and the dust is gathering. It is up to us, the elected representatives of the people to carry the recommendations into action.

One of the provisions of this bill, H.R. 71, would provide jobs for people 55 years old or older. This provision is embodied in title IX. I have been fortunate to have a living example of what title IX can accomplish in my home district. A project was set up some years ago under the Economic Opportunity Act to demonstrate whether or not a work program for older Americans was needed and desired by both the older workers and the community.

The success of this program, known as the senior aides program, has been phenomenal. There are not enough job slots for all the older people who wish to work under the program. I have been told that for every opening there are at least 12 qualified applicants.

According to the project sponsor, the Minneapolis Central Labor Union Council, over 50 percent of the low income persons employed on the Senior Aide project were receiving welfare prior to their employment on the project. Of the 57 terminations since our project started in 1968, all have had to have some help. For some, food stamps was all the help they sought. For others, it became necessary to seek supplemental income through welfare.

Most of our present aides—a high percentage receive the minimum social security payment—say they will have to go back to some form of welfare if they cannot continue as senior aides. None of these people want welfare if they can avoid it.

This program is not a one-sided success. The community has greatly profited from this corps of older workers who bring with them a conscientious desire to serve, years of experience and valuable skills. Their work as teachers' aides, health assistants and outreach workers has been commendable. We should all look to older workers with the respect they have earned.

These older worker program funds are supposedly going to be lumped into a general manpower revenue sharing fund. Any hope that the elderly will share in these funds according to their need is quickly lashed by looking at the recent statistics on the 1971 Emergency Employment Act. The older worker only received 6 percent of the available benefits even though 25 percent of the elderly are living in poverty.

Certainly America is a great enough nation to help older people serve themselves and the community. The older people have the desire—we must provide the means.

CONGRESS SHOULD ACT NOW ON NEWSMEN'S PRIVILEGE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. WALDIE. Mr. Speaker, recently I received a rather eloquently written editorial from the Oakland Tribune expressing the plight that the Congress faces in the area of Newsmen's Privilege legislation. The Tribune states that if protection of the press is to be guaranteed and the free flow of information is to continue unabated by any governmental body the Congress must quickly and effectively decide in favor of legislation to extend the privilege of confidentiality to newsmen. The Congress must act immediately if we are to resolve this urgent problem.

Mr. Speaker, the article reads as follows:

CONGRESS SHOULD ACT NOW ON NEWSMEN'S PRIVILEGE

Ever since the U.S. Supreme Court ruled last June (by the most narrow, 5 to 4 margin) that newsmen have no right to withhold from grand juries information obtained in confidence, there has been a mounting agitation both in and out of Congress to provide this privilege under federal law.

Hearings are now being conducted on Capitol Hill to refine and clarify the issues and the differences of opinion among those who collectively support the idea of newsmen's privilege but who are far from united on the form it should take.

The only important opposition so far comes from the Nixon administration, which maintains some 1970 attorney general guidelines solve the problem federally and that more effective legislation could be enacted by the states.

A House judiciary subcommittee earlier held hearings on the several privilege pro-

posals, and a similar Senate group Tuesday heard from Sen. Alan Cranston, who urged adoption of his proposal to grant news reporters an "absolute" privilege of protection against being forced to reveal any of their sources under any circumstances.

Similar to a proposal by another California congressman, Jerome Waldie of Antioch, the Cranston measure was drafted by the American Newspaper Publishers Association.

In contrast, a sizable and certainly well-meaning group of lawmakers and media representatives has voiced a preference for a "qualified privilege" measure. Under this, legal protections would be given newsmen who refuse to testify on most matters, but in the rare circumstances involving national security or threats to human life, the privilege would be denied.

We concur fully with the warning of one newsman opposed to qualified privilege who noted: "Judges have been ingenious in evading the clear intent of state shield laws. A qualified bill would only encourage more such evasion."

To rebut the Administration's position that there is no existing need for a federal shield law, it is only necessary to cite the recent case of a Wall Street Journal reporter subpoenaed by an assistant U.S. district attorney. Challenged, the federal official said he "had never heard of" the attorney general's guidelines.

Also, federal action is needed to avoid growing confusion among the state courts as to just what privileges newsmen do or do not have.

By simply granting reporters the full privilege of source protection along the lines of the Cranston-Waldie-ANPA draft, and by relying on a responsible Fourth Estate not to abuse such a privilege, Congress can and should get the job done before the snow flies again next fall and, before any more newsmen are jailed for standing on their promises.

In no other way can the pubic as a whole be assured of a free flow of information on all matters, public and private, that the press must responsibly report.

A SUPERB PUBLIC SERVANT STEPS DOWN

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BOLLING. Mr. Speaker, the Washington Post's tribute to Robert M. Ball for his dedicated public service is a well-earned one. The editorial which appeared in the Post of March 15 follows:

A SUPERB PUBLIC SERVANT STEPS DOWN

This is the last week of duty for Robert M. Ball, the remarkable Commissioner of the Social Security Administration, who has been in office for 11 years and who served in lesser jobs with the Social Security Administration for 21 years before that. To the disappointment of many—ourselves included—the White House picked up Mr. Ball's pro forma resignation this winter after the election. But we do not feel that Mr. Ball's leaving office should be the occasion for expressing more gloom. Rather, it seems a moment briefly to recount the career of this extraordinary public official. For Mr. Ball's 34 years in government constitute a genuine good news story—and, not incidentally, they challenge some of the absolutes you hear tossed around these days concerning the capacity of the federal government to govern and the capacity of the bureaucracy to do well by the rest of us.

Mr. Ball, who began his career in 1939 in the field organization of the Bureau of Old Age and Survivors Insurance, worked his way up through the career service to become Social Security Commissioner. In the course of so doing he threatened, by his performance, to give the bureaucracy a good name. For, in his particular way, Mr. Ball has been the ideal public official: fair-minded, energetic, committed to the success of the statutes he administered and—above all—apolitical. In the 11 years since he came to preside over the Social Security Administration, all these attributes were put to the test as coverage (and complexity) expanded at a geometric rate during the 1960s.

Lyndon Johnson was fond of describing the actions required to put Medicare into effect after its enactment in 1965 as the most complicated and arduous government operation undertaken since the military planning operations of World War II. He didn't exaggerate much. Mr. Ball and his associates had 11 months' time to arrange for such diverse and intricate matters as medical standards, hospital care regulations, insurance coverage, accounting procedures, reimbursement techniques and the rest for some 19 million Americans who came under Medicare's provisions as of July 1, 1966. To look back over the news clippings of the period is to read a wealth of public statements from all manner of concerned persons predicting certain disaster on D-Day. It didn't happen—and the reason it didn't lies largely with the man who is now leaving his government post. That particular exercise in competence and success would of itself have been enough to distinguish Mr. Ball's career. But as many people in this town know it was typical—not atypical—of his performance. Robert Ball's 34 years in government were devoted to showing what *could* be done.

THE ROAD TO VOTER REGISTRATION REFORM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. RANGEL. Mr. Speaker, in the struggle to reform the system of voter registration in this country, no group or organization has been more involved than the AFL–CIO. The labor movement has continuously led the fight for progressive government reform. They are now in the fight for voter registration reform.

In our consideration of proposals that will come before Congress very soon, we would do well to listen to what the AFL–CIO has to say.

I submit for your attention and the attention of my colleagues, an analysis written by Alexander E. Barkan, the national director of AFL–CIO COPE, aptly titled "The Great Election Day Theft":

THE GREAT ELECTION DAY THEFT

(By Alexander E. Barkan)

American citizens and our electoral process are victimized by vote-stealing on a massive scale. Perhaps one of every seven potential votes is swiped right from under our noses. Yet, this fact does not grab headlines. Indeed, it barely makes the front section. It is not deemed newsworthy—perhaps because it's been going on so long.

I am not talking about outright vote-theft, a dishonored, if colorful practice, that seems to be vanishing from the scene. Our society and laws do not tolerate this cruder expression of the art. The reference is to much more subtle forms of vote-stealing—perfectly legal ones, in fact, because they are imbedded in the laws and practices that govern conduct of our elections.

It can be considered vote-theft, can't it, when an eligible citizen is discouraged, or prevented, from voting by the placement of so many roadblocks on the path to the voting booth that getting there becomes a major project, an exercise in frustration, rather than a simple matter? This is what happens to millions of our fellow citizens who fall by the wayside before, or on, election day.

We have just come through a political campaign in which approximately 76 million Americans voted. Sounds like a lot, doesn't it? But it isn't. The figure represents only about 55 percent of all those who were eligible to vote, not much more than half. It was the lowest turn-out in a presidential year since 1948, when 52 percent of all eligible citizens went to the polls.

Of the 139 million eligible to vote this year, early reports suggest that about 100 million were registered. Nearly 40 million, then, didn't even sign on for the trip. Of the 100 million who died, about 24 million—nearly one-fourth—didn't go all the way to the voting booth. Why?

No doubt, there are many reasons for low voter performance in 1972. The anticipated presidential landslide made stay-at-homes of a great many voters. The failure of either presidential candidate to generate truly widespread excitement or enthusiasm surely limited turn-out. But even in other recent presidential years, there has been nothing approaching broad-scale exercise of the franchise. No presidential election of the past three decades has reached a 65 percent turn-out, even those that seemed to spark genuine interest like the Kennedy-Nixon race in 1960 and the Humphrey-Nixon-Wallace contest in 1968. And rarely does voter performance in a non-presidential year exceed the low 50 percent range.

SOME ARE JUST INDIFFERENT

The fact is, a certain proportion of citizens is just plain indifferent. There are Americans who would probably decline if you offered to wheel the voting booth to their home and pull the levers for them.

However, after all the other possibilities are scrutinized, chewed over, dissected and discussed, the likelihood is that the key reason for low voter turn-out in 1972 will turn out to be, as it has been in the past, archaic, restrictive laws in many states and communities that load the dice against a citizen registering and voting.

As we near the giant celebration of the nation's 200th anniversary, the AFL–CIO believes it is time to erase from the books every restrictive election statute by enacting a national law that standardizes registration and voting procedures. We believe our laws should reflect our maturity as a nation and encourage, not discourage, voter participation. There are law-makers who share this desire. Sen. Gale McGee (D.-Wyo.) again is expected to introduce his proposal to standardize registration at least for federal elections by letting citizens simply mail a postal card form to local voter registration offices. His bill was defeated 46–42 in the Senate last spring.

Unfortunately, as the Senate vote on the McGee bill illustrated, there exists substantial opposition to the idea of democratizing voting opportunity in our democracy. As we complete our second century of nationhood, we have not yet settled the hoary argument as to whether government should merely

provide an opportunity for citizens to register and vote—no matter how slight a one—or actually encourage voter participation by making it a simple matter to register and vote.

Even with the multitude of restrictive laws presently on the books in a great many states—and with the unwritten practices that limit voting—it is argued by opponents of more open policies that citizens already "have the opportunity" to register and vote. This, of course, is true. But for many eligible citizens it is an opportunity weighted with frustration. In many areas, for example, it is still necessary to get to a central election office like the county courthouse or city hall between 9 a.m. and 4:30 p.m. on weekdays to register.

FINDING THE RIGHT PLACE IS HARD

Unless you work in the neighborhood of the registration office, getting there during the work-day becomes more than a minor annoyance. There is the matter of lost work time, and the trauma of finding a parking space. It is hard to know which is worse. This situation is mitigated somewhat in many such communities by special registration periods when election offices are opened up in the neighborhoods. But here, too, where the will of election officials is to limit rather than expand voter participation, the special periods are brief and are accompanied by minimal effort to advise citizens that there's a place around the corner where they can register.

In fairness to the states, many have tried in recent years to streamline their election laws. Often, this progress has come at the insistence of state and local AFL-CIO bodies. In New Mexico, for example, where the State AFL-CIO fought long and hard for better voting laws, and won its fight by achieving the most effective election laws in the nation, the result has been a 90 percent-plus registration of the state's eligible citizens, and a correspondingly high voter performance.

The AFL-CIO believes citizens in all states should have the same easy path to the voting booth as the citizens of New Mexico, and that is why we back the McGee proposal. If we continue the piecemeal, patchwork addition of a little bit more here and a little bit there, it will be another 200 years of nationhood before every citizen has the same opportunity to vote as every other citizen. A national law is urgently needed to replace the present crazy-quilt pattern of widely differing state laws.

In the post-1968 election period, elections data experts estimated that as many as 20 million potential eligible voters may have been kept from casting ballots by laws and practices that threw up an obstacle course to the voting booth—limited and difficult registration opportunities, laws on residency, on absentee balloting, practices that provided for too few voting booths and too long lines to get to them, or that limited unnecessarily the voting hours.

It is a certainty that data will emerge from the 1972 election period providing similar evidence of what could be called "voter fatigue"—not the fatigue of too many elections, which is an entirely different, though important, matter—but the sheer exhaustion that confronts voters in some areas to get around all the obstacles to the voting booth.

There really is little to be said about registration and voting laws that hasn't been said countless times by partisans of both points of view mentioned earlier, that (1) it is enough simply to provide the opportunity to register and vote, however circumscribed, then let the strongest survive, the strongest being those with the stamina and endurance to get all the way through the thickets like Childe Roland to the Dark Tower or (2) that laws should be written to provide easy and convenient registration and voting procedures to assure maximum possible voter participation.

Perhaps it is more an emotional than a factual issue. Proponents of the first point of view—though they would never express it in quite that way—must, deep down, hold the notion that only the "right" people should vote. They really don't trust the masses. Had they been around when the franchise was extended to citizens other than property owners they would have opposed the 14th Amendment to the Constitution 104 years ago. In 1919, they would have risen to oppose the idea of a woman voting and fought the 19th Amendment. More recently, some of them expressed alarm over extending the vote to 18-year-olds.

Proponents of the second point of view appear to have more confidence in democracy. The AFL-CIO has fought fossil election laws in the halls of the National Congress and of the state legislatures on the basis of what we think ought to be a self-evident premise: In a democracy, all citizens should take part in the selection of public officials who make decisions that affect us all. This process of selection is performed in the voting booth. All citizens should have easy and equal access to the voting booth. We believe, as stated above, that whatever artificially limits access is vote-stealing, and has got to go.

It is not stretching the point too far to remind ourselves that many elections have been settled by so few votes that the outcome might have been altered by the ballots of those who were kept from voting not by apathy but by "voter fatigue." In Pennsylvania this year, a state legislator was elected by just one vote out of some 30,000. In North Carolina, a congressional candidate was elected by only 971 votes out of 143,641. In 1960, John F. Kennedy won the presidency by only one vote per precinct nationwide. In 1968, Richard Nixon won it by an average of less than 10,000 votes per state. In the early 1960s, a candidate for the Connecticut state legislature won his primary by one vote and endured another heart-stopper a few weeks later in the general election. Again, his margin was just one vote. Since it is clear that every vote counts, wouldn't it be sensible to make it easy for everyone to vote?

In the end, it comes down to the practice of democracy and how deeply our lawmakers really believe in it. It is unarguable, we feel, that the free ballot is the foundation of democracy, and that it is what most distinguishes our form of government from dictatorship.

People have fought and died for the right to vote. A young black and two young white colleagues were slain in Mississippi fighting for the right to vote only eight years ago. Night-riders fire-bombed his home and killed an NAACP registration activist in Mississippi, also in the mid-1960s. He was one of more than a dozen blacks murdered for demanding the right to vote. A white minister and a white housewife were murdered in Alabama in 1965 during massive demonstrations that led to the Voting Rights Act of that year. So blacks and whites both have died to expand the right to vote.

A right precious enough for some to die for is a right precious enough for all to exercise. We may never engage the apathetic, for there will always be some uninclined to vote. But we must demand that all artificial barriers to voting be razed by enactment of a national law that standardizes registration and voting procedures and actively encourages voter participation. When that happens, I am confident presidential, congressional and other elections will pull the voters out and that we will have seen our last national election in which such a small percentage of the electorate showed up when it counted most, on election day.

AN INTERVIEW ABOUT ABORTION

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HOGAN. Mr. Speaker, the Washington Star-News of March 4 carried a most informative interview with Dr. Andre Hellegers, director of the Kennedy Institute for the Study of Human Reproduction and Bio-Ethics. Because the issue of abortion is of such importance at this time I wish to insert the interview in the RECORD:

AVOIDING A QUESTION ABOUT HUMAN LIFE

AN INTERVIEW WITH DR. ANDRE HELLEGERS

(NOTE.—Dr. Hellegers is director of the Kennedy Institute for the Study of Human Reproduction and Bio-Ethics. He is a past president of the Society for Gynecological Research and the Society for Perinatal Research. This interview was conducted by Thomas Ascik of the Star-News staff.)

Q. The Supreme Court, in its recent decision on abortion, calls a pregnant, but otherwise healthy, woman a "patient," and states that abortion is "primarily and inherently a medical decision up to the end of the first trimester." Is she a patient in the traditional medical sense?

A. Well, we've traditionally taken care of pregnant women. The question is whether you consider pregnancy a disease. Within the definition of the Court, pregnancy is a disease. The Court considered the stressful factors of pregnancy and the possibilities of future stress in making its decision. So the Court very rigidly followed the World Health Organization's definition of health which says that it is not just the absence of disease but "a sense of well-being." If being pregnant does not give a woman a sense of well-being, then she's ill.

Q. The Court uses the term "potential life" when talking about the fetus. What is a "potential life?"

A. I don't understand the language of the Court myself. You can't talk of the potential hand or the potential foot of a fetus; at least I presume not. It's there or it's not there, and its obviously there. I think that people are confusing the term "life" and the term "dignity." The whole abortion debate has been very fouled up in its linguistics.

I think the simple biological fact is that the fetus is human, only because "human" is a biological category. So, first, the fetus is categorically human. Second, the fetus is a "being" because it's there. If it wasn't a being, you wouldn't need the abortion. So we're dealing with human beings; we're dealing with human life.

The issue is whether we're dealing with valuable human life, whether we're dealing with dignity in that life, whether it has to be protected under the Constitution. All of these are not biological questions.

The unfortunate part of the whole debate is that people have misused biology to create phrases like "when does life begin?" When the question should have been "when does dignity begin?" They have used terms like "potential life," trying to say that life wasn't there, when the reason for saying that life wasn't there was because they didn't attach any value to it. The abortion issue is fundamentally a value issue and not a biological one.

Q. The Court says that it is only "a theory" that human life is present from conception. You obviously think that it can be substantiated beyond mere theory.

A. Oh, it's obvious. I don't know of one biologist who would maintain that the fetus

is not alive. The alternative to alive is dead. If the fetus was dead, you would never do an abortion. Today we are employing euphemisms to pretend that human life is not present. This stems from the fact that we are not quite ready yet to say, yes, there is human life but it has no dignity. We have wanted to avoid that statement at all costs.

Q. So absorption is only a euphemistic question of life?

A. That's right, because of the fear of saying what we know—yes, there is human life but we attach no value to it. And it has led, incidentally, to a very interesting phenomenon. The Court specifically says that it does not want to take a stand on whether human life is there or not. But it says, operationally, you may proceed to abort. If you are not willing to say when life starts, there are two possibilities—either it is there or it is not. If you then proceed to abort you are factually saying that you may abort even though human life may be there.

Q. What is "the point of viability?"

A. The Court divides pregnancy into three sectors. During the first three months it rules totally under the issue of privacy. Then it says, as pregnancy advances, the state may have a compelling interest in the fetus at viability which it puts at 24 or 28 weeks.

The issue, of course, is that the fetus is perfectly viable at any time during pregnancy provided you leave it in place, and it is only because of your action that it becomes not viable. To me the odd situation is that because you do something to the fetus and doing that makes it not viable you may proceed to do so.

Q. What is the "compelling point" of three months? The Court says that is the point at which the woman and her doctor are free to make a private decision about abortion, and the state may step in after three months.

A. the state may step in after three months except when the life and health of the woman are involved—and the Court clearly defines health as being economic state, stress and so forth. Now, any pregnant woman who says, "I am pregnant and it is stressful to me," is right there a candidate for abortion.

Q. What is the basis of regarding the first three months as a turning point in pregnancy?

A. It's based on the proposition that it is safer to have an abortion at that time than to go ahead and have the childbirth. The Court says that up to that time the mother's health is automatically provable to be better off not pregnant than pregnant. And that, incidentally, is just terrible use of statistics. What has happened is that one compares the statistics of undergoing an abortion procedure with the general statistics on maternal mortality as whole. Several problems arise.

First, childbirth as a whole takes nine months whereas the abortion by definition takes less than that. So, obviously, there is less risk of dying in a three-month period than in a nine-month period because you have lived less long. The second problem is that if you die of anything before you have had a chance to get an abortion, you are counted among the non-abortion deaths. The third problem is that all women who want a child regardless of their health status and who decide to go through with it, and die, automatically fall under the death statistics and not under the abortion statistics. So you are really comparing apples and oranges. It is total misuse of scientific method.

Q. Medically where does the term "the first trimester" come from?

A. The first trimester comes from the fact that up to 13 weeks the abortion procedure is rather a simple one. The first trimester has nothing to do with what a fetus is at 13 weeks compared to what it is at 26 weeks. Up to 13 weeks it is rather safe to get aborted. From 13 to 26 weeks you have to change methods; you have to do saline infusions or hysterotomies. Then the statistics don't look quite as good.

The Court maintains that up to 13 weeks it is safer to be aborted than to have a child, which is already poor statistics. After 13 weeks the Court recognizes that the abortion procedure becomes more dangerous and therefore says that the state may begin to have some regulations to protect the health of the woman. After the 27th week there may be some interest in protecting the fetus as well. But it again spells out very clearly that whenever maternal health is involved, as defined under the World Health Organization's definition of stress, the state cannot stop the woman from getting an abortion. The first trimester has nothing to do with the viability issue; it has to do with the safety of the abortion procedure.

Q. You're saying that meaningful life outside the womb could start at the 27th week?

A. Well, after the 27th week we no longer use the term "abortion" in obstetrical circles. We then talk about "premature delivery." Now the survival rate between 20 and 28 weeks is only 10 percent. The question here is how long must you have lived to be considered viable. That's an issue in its own right.

What is, of course, absurd about the situation is that it is the procedure that makes the fetus unviable. Obviously the chances of survival are greater the closer to 40 weeks you are. But viability at any time during pregnancy is only with assistance. But it is just like a newborn child which is only viable with assistance.

Q. The Court maintains that the abortion question turns on whether the existing laws violate a woman's "rights" and "privacy." Is the fetus the possession of a woman the same as an appendix?

A. In the opinion of the Court it is. Not just the decision but a great deal of things that are going around suggest that intercourse is a given. It shall be without consequence; philosophically, that is what we are saying. It is now assumed that intercourse is one action that everyone can engage in without accepting any consequences. We are now saying that the decision whether to bear a child is not decision to be made prior to intercourse.

In the high schools we are trying to teach children that, good heavens, intercourse does things. It is very strange the way Justice Douglas puts it in his concurring opinion. He says, "The vicissitudes of life produce pregnancies that may be unwanted."

We are trying to teach in the high schools that pregnancies are produced by intercourse, and here is a Supreme Court Justice who says that pregnancies are produced by "vicissitudes of life." If he had said that rape produces pregnancies which are unwanted and over which one has no control, you might be able to agree. That is not a decision for which one must take the consequences because it was not entered into voluntarily. The philosophy now becomes all intercourse is involuntary. Or else everyone is getting raped. It really is amazing.

Q. The Court allows the state a "concern for the health of the mother," and allows the state a concern for the "potential life" of the fetus, but only after 27 weeks. Why?

A. The Court simply and flatly states that the fetus is not a person to be protected under the Constitution. If that is right, then there is no reason at all for the Court to worry about the health of the fetus. Now, very interesting things will happen as a result of this.

As I read the decision, you should now be able to experiment on the fetus *in utero*. The Food and Drug Administration has always had very strict rules about what drugs may be used in pregnancy. There has been a lot of talk about setting up primate colonies to test the effect of drugs on the unborn fetus. As a consequence of this decision it is now possible to test all drugs on pregnant women who are going to have an abortion, providing the woman agrees, of course.

Q. The Court says that it wished "a consensus" could have been reached from philosophers, theologians and doctors about the starting point of life.

A. There is a consensus on the starting point of life, without any question. There are many ways to prove when the starting point of life is. If we were going to make a test tube baby how would we do it? We would start off by putting a sperm and an egg together and if we succeeded, then we would be in business; we would have life. The fertilized egg would develop automatically unless untoward events occurred. The first definition of life, then, could be the ability to reproduce oneself and develop on one's own, and this the fertilized egg has while the individual egg and sperm do not.

The Court makes some really amazing biological errors in its decision. When it deals with the history of abortion, it talks about what people thought about conception in the past without realizing that conception was only discovered in the 19th century. The ovum wasn't discovered until 1827. The Court says that the Pythagoreans held as a matter of dogma that the embyro "was animate from the moment of conception." Well we didn't even know about conception until 150 years ago. The Pythagoreans were philosophers, not biologists, but the Court seems to regard their opinions as dissenting biological opinions. Factually, of course, they arrived at the right answer anyway, even though they knew very little about biology.

But unless you can think about an ovum as an entity, you cannot talk medically about a start of life. Before, people thought the seed was planted and it either caught or it didn't, almost as if the seed itself was life. That is why we have such crazy terms as insemination, a pure agricultural term that implies that the seed is planted. One ought to talk about co-semination or something that recognizes that the woman contributes an ovum.

The American Medical Association in the 19th century took its stand against abortion when it became known what the process of conception was and what the ovum was. When they found out when life began they thought it imperative to protect it from the beginning.

Q. It seems that the 20th Century has used the same medical knowledge to draw the exact opposite conclusion.

A. That's right. Now that it is absolutely clear how the process works one begins to falsify history and blame the 19th century for having written laws which it wrote, not based on Victorianism, but based on the new knowledge about the process of conception. Unless you are aware of the fact that biologists did not discover the ovum until the 19th century you will completely misread the history of the subject.

The original idea was that the soul was attached at some time to the body but nobody knew when the process of body-building started. When that became known, doctors and the AMA began to count the start of life from conception.

It has been commonly assumed that once human—not cat or rat—life—not death—has started then the concept of soul or human dignity has started. That is where the falsity of the Supreme Court decision lies. If the Court had said that we know when life starts but the issue is when we shall protect it or when we shall attach value to it, then it would have had rational ground for its decision. In the whole debate I have resented the falsification of embryology for the purpose of avoiding the fundamental question—when shall we attach value to human life?

Q. Do you think the Court could have reached the same decision if it had put the question on the proper grounds?

A. Ah, that would have been the difficult one. The Court would have been forced to say something which the California Journal of Medicine has already said very clearly. It says that we know when life starts, let's not kid ourselves. We ought to admit that we are handling certain social problems with the medical technology of killing life that has already started. The Court didn't have the courage of its convictions. So it wound up with the principle that you may kill the fetus even though it is already alive, but the Court didn't quite dare to come out and say it.

Q. What are some further implications of the Court's decision?

A. Hellegers: I am not sure that the Court's decision will cause any further harm other than the killing of fetuses. I am not a domino-theory man. Some people predict that euthanasia, infanticide and other practices will follow hard and soon on the abortion decision. I do think that the abortion decision and other bio-ethical problems are common symptoms of an underlying question. The question is whether you are going to have a utilitarian view of man or whether you are going to have some other view. The Court's decision is a utilitarian view. This fundamental question will come up very clearly, very shortly when the issue of how we use the live fetus for experimentation comes up. In England it has already been decided; you may use the live fetus for experimentation.

There are two great issues before us now. First, does one adopt the World Health Organization's definition of health, and does it become a doctor's duty to ensure "a sense of well-being," which is, in a way, happiness. The second issue is whether we shall look at the body in a utilitarian sense or whether we shall attach some greater value to it.

IN MEMORY OF DR. MARTIN LUTHER KING AND SENATOR ROBERT F. KENNEDY

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mrs. BURKE of California. Mr. Speaker, I have received a very moving song in honor of the late Dr. Martin Luther King and Senator Robert F. Kennedy which I believe expresses the hope and leadership these great men provided to our Nation.

I would like to share this song with my colleagues, and am inserting it at this point in the CONGRESSIONAL RECORD:

MY BELOVED

(By Rachel Leon)

Together we walked this earth with courage and humility,
Forever and always striving to build a better day
When suddenly you were taken from me
To sleep until eternity,

Far away the beauteous flowers and fragrant roses,
That you, dear, loved so well,
Which grown in abundance there
Nod in sympathy at my grief-stricken care
The road may be long, hard and dreary,
Without you, dear, at my side,
But I shall not grow weary
With God's loving hand to guide me and abide,

I saw the mountain, I'm free at last.
The heavens are weeping tears of blood,
Tears for the great and tears for the good.
Brother to brother my life I gave for peace,
And faith to reign sublime,
For peace to reign sublime.

(In memory of Dr. Martin Luther King and Senator Robert F. Kennedy.)

THE LOUISVILLE DEFENDER: 40 YEARS OF DISTINGUISHED JOURNALISM AND COMMUNITY SERVICE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MAZZOLI. Mr. Speaker, today is the 40th anniversary of a very distinguished and highly respected newspaper in my community, the Louisville Defender.

Since the inception of its publication in 1933, the Louisville Defender has won more than 70 State and National awards in journalistic competitions.

Under the skillful and responsible leadership of Editor-Publisher Frank L. Stanley, the Defender has served as an invaluable sounding board and source of information for Louisville's black community. The Defender, I might add, is also widely read in Louisville's white community for news often unavailable in the daily press.

The Louisville Defender's services to the community go far beyond the mere dissemination of information and opinion, however. The newspaper's annual clothe-a-child charitable campaign each Christmas season has become an important community tradition as has the annual Defender Home Show.

In conclusion, Mr. Speaker, I include in the RECORD the following editorial, recently published in the Defender, which comments on this important milestone in Kentucky journalism, and which additionally speaks to the broader point of the importance of diversity and varying perspectives in the makeup of our national news media:

OUR 40TH ANNIVERSARY

Exactly one month from now on March 15, 1973, the Louisville Defender will celebrate its fortieth anniversary. Simultaneously March 16, marks the 146th anniversary of the American Black press. On March 16, 1827, John B. Russwurm, America's first Black college graduate, founded Freedom's Journal. Today there are over 200 Black oriented publications.

In 1933 the late Albin H. Bowman had the vision to found the Louisville Defender. At that time there were four other Louisville Black newspapers being published. Each of these competing Black editor-publishers was distinguished in his own right but unfortunately except for the church-subsidized American Baptist newspaper, the others are extinct.

Forty years constitute a respectable age for any publication, particularly in this period of publishing demises of some of the largest magazines and dailies. But during the same time the Black press has increased in number and individual publication size, format, and circulation.

This indicates that the Black press is meeting the challenge of our new age or more particularly is serving the news needs of its readership which are only scantily supplied by the white press, if at all. Indeed, the Black press is more relevant to the Black struggle and not only informs and educates, but often initiates the action against existing racism, injustice, and Black denials.

Dempsey J. Travis, president of the United Mortgage Bankers of America, said in a 1972 speech:

"Knowing that the Black press has played such a herculean role in the lives of most Blacks, I cannot conceive of the day in this century or the next when the Black press will not be needed. Those of us who have worked in the vineyard for freedom know that after the Black press there is no other option. Hence, it must survive. The Black press is to journalism what jazz is to music in that they both bare the souls of Black folk. . . . Frankly, there are too many colored people who still believe that the white man's press is like the white man's ice—colder and better.

". . . In the absence of a Black oriented media, Black news will be treated like the Black blues—the white man will control the Black communication faucet and he will decide when it should be turned off and on."

Obviously, the Louisville Defender does not, at 40, consider its mission complete—far from it, because full first class citizenship has not yet been won and the road ahead seems more impregnated with obstacles than ever, especially with an ultra-conservative, seemingly anti-Black occupant of the White House.

Accordingly, the Defender knows its duty is to exert greater effort toward the ultimate fulfillment of its original goal. Now functioning in an age of dynamic changes, Black people's hunger for enlightenment deepens as desegregation becomes more legal and segregation itself becomes more real.

The very fact that we live in an imperfect society and in a democracy still grappling with the problems of how best to square its practices with its avowed purposes, poses singular challenges to us. We must not only remain that constant reminder of the job that democracy has yet to do, but become a greater source of inspiration for all.

LYNDON B. JOHNSON

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. NIX. Mr. Speaker, several weeks ago the Nation buried a national leader whose towering presence dominated political life for more than two decades.

Lyndon B. Johnson has been acclaimed by political leaders throughout the United States as one of the most powerful men in Congress while serving as a Senator and he will go down in the annals of history as a President who managed to put more social legislation through Congress than any other President since Franklin D. Roosevelt.

Mr. Johnson's skill in managing Congress both before he became Vice President and afterward when he was President, probably was unsurpassed in American history. His accomplishments on behalf of the minorities were a case of forcefully striking the iron while it was hot.

His programs intended to improve the position of the Nation's poor, its children, and its aged, particularly benefiting black Americans.

President Johnson was a big-hearted, loyal, impatient man. As a result of what he accomplished, the Nation, hopefully, will never again revert to the complacency which existed before, with regard to the poor and the black.

Lyndon Johnson had a dream; it was a dream of a society in which men are truly equal in opportunity and in dignity. Every American begins life from the same starting line.

Whatever his faults, he was unique and a man who loved his fellow man. His presence will be missed and he will not be forgotten.

PARADOX OR PATTERN?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. RANGEL. Mr. Speaker, Richard Nixon is very often a President of paradox. While he was espousing law and order during the Presidential campaign his campaign aides were violating the law on numerous occasions. He continues an unconstitutional war for 4 years and violates the Constitution by impounding funds appropriated by the Congress. While recently calling for a new sense of decency in America, he recommends the use of the death penalty.

But in one tragic sense, he has pursued a consistent pattern of policy which continually comes down hardest on disadvantaged Americans. His proposed budget and newly announced philosophy of decentralized government destroy the hopes and dreams of needy citizens all across this country. Besides stopping the flow of money from Washington, D.C., the President has stifled the feeling of compassion that previously emanated from our Capital City.

Indeed, Mr. Nixon's is a Presidency of paradox and pattern.

I now submit for your attention and the attention of my colleagues, a New York Times editorial of March 10 entitled "Housing Paradox."

HOUSING PARADOX

In his message to Congress on community development, President Nixon adopts a remarkably paradoxical stance toward this nation's housing record.

He first boasts that in the last four years his Administration has provided "more housing assistance than the total provided by the Federal Government during the entire 34-year history of our national housing program preceding this Administration." The percentage of Americans living in substandard housing has dropped dramatically, he reports, and adds: "Americans today are better housed than ever before in our history."

Then the President asserts that the Government's housing programs, now suddenly described as "533 old and wasteful programs," are expensive and not the answer. This paradox cannot be explained away by simply stating, as the President does, that the record is good but not good enough. Mr. Nixon presents no bill of particulars and offers no reforms. Instead, he reaffirms the shutting down of the housing programs, promises a substitute within six months and proposes other urban programs be folded into a special revenue-sharing plan.

The effect is to move away from the national commitment set forth in the Wagner-Ellender-Taft Housing Act of 1949: "A decent home and a suitable living environment for every American family." President Nixon praises this goal in his message ("we should never waiver in our commitment") but retreats from it in practice. That is not surprising inasmuch as he voted against the passage of that law and of other housing programs when he served in Congress.

The programs grouped together as "community development" include urban renewal, model cities, open spaces for parks and recreation, low interest loans for rehabilitation of homes in urban renewal areas, and grants for water and sewer lines. The House and Senate last year passed but did not reach agreement upon different versions of a community development bill, which would have merged the funds for several of these programs into what Congressional Democrats call "block grants" and the President calls "special revenue sharing."

Those Congressional bills, however, contained significant tests which each community would have to meet to obtain the money. A town or city would have to join with its neighbors in developing a comprehensive areawide plan. The plan would have to provide housing for low-income and moderate-income families, conform with civil rights laws, and reflect adequate participation by ordinary citizens. Because the Administration's new bill has yet to be written it is not clear whether it will provide for these Federal standards. Such criteria are not mere bureaucratic red tape; they are essential if the money is to go where the need is greatest.

The programs to be phased out and for which the Administration promises a substitute by next autumn include public housing, rural housing, rent supplements and special programs enacted in 1968 to encourage the construction of privately owned rental housing and to assist low-income families to own their own homes. These latter two programs put through by the Johnson Administration help account for the production boom in moderate-income housing for which President Nixon takes credit—and they also account for some of the waste and scandal he deplores.

A subcommittee of the Joint Economic Committee chaired by Senator Proxmire of Wisconsin has just released a report asserting that "the primary problem with housing subsidies has been mismanagement by the Department of Housing and Urban Development." Whether better management is attainable is always open to argument, but the Proxmire report does cast an odd light on the President's renewed request for swelling HUD into a larger Department of Community Development to which would be added the Federal Highway Administration, mass transit, rural electrification and rural telephones and disaster relief. Should a department that may not be able to administer satisfactorily all its existing programs be given new, diverse responsibilities?

A halt to housing subsidies, a revenue-sharing umbrella for urban renewal and Model Cities and an administrative realignment do not add up to a national program for the cities. On the contrary, they express President Nixon's determination to abandon the Federal Government's leadership role in coping with housing and urban problems. Yet without that leadership, too many communities across the nation can be expected to ignore the bad housing and other miseries of the impoverished who live across the tracks, in the next town or in the inner city. Only the national Government can assure the fulfillment of a national commitment.

CONSUMERS VERSUS THE ENERGY CRISIS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HARRINGTON. Mr. Speaker, in recent months, the energy crisis has received a great deal of attention. Members of Congress have received dozens of pamphlets, studies, and letters from oil, gas, coal and electric power associations underscoring the seriousness of the situation.

The theme underlying all of the industry energy studies I have read is that demand cannot be controlled without significant adverse effects on the American economy and lifestyle. The only solution then, is to raise the price of energy in order to increase the development of our domestic resources.

An article by Alan L. Otten, which appeared in the Wall Street Journal of March 15, offers a look at the other side of the coin. He suggests that it is possible to conserve energy without destroying life as we now know it.

I commend this article to my fellow colleagues:

CONSUMERS VERSUS THE ENERGY CRISIS

(By Alan L. Otten)

WASHINGTON.—Newspapers, magazines, and radio and TV news shows are full of "The Energy Crisis." The President appoints a White House energy coordinator and prepares a special message to Congress. Industry leaders make speeches and launch ad campaigns to press their own ideas.

Almost all the talk and planning, however, focuses on ways to increase energy supplies. And almost all the ways—removal of price controls on natural gas production, more strip mining, far more offshore oil and gas drilling, expanded oil imports and so on—involve the drawbacks of higher prices, increased danger to the environment and even foreign policy complications.

Far less is heard about the opposite side of the equation—how to use less energy and thus stretch supplies. Ways to do this exist, and at least a few experts assert they would work—without any great discomfort or inconvenience, and often with real savings in costs.

Whether a full-blown crisis exists is to some degree a matter of definition; many officials, like White House aide Peter Flanigan, think "crisis" an excessively alarmist description. Unquestionably, though, there's some sort of crunch, signaled by scattered brownouts last summer, unheated schools and powerless factories this winter, and threats of emptying gasoline pumps this spring.

Energy demand still soars—with U.S. consumption doubling every 13 to 15 years. At the same time, cheap, clean, easily-accessible energy supplies are running low.

"The basic problem," says S. David Freeman, director of the Energy Policy Project, "is to turn our whole national policy around—from one that has promoted the widest possible use of energy to one that conserves energy." The project, set up by the Ford Foundation last May, is directing research into all aspects of "the energy dilemma, and policy alternatives."

Mr. Freeman, a balding, wiry enthusiast, is a respected energy expert, starting out 25 years ago as an attorney with the Tennessee Valley Authority and more recently serving as head of the energy policy staff in the office

of the President's Science Adviser. Since the Energy Policy Project's work is still in the early stages, he emphasizes that all his presently stated views are strictly his own, and not those of the project.

Ever since New Deal days, he says, government policy has been to try to keep energy costs as low as possible in order to stimulate ever-expanding use. This was right for the time, but now times have changed and the policy hasn't," he declares. "We have to start thinking of ways to get warm or go to work using as few kilowatts as possible. . . . The time has come to change our habits and begin practicing energy conservation, even energy frugality."

GOVERNMENT ACTION AND EDUCATION

In some cases, rising energy prices and other normal market forces will turn the trick, cutting overall consumption or pushing people from one fuel to another. Most industry men think the market should be the entire answer. But Mr. Freeman and many non-industry men argue that government action and consumer education also are critically needed.

Sound conservation practice, Mr. Freeman believes, could cut the nation's energy needs by one-third. And a recent Rand Corp. study for the California Legislature estimated, according to a Los Angeles Times report, that conservation measures could reduce California's demand for electricity in the year 2000 by as much as 65% below current projections.

Rising energy costs already are stimulating conservation practices by private industry, which accounts for over 40% of all U.S. energy consumption. Major companies have task forces searching out new machines and processes, and Mr. Freeman says several large firms have predicted they'll cut energy consumption 10% to 15% without increasing other costs.

More extensive use of recycling would be a major energy-saver, since far more energy is needed to produce metal from raw ore than from scrap. Research and education could help here, of course, but again many experts think some government action is also needed—such as taxes or fees on solid waste not recycled.

Mr. Freeman also sees a need to revise present power rate structures, which usually give big consumers lower rates. This practice goes back to earlier efforts to promote larger use. Raising the rates now for big industrial and commercial users would presumably accelerate their search for energy-saving measures, he argues.

Transportation—moving people and freight—accounts for about one-fourth of U.S. energy use, and its share is steadily growing. "This area is crucial," Mr. Freeman asserts, "because the forms of transportation growing the fastest, the car and the plane, are the greatest energy guzzlers."

Market forces also will have some effect. More expensive gasoline may persuade people to drive less, or to switch to smaller cars. But again, many experts make the case for government intervention—though few go as far as suggesting gas rationing or other equally drastic controls.

One frequent suggestion is to increase government aid to railroads and to bus and rail mass transit systems. Studies show it takes four times as much energy to move a person from home to work by car as by bus, nine times as much to move a passenger by plane as by high-speed train, four times as much to carry cargo by truck as by rail.

Automobile companies currently are fighting government rules for non-polluting engines as sure to boost gas consumption, but so do heavier cars, higher-horsepower engines, air conditioning, automatic transmissions, and other items. Mr. Freeman frequently tosses out the idea of a law requiring the auto firms to develop a more efficient engine; "It's no more radical," he argues, "to say that by 1980 cars must have an engine that's able to get 20 miles to the gallon than to say they can't pollute."

After industrial use and transportation, space is the biggest energy consumer. About 20% of energy use goes into heating, cooling, and lighting homes, factories, stores, offices and other buildings. Here again, little attention has been paid in design and construction to the need to save energy later on: whether to use less glass, a notoriously poor insulator; whether to install more or better insulation; whether halls in office buildings need to be lighted as powerfully as desk work areas; and similar questions.

An architect friend of Mr. Freeman's looked over plans for a building he'd just finished designing, and found that a few small changes would cut later energy consumption 35% without raising other costs at all. The Rand Corp. study in California estimated that better insulation in new housing could cut heating and cooling requirements by 40% to 50%, and that the extra construction costs would be recaptured in four to seven years through reduced fuel and utility bills.

Mr. Freeman thinks building codes might require better insulation and other energy-saving features. "If the government can issue codes to keep termites out, it can issue codes to keep BTU's in," he argues.

Environmental and consumer groups offer other ideas. They contend Americans could learn to keep the thermostat a few degrees lower in winter and a few degrees higher in summer. A leaflet published by Concern Inc., a Washington-based group, lists several dozen energy-saving suggestions, such as closing doors and registers in unused rooms.

Mr. Freeman also likes the idea of a Truth-in-Energy Act that would require manufacturers to state the probable annual energy consumption of each appliance they make. Some air conditioners, for example, cool just as well as others on half as much energy.

Critics wrongly try to picture conservation as "requiring a cold, bare, Spartan life," Mr. Freeman says. "Tighter buildings, better public transportation and more efficient industrial use of energy are no threat to America's future. In fact, such measures could well improve our lifestyles."

CRITICISM AND CYNICISM REMAIN

But some critics, or at least cynics, certainly remain. "Adoption of measures to slow the growth rate of electrical demand may prove to be premature, and only act to increase demand for other energy sources," The Los Angeles Times quotes a Southern California Edison Co. vice president as saying. He urged reliance on natural market forces; anything else, he maintained, would injure the growth of the California economy and cut the state's standard of living.

"We should do the kind of work necessary to make damn sure the people know the energy burden they're undertaking," similarly says the administration's Peter Flanigan, "but in the last analysis, we have to let market forces prevail." One major problem, he says, "is that the government has taken the cleanest, most environmentally acceptable fuel—gas—and forced it to be sold at half the cost of crude oil. Naturally, there's not going to be enough exploration and production." He also sees environmentalist proposals as restricting production unnecessarily. "I believe," he says, "you can get a great deal more energy at very acceptable environmental costs. You can do more offshore drilling, with very tough anti-pollution controls, or more strip mining if you make the owners replace the soil and reforest it."

Essentially, says Mr. Flanigan, "people should have the right to make their own choice. They may make stupid choices, but it's not the federal government's business to keep people from being stupid. If a man wants to build a cheaper house with less insulation, and pay more for energy to heat and cool it later, why should some bureaucrat say he can't?"

Mr. Freeman concedes, in any event, that conservation can't cut demand to the point where there's no energy problem, but he insists it can make the supply problem more manageable. And perhaps most importantly, he says, "it buys you time"—time to undertake long-neglected research and development of new clean, cheap energy sources.

Government and industry, he estimates, must at least double the $1 billion a year it now spends on research and development, most of it currently going for nuclear research centering around the fast breeder reactor. Far more needs to be done, he tells audiences, to explore the commercial potential of such other sources as solar and geothermal energy, gasification of coal, use of fuel cells, and development of shale oil. "Right now," he declares, "our whole future as a high-energy civilization is riding on one egg—the fast breeder."

Many of the suggestions advanced by Mr. Freeman and other conservationists may be too far out, unfeasible or far beyond public tolerance. But others may prove eminently practical and sensible. A little more attention to them—by the administration, Congress, industry, and consumers—would help sort out which are which.

INTERNSHIP PROGRAM FOR SECONDARY SCHOOL TEACHERS OF GOVERNMENT AND SOCIAL STUDIES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. LEHMAN. Mr. Speaker, today I am introducing a bill to establish a congressional internship program for secondary school teachers of government and social studies in honor of President Johnson, who at one point in his career was also a teacher.

Each Member of the House of Representatives, the delegate from Washington, D.C., and the Resident Commissioner of Puerto Rico would be authorized to hire for 2 months during the summer a high school teacher in the area of either government or social studies.

My aim in this legislation is to provide teachers with a firsthand view of congressional operations. While both social studies and government teachers have completed the necessary academic training in their respective areas, at the same time, I believe that an internship in a congressional office would complement their academic training with the enrichment of practical experience.

Through these teachers, students then will also be able to have a better understanding of how the Congress works.

I hope my bill will receive favorable consideration by my colleagues. The text of the bill follows:

A bill to establish a congressional internship program for secondary school teachers of government or social studies in honor of President Lyndon Baines Johnson

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That each Member of the House of Representatives (including the Delegate from the District of Columbia) is authorized to hire for two months during the period from June 1 to August 31, inclusive each year, one additional employee to be known as a "Lyndon Baines Johnson teacher Congressional intern."

SEC. 2. For this purpose, each Member (and the Delegate from the District of Columbia) and the Resident Commissioner of Puerto Rico shall have available for payment to such intern a gross allowance of $800, at the rate of $400 per month, payable from the contingent fund of the House. Such allowance and such intern shall be in addition to all allowances and personnel made available to such Member (or Delegate) under other provisions of law.

SEC. 3. No person shall be paid compensation as a "Lyndon Baines Johnson teacher Congressional Intern" who does not have on file with the Clerk of the House of Representatives, at all times during the period of his employment, a certificate that such intern was during the academic year immediately preceding his employment a bona fide teacher in government or social studies at a public secondary school.

SEC. 4. Each such intern shall receive a mileage allowance for travel to the District of Columbia and back home from the District of Columbia as provided in section 5704 of title 5, United States Code.

AMERICAN RED CROSS MONTH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ANDERSON of California. Mr. Speaker, to the millions of persons aided by the American Red Cross, March is a special month—Red Cross Month.

There is hardly a problem today in which the Red Cross is not actively involved.

Over 3 million times last year, the Red Cross assisted U.S. servicemen, veterans, and their families.

The organization was also called upon to provide emergncy disaster relief in several areas. Hurricane Agnes alone required almost $25 million in aid to about 500,000 persons.

The Red Cross collected, processed, and distributed 3.5 million units of blood during the last fiscal year.

But the services of the Red Cross extend even beyond the functions traditionally connected with the volunteer organization.

Today, the Red Cross is tackling social problems such as drug abuse, neglect of the elderly, unequal status of minorities, and those which affect the poor.

American Red Cross Month is an appropriate time to applaud the accomplishments of the Red Cross and to encourage the continued participation of Americans in the Red Cross through becoming members and active volunteers.

Mr. Speaker, our Red Cross has a long history of being ready to help American people in distress. Now we must reciprocate and show our support for the American Red Cross with healthy donations.

REPARATIONS FOR OUR CITIES, TOO

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BINGHAM. Mr. Speaker, in regard to the difficult decision facing the Congress on what U.S. aid, if any, should be made available to North Vietnam to help undo the damage our Armed Forces did there, I believe a great many Members will find thought-provoking a recent article which appeared in the March 2, 1973, issue of the New York Post. That article, by Columnist Peter Hamill, entitled "For Reparations," follows:

FOR REPARATIONS

(By Pete Hamill)

For 12 years, we killed them. We machinegunned them. We scorched them with napalm. We poisoned their rivers. We defoliated their earth. We wrecked their schools. We destroyed hospitals. We dropped bombs from high altitudes, and killed old men, women and children along with their soldiers.

During all that time, not a single bomb fell on the United States. Not a single North Vietnamese came ashore to kill our old men, our women and our children. Not a single American cornfield was contaminated. Not one of our schools or hospitals was destroyed. Of course we have to pay reparations to the North Vietnamese.

But Richard Nixon should not be allowed to create a false set of priorities. Henry Kissinger told Barbara Walters: "In the present circumstances, when you have a peace that has many precarious aspects after 10 years of war . . . not to consider what may be psychologically, politically and humanly necessary is simply a wrong allocation of priorities."

Kissinger was making the arugment in favor of paying the estimated $2.5–$5 billon for "reconstruction" to North Vietnam. His argument is a valid one. But when Nixon, through Kissinger, talks about priorities, he should not be allowed to make this an either/or proposition: either help reconstruct North Vietnam or send the money to the American cities. Quite clearly, the American government should do both.

The American Congressmen who are shouting loudest against reparations to North Vietnam were also the most profligate in spending money for the military across the years. Forget them. The key must be the liberal Congressmen, and those conservatives who have come to understand what American self-interest is really all about.

A coalition of those forces could establish the principle, right from the beginning, that the American city was one of the major casualties of the war in Vietnam. Part of this was psychological: the erosion of belief, the distrust of authority, the general demoralization and loss of hope in secular power all can be traced to the violent immorality of Vietnam. Those conditions are the seedbed for heroin addiction, crime, and the human chaos that so frequently accompanies welfare.

But in addition, there were severe practical assaults made on the cities during the war. Quite simply, they were starved of money. The programs of the War on Poverty never had a chance for the simple reason that the federal government never gave them the money they needed to do the job.

The cities needed help in providing new housing, new sewage treatment facilities to deal with the packaging explosion that came with the false prosperity of the war. They needed new mass transportation systems. They got practically nothing. The money was going to Vietnam.

If there had been a matching dollar outlay for cities during the war—one dollar for cities to match every dollar for war—the cities today would be gardens. Welfare would have largely vanished, because those houses, subway tunnels, sewage treatment plants would have been built by men who were then, and are now, out of work.

But one major lesson of Vietnam is that we are finite; we cannot have guns and butter; we cannot indulge moral crusades on the other side of the earth and still take care of the people who are paying for those crusades.

So Congress should be prepared to fight the President on the issue of reparations. They can go along with the money for North Vietnam only if there is a matching dollar outlay for the cities, perhaps even a proportional dollar outlay: for every dollar to North Vietnam in reparations, $10 to the cities in reparations. In other words, reparations for the cities too.

The federal government under three Presidents did tremendous damage to the American cities, New York in particular. It is only simple justice that they repair and reconstruct those cities while doing the same for their other victims. We should also remind the Congressmen, and the Executive Branch, that 83 per cent of federal revenues come from cities, and we are only speaking for a share of our own money.

I agree with Kissinger that we must do what is "psychologically, politically and humanly necessary." But it should be done for New York as well as for Hanoi.

This will not have to come out of any social program, or require a raise in taxes. The money can be cut right out of the $79 billion military budget. That is where the fat is. That is where the waste is.

To ask that reparations be taken from the victims of a war, instead of from the clowns who waged it, is almost as obscene a proposition as the war itself.

ST. PATRICK'S DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ANDERSON of California. Mr. Speaker, scholars may argue among themselves about the details of St. Patrick's life, but I am sure that all of us in Congress—Irish or not—will find ourselves in agreement that the celebration of the wearing of the green is a fun holiday.

On that special day, St. Patrick's Day, those of us who are not descendants of the Emerald Isle might be tempted to pretend we are natives, just to be able to join wholeheartedly in the celebration.

Today, in preparation for that glorious holiday of St. Patrick's Day, I salute the Irishmen of our Nation. But, in addition, I also commend those non-Irish citizens who will rally to the occassion and celebrate St. Patrick's Day alongside those who have grown up with the shamrock in hand.

AS PUBLIC OFFICIALS, ARE WE FULFILLING THE PUBLIC TRUST?

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I would like to include in the RECORD at this time a small piece of what I consider a very large speech. Large, not in the sense of length or verbiage, but in truth.

As public officials, who must run for reelection every other year, I am sure each of us has asked ourselves whether the name of our game solely is "reelection"; or is it as it should be a means to a greater end—service to the people who pay our salaries and expect guidance and leadership.

While each must answer that question for himself, a freshman State senator, Harry G. Hager, Republican of Williamsport, has offered a clear picture of what public service means and what is expected of us all.

I think Senator Hager's remarks deserve the attention of everyone who is charged with the public trust and who must, regularly, go before his masters and justify his or her actions.

HOW SHALL WE RESTORE FAITH IN GOVERNMENT

(By Henry G. Hager)

As Lincoln in his time very clearly saw that he must save the union, let us not fail to see in our time that we must restore confidence in our form of government.

That form of government is the ALL of America. American democracy is the only difference between us and any other nation of past or present time. There are other nations with vast extents of territory, with fertile soil and with equable climate. There is no other government like ours, however. It has made the difference.

To the extent that the noble experiment survives a people governing themselves America will survive. When the experiment fails, America will be no more.

We are at a time when history is holding its breath.

Faith in our form of government is faith in America, and faith is failing.

For many reasons, some real, some imagined, America rests uneasy, because for too many, the dream of good government has become a nightmare.

This erosion of confidence in our definitive institution constitutes as clear and present a threat to the union in our time as did the Civil War in Lincoln's. We must, if we do nothing else, begin to restore the faith of America in its government.

The public has a gloomy picture of state government. Each little step we take toward reform raises bright hopes. We have begun, but it is not enough. These hopes will fade too soon unless we continue to open our operation to public view.

Whatever we can do to restore the public confidence, we must do. We have voted to record all committee votes and account for all legislative funds. We must do more. Open all committee meetings to press and public, legislate lobbyist expense accounting; bring serious debate to the floor of the Senate. Take a party position only when it is also a philosophical position. Neither support nor oppose only for the sake of supporting or opposing, and the picture will continue to lighten.

When our people have before them a fully illumined portrait of the House and Senate, the offices we so fervently sought will be positions of honor instead of subjects for suspicion.

The consummation of that most cherished dream—"America"—is of far greater value than the political survival of any one of us.

We must, each of us, so dedicate ourselves to its principles that we stand prepared to be turned out of office while in the exercise of full integrity rather than safeguard a career for tomorrow with cheap, survival politics today.

What is it that keeps us from doing just that? I've only been here a short time, but enough has been said to let me know that state government has a gloomy picture of its own. The voter doesn't trust the legislator and the legislator doesn't trust the voter. It is a standoff. A hostile truce at best. Somebody has to make the first move and I suggest that we should be the ones who make it.

RATIONALIZATION NOT NATIONALIZATION THE ANSWER

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, Federal Judge John P. Fullam's decision that the Penn Central trustees must either produce a comprehensive reorganization plan for the railroad by July 2 or draft a proposal for liquidation is the latest signal that the end of the line for the Penn Central and for positive governmental action is fast approaching. However, while the Penn Central crisis requires our immediate attention we must be wary of those who promote the "miracle cure" of nationalization as the only available means of resolving the problem in the time remaining. The complex northeast rail situation demands a far more intelligent, sophisticated solution.

A recent editorial in the Chicago Tribune presents a thoughtful and cogent alternative to the false promise of government take-over of Pennsy's operations. The editorial urges rationalization of ICC regulatory policy as a more feasible course of action. Such an approach would allow Congress to take affirmative action toward curing the Penn Central's ills while, at the same time, reaffirming its faith in the private enterprise system. Mr. Speaker, I insert the editorial at this point in the RECORD:

A DEADLINE FOR PENN CENTRAL

A clear warning bell has rung for the trustees of the Penn Central Railroad. Federal Judge John P. Fullam has ordered them to present to him by July 2 a plan for the reorganization of the bankrupt system—or for its liquidation. He doubts that it can or should go on operating beyond Oct. 1 in its present form.

Judge Fullam's bell should alert not only the railroad, but also Congress, labor, and the public. There is almost no chance that the ill giant can be returned to health as a privately operated company without substantial changes in federal law, union rules, and public attitudes.

Yet an enterprise which carries nearly one-fifth of the nation's rail freight cannot be allowed to die.

Nor should the government take over Penn Central to save it. A private company under improved laws and working rules might be able to drive its way back to profitability, repay its debts, and eventually make a contribution to the government thru taxes.

But a nationalized operation, the experience of other countries shows, would prove a startlingly large and increasing drain on the public treasury—forever.

Successful private operation then is the answer. To produce this there must be prompt congressional revision of the nation's antiquated interstate commerce legislation. Railroads must have greater freedom to eliminate uneconomic branch lines and unneeded trackage without hearings before the Interstate Commerce Commission.

The communities affected often oppose such eliminations out of local pride, without realizing that their transportation and shipping needs can be met by other means—planes, trucks, and private autos. Penn Central believes it could reduce its 20,000 miles of track to 11,000 without materially depriving the public of service.

Modified legislation to provide freedom of entry into the trucking business would permit the railroad companies or truckers to take up any slack left by rail curtailments.

There should also be legislative modification of rate requirements to make railroads more competitive with trucks, barges, and airlines.

There should be a charge in the situation in which barge lines operate on government-supported waterways while railroads maintain trackage at great expense. Proposals for payment of use taxes by barge lines have failed repeatedly to get anywhere in Congress.

Public understanding and congressional action of these matters can help Penn Central achieve two of the three conditions which the trustees say are a prerequisite to profitable operation—reduced trackage and increased freight rates.

The third prerequisite is a reduction in personnel, with attendant long-range savings. Attainment of this will require a changed attitude by the railroad unions. Penn Central seeks to reduce train crews from four members to three; it said that the reduction would not impair safety and that no person displaced from a crew would lose his job. The personnel reduction would occur only thru attrition.

The United Transportation Union rejected the move in long negotiations and struck on Feb. 8 when Penn Central ordered the reduction unilaterally with Judge Fullam's approval.

Congress then ordered the trains kept running 90 days while negotiations resumed. Too often these delays have wound up with Congress bailing out management or labor, or both. This time everyone must understand that personnel reductions are essential to Penn Central's survival as a private company. Congress is increasingly cold to continued subsidies to the bankrupt line. It should—and probably would—wholly reject the far greater [and endless] burden of nationalization.

This leaves no feasible alternative to pushing ahead toward successful private operation. Therefore, Judge Fullam's deadline should prove an effective spur to action.

LYNDON BAINES JOHNSON

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mrs. CHISHOLM. Mr. Speaker, the smile on the face of a Job Corpsman who has just received his first job, the expression of happiness displayed by the

mother of a Headstart child, and the pride seen in a black American who after 100 years of disenfranchisement votes for the first time—all serve as the greatest memorial to the man from Texas—Lyndon Baines Johnson.

The untimely loss of this great President of the little people is deeply felt by us all. The fact that he rose from the reactionary southern resistance to the challenges of change—to become the greatest innovator of social change in modern America, indeed, marks the true greatness of President Johnson.

Lyndon Johnson was a unique man, a rare man who realized that the force of freedom is a never-ceasing and unstoppable force. He was a southerner, but yet refused as President to be bound by the tragedies of sectional hatred and regional perception.

There have been and will continue to be many comparisons made between President Johnson and his colleague in the Presidency, Abraham Lincoln. Many of these comparisons are valid. But a quality which Mr. Johnson possessed singularly was the ability to do what was right on the sole grounds that it was right.

His administration should not be remembered for the great amount of social legislation it produced and initiated as law. But rather it should be remembered, not in the annals of history, but in the lives of our people as having served as an agent of freedom's mission and a commander in the Nation's war with itself.

While it is customary to mark the passing of our national leaders with tribute and praise—Lyndon Johnson authored his own tribute by his steadfast determination to take his high office to the people and thereby allow them to govern. This tribute now serves and shall forever serve as a measuring stick for all of those who shall hold the Presidency of this land.

OIL SPILL IN ALASKA RAISES NEW QUESTION ON PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ASPIN. Mr. Speaker, a rather substantial oil spill occurred March 8 off the coast of Alaska when the tanker *Hillyer Brown* ran aground on Kelp Point, Cold Bay, Alaska .

Several tanks ruptured and a total of 244,000 gallons of oil was spilled into the Cold Bay.

This recent oil spill points up once again the severe environmental problems that would be created by the building of a trans-Alaskan pipeline. Once supertankers start carrying oil from Valdez to the west coast such accidents are inevitable. The problem is that supertankers will carry as much as 1 million gallons of oil. The rupture of a supertanker carrying North Slope oil could be an environmental disaster.

This recent oil spill once again illustrates the extreme environmental costs of a trans-Alaska pipeline and why serious consideration should be given to a Canadian alternative.

A short Coast Guard report on the oil spill follows:

REPORT

On Thursday, 8 March 1973, the tanker *Hillyer Brown* (U.S.) ran aground on Kelp Point, Cold Bay, Alaska, outbound from Cold Bay, rupturing several tanks and flooding both pump rooms. The vessel was carrying diesel oil and light, straight-run gasoline. An accurate estimate placed the total cargo discharged into the sea at 1082 barrels (45,444 gallons) of gasoline and 4,511 barrels (189,462 gallons) of diesel. The *Hillyer Brown* is owned by Standard Oil of California and operated by the Chevron Shipping Co. The cause or causes of the grounding are under investigation at this time.

Upon notification, the Coast Guard diverted two cutters to the scene and dispatched an aircraft for aerial surveillance, however weather precluded any immediate evaluation of the spill extent. Standard Oil Co. officials also began collecting anticipated equipment and sending personnel to the scene. Standard Oil requested the Coast Guard to transport available ADAPTS pumping subsystems with operators to the scene as soon as possible to transfer oil from the damaged tanks to partially full undamaged tanks. This task was coordinated by the Coast Guard from Washington, D.C., and three pumps were delivered by an Air Force C–141 Starlifter from Andrews AFB. Ten members of the Pacific Strike Team and four members of the Atlantic Strike Team were also sent to assist the On-Scene Coordinator.

The escaped oil and gasoline has been largely dissipated due to the high winds. No heavy concentrations of oil have been found anywhere, however weather is limiting an effective survey.

There is no longer any discernible leakage from the tanker and efforts are focusing on emptying the damaged tanks.

PRESIDENT'S IMPOUNDMENT CHALLENGED BY LIBRARY OF CONGRESS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1973

Mr. LEGGETT. Mr. Speaker, in the extension of remarks that I am placing in the RECORD today, I have got a rather concise analysis from an independent agency, the Library of Congress, that refers in the nature of a white paper to the impoundment actions that are currently being taken by the administration.

Contrary to the allegations of the administration that only 3.5 percent of the budget is being impounded as opposed to perhaps 6 percent that has been impounded in years past, the Library in its analysis points out that in fact the current administration is impounding in excess of $18 billion. As opposed to actions in the past where impoundments were spent 99 percent thereof over a period of several years, the current impoundments are not being spent at all. The analysis further alleges that in fact the will of the Congress and the will of the American people are being unconstitutionally thwarted by the President of the United States. I would particularly again refer my colleagues to the text of the Library analysis which appears later in these proceedings.

PRESIDENT LYNDON B. JOHNSON

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, I rise to join my colleagues in the House today in paying my personal respects to former President Lyndon Baines Johnson.

As we all know, the term "untimely passing" is often used at times such as this. Never, in my judgment however, have those words been more fitting or had truer meaning than does the "untimely passing" of this man from Texas who gave nearly four decades of his lifetime to public service. With just 36 more hours of life, Lyndon Johnson would have learned that the peace he so desperately sought in Southeast Asia had finally become a reality.

I would like to believe that, given his knowledge of the situation and the turn of events during those last 48 hours before his passing, Lyndon Johnson knew that an end to America's involvement in Indochina had been realized.

I say this because it is my firm belief that no person on earth wanted an end to the war which he too inherited, more than did Lyndon Johnson. And, there is no doubt in mind that he was as much of a casualty of the Vietnam war as were those who served there because his agony and deep sense of frustration was as great, and perhaps greater, than their own.

Lyndon Johnson, as a Member of Congress and as our Chief Executive, participated in and was a leader throughout the period from the New Deal to the Great Society. His legacy in the field of domestic legislation and human rights is unparalleled in the annals of modern government and to him must go the credit for such landmark laws as the Civil Rights Act of 1964, the Housing and Urban Development Act and a host of new Federal programs dealing with education, aid for the indigent, economic opportunities, and voting rights.

In August of 1969, I was able to suggest and play a part in bringing the Nixon and Johnson families together for the formal dedication of the Redwood National Park in my congressional district. It was a day that will never fade in my memory of the man we all knew as L. B. J. Its purpose was not only to bring these two first families together on what I believe will be a historic day for the redwood empire of California, but to recognize Mrs. Johnson's unselfish and untiring work on behalf of preserving and enhancing our natural heritage. It was also President Johnson's birthday and speaking without notes or a prepared text, he spoke not of his years in Congress or the White House, but of his deep sense of

gratitude that people still cared enough to honor him in this way.

That was the last time I was to see President Johnson—a man as tall as the giant redwood trees that held him in awe that warm summer day in 1969. As was said of him in an editorial in the Washington Post:

The simple, inescapable fact is that he cared—and that it showed.

RX: RETAIL DRUG PRICE COMPETITION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ROSENTHAL. Mr. Speaker, American consumers are forced to pay over $1 billion annually in unnecessary prescription costs because of prohibitions on retail drug price advertising, overprotective patent laws, exorbitant promotional expenditures by industry and unreasonable markups.

These are among the findings of an 18-month study conducted by my staff in New York and in Washington.

Americans are spending some $7 billion annually on prescription drugs—about $33 for each man, woman and child—and the evidence is strong that they are being overcharged, on the average, by at least 25 percent.

One reason for this, we found is a callous disregard for the financial plight of consumers, especially the elderly, on the part of drug manufacturers, retail pharmacists and State pharmacy boards.

The report also documents the huge disparity in the prices for identical prescriptions at different pharmacies in the same community. We surveyed over 120 pharmacies in Queens and in the Washington, D.C., area to compare retail prescription prices under a variety of conditions. The survey revealed markups generally averaged in excess of 200 percent. Pricing was grossly inconsistent, even among stores of the same chain for the same prescription.

Price advertising of drugs, extensively used on the wholesale level, is banned on the retail level in 37 States, including New York State. This double standard results in a wide disparity of prices for identical drugs, from store to store and, in some instances even from customer to customer at the same store. The drug retailer is able to benefit from manufacturers' vigorous price competition, but he denies that same right to the consumer.

To correct some of the glaring abuses uncovered by the study, I am introducing legislation to accomplish the following:

First. An end to all prohibitions on retail prescription drug price advertising;

Second. The mandatory posting of prices for the 100 most commonly prescribed drugs;

Third. The open dating of all perishable prescription drugs, showing clearly on the dispensed product's label the date beyond which the potency is diminished or the chemical composition altered by age;

Fourth. Labeling and advertising of prescription drugs by their established—generic—name and an end to all laws prohibiting generic substitution by pharmacists;

Fifth. Compulsory licensing of new prescription drugs during the 17-year patent period.

The study also calls for the following measures to be taken:

The industry and appropriate governmental agencies should take steps to curtail irresponsible and deceptive drug advertising claims, especially as they relate to nonprescription, over-the-counter drugs;

All States and the District of Columbia should name consumer advocates to their pharmacy boards;

The pharmacy profession should remove voluntarily all barriers to adequate consumer information.

One chapter of the report gives consumers tips on how to get the best prescription buys; it also advises doctors and pharmacists on how to help the consumer make his medicine dollar go farther.

The Department of Justice has publicly stated its opposition to State bans on retail drug price advertising. Accordingly, I am today writing to Attorney General Richard Kleindienst asking his Department to support legislation prohibiting such restraints and to initiate antitrust proceedings to strike down these barriers to price competition.

Pharmacists oppose drug price advertising, claiming they are performing a professional service not appropriate for price advertising and, further, that price advertising can lead to drug abuse.

Both arguments are rejected in the report. Pharmacists today compound only about 5 percent of the prescriptions they fill. Nearly all prescription drugs today are manufactured in correct dosage forms and many are even prepackaged according to the most commonly prescribed quantity. Moreover, the physician and not the pharmacist has the responsibility for determining the medicine to be prescribed and advising the patient on the use of it.

It taxes the boundaries of rationality to imply that informing consumers of prices could lead them down the path of drug abuse.

The lack of price information often forces consumers to spend more than necessary for essential product. This can be a particular hardship for the poor, the elderly and others on low and fixed incomes.

We found that in cities like Philadelphia and Miami, where drug price advertising is legal, consumers can pay less for their precriptions than where such advertising is prohibited.

In a survey of 24,000 Queens families I found: More than 95 percent of the 2,000 persons responding would like to see prescription prices advertised so they could compare costs more easily; convenience and price, not services, are the overwhelming considerations in choosing a pharmacy; most persons were apparently unaware they could save money by asking their doctors to prescribe medicine generically; nearly 80 percent said they have found from experience that the cost of filling identical prescriptions varies significantly from store to store.

We learned that a significant factor in keeping drug prices high is the patent and trademark protection they receive. When the 17-year protection of a patent ends, prices tend to drop dramatically.

This can be seen in the case of tetracycline, the most commonly prescribed generic antibiotic in the United States. Upjohn was selling its brand of tetracycline—Panmycin—to druggists for $14.94 per hundred capsules before its patent ended in 1966. Today that price is $3.94, a drop of 279 percent. Incidentally, that same drug is available generically—nontrademarked—for under $2 per hundred.

Drug industry profits are nearly double the rate of other U.S. manufacturing corporations. In 1971 they posted a 19.6 percent return on stockholders' investment. High profits are just one reason for high prices. Another is advertising, for each dollar the industry takes in from domestic sales, it spends 25 cents on advertising, promotion and marketing; less than a penny on basic research and only 3 cents on quality control.

One comes away from this study convinced that the drug industry is more interested in wealth than health—and that prompt action is needed to protect the consumer's economic well-being in the drug marketplace.

AMERICAN TAXPAYERS' MONEY TO COMMUNISTS OF NORTH VIETNAM

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. SNYDER. Mr. Speaker, we are in the middle of a controversy about the administration's intention to ship billions of dollars of the American taxpayers' money to the Communists of North Vietnam. Along these lines, I want to bring to the attention of my colleagues here in Congress a resolution recently passed and circulated by the R. C. Ballard Thruston Chapter of the Kentucky Society, Sons of the American Revolution of Louisville, Ky. This resolution was passed on February 17, and although it represents just the official statement of this one group, I think it in actuality expresses the opinions of most of the people I represent on this subject. The text of the resolution follows:

RESOLUTION

Whereas, news dispatches indicate that the Hanoi Government expects financial help from the United States rehabilitation program for North Vietnam, and

Whereas, such help from the United States would enable North Vietnam to maintain its armed forces in South Vietnam, and

Whereas, the armed aggression of North Vietnam has caused such great sacrifices of blood and treasure by the United States, therefore

Be it resolved, that the R. C. Ballard Thruston Chapter vigorously opposes the contributions of the taxes of United States citizens for such purposes after fourteen years of suffering caused by the Communist Government of North Vietnam.

NO ONE WILL EVER FILL THOSE BOOTS AGAIN

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BRASCO. Mr. Speaker, Lyndon Baines Johnson never did anything by halves, and even those who opposed him will admit that, Mr. Speaker. He lived life to the hilt, using great ability to do great things.

His vision of America was a western populist's, tinged with the Deep South in more than a peripheral manner. One of the finest tributes to this President was that he rose above sectionalism when the times called for it, and the laws on our statute books proclaiming equality for all Americans will forever testify to his labors.

He was a leader at a time when we needed it, whether it be in the Senate or in the White House. Legislation moved through the Upper Chamber under his hand in a workmanlike fashion, although a few egos got trampled in the process.

L. B. J. grew to understand the give and take of Congress and of our legislative system. If ever someone was educated in the legislative branch of Government to lead the executive branch, it was this man.

When Jack Kennedy was foully murdered, he instinctively did the correct thing to keep the Government of this country viable and moving. He gave us continuity in a time of unparalleled turbulence. And from that short, hectic era emerged some of the finest pieces of domestic legislation in this Republic's history.

For an exciting time there, progress could be measured in miles rather than inches, as a responsive Congress gave this impatient President what he felt was needed to make the American dream viable for all of us, especially those who had been shortchanged over the course of our history.

Many did not agree with him. Others disliked him. But no one could be neutral about this President, who was truly of America's basic essence. History will have to judge in the end what the true balance really is. Lyndon Johnson is dead now, but he will not be forgotten.

Not by the people he tried to help. Not by those who got a fresh start in life because of one of his programs. Not by those who saw tangible evidence that their government cared enough for them to reach out in a variety of ways.

Every imprint he made was a huge one, in keeping with his heritage and personal way of life. Many of those marks are on America to stay for good, one way or another. He was not a sophisticated man in the drawing room sense of the term, and perhaps that was a great source of his strength. America, no matter how a few may try, will never be a drawing room society, replete with the trappings and pretensions of aristocracy. Lyndon Johnson understood that, because he reached out to those he came from; the man and woman who are salt of the earth—the man and woman, if you please, who make America move and prevail.

Lyndon Johnson did not labor in vain. He lifted millions of our people to a better plane of existence. And he believed in this Nation and its promise. And he did his level best, his damndest, if you will, to lift our society in a material and spiritual sense. Who dares to claim that he failed? His like shall not pass this way again.

Those boots are one of a kind. He shall be remembered with warmth and respect. History shall be both fair and kind to him. He was, in his own way, a friend to all those who shared his love for our Nation and its ideals.

HEARINGS REFLECT CREDIT ON CONGRESS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. PEPPER. Mr. Speaker, I am pleased to comply with the request of Mr. Basil V. Zolli, Jr., of Somerville, Mass., that I bring his letter to the attention of my colleagues by placing it in the CONGRESSIONAL RECORD. Mr. Zolli compliments the Congress for the concern with the crime problem which has been reflected in the work of the House Select Committee on Crime. He is particularly pleased with our work on the penetration of organized crime into sports and legitimate business and I am, of course, grateful for his generous remarks about our efforts. I request permission, therefore, to include the text of his letter at this point:

SOMERVILLE, MASS., *March 7, 1973.*

Hon. CLAUDE PEPPER,
Chairman, Select Committee on Crime, House of Representatives, Washington, D.C.

MY DEAR REPRESENTATIVE PEPPER: Thank you for the copies of the "Hearings" on Organized Crime in Banking, Securities, Insurance, and Sports. I hope you will place this letter of mine in the *Congressional Record* because it is of benefit to every U.S. citizen, past, present, and future, to know its meaning and content.

Just as Congress has its inspired and legal duty to make investigations, as of the above, for the benefit of the nation and the well-being of the people, so do the people have the duty—as exhorted by our greatest patriots and statesmen down through history—to read, study, and act in the direction pointed by the content of these reports to the people.

Therefore, as an American citizen by birth, I thank you, as chairman, and your committee for doing your duty, unpleasant and hard as it may be, to bring the truth and evidence of the danger to the American people.

Between you and your committee, and me and the people, we should be able to act to rid the Nation of this danger you have exposed—since this is the "democratic system" planned by our Founding Fathers as Thomas Jefferson, Sam Adams, Geo. Washington, and Benj. Franklin—and the numerous martyrs as James Otis, Joseph Warren, Thomas Paine, Patrick Henry, and all the others.

Our democracy is in danger today—greater danger, perhaps, than in its entire history—because we are a changed nation in a changed world. The colonial empire of the British, from which we severed the bonds in 1783, is no more—and the young, frontier, rural America of a few million inhabitants is now a giant of technology and finance, with over 200 millions of people crowding our cities and suburbs.

We suffer from apathy and concerns of a purely materialistic nature—as the many congressional reports and studies repeatedly show.

Yet Congress has come under much unjust criticism from various sources in our government and outside—mainly by the executive branch in government and by outside commercial interests outside government.

I am writing to say, as an unbiased, concerned American citizen, who takes most seriously the duty of citizen-patriot-democrat, that you have done well—very well and well done. That Congress must persist and continue to guard the welfare and rights of the people.

Sincerely,

BASIL V. ZOLLI, JR.,
Registered Engineer.

LOOPHOLES AND LITTLE GUYS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BOLLING. Mr. Speaker, Hobart Rowen has an interesting analysis of Presidential Aide John D. Ehrlichman's approach to tax reform in his column in the Washington Post of March 15.

Rowen's column follows:

[From the Washington Post, Mar. 15, 1973]

LOOPHOLES AND LITTLE GUYS

(By Hobart Rowen)

On ABC's "Issues and Answers" last Sunday, presidential aide John D. Ehrlichman said that "there is a lot of misinformation around in this business of tax loopholes," and then he did his best to spread some more of it around.

The basic point that Ehrlichman was trying to make is that it's not possible to raise a great deal of money by tax reforms, "unless you start digging into the average taxpayer's exemptions, or charitable deductions, or mortgage credits, or something of that kind."

That, as Mr. Ehrlichman must know, is simply not true. He was just trying the usual scare tactics that have been this administration's old reliable weapon against tax reform.

What is true is that the exemptions or loopholes he mentions account for a considerable part of the erosion of the tax base. But there is plenty more that he didn't choose to mention.

Could it be that Ehrlichman failed to point to other loopholes because the chief beneficiaries are businesses and the most affluent taxpayers?

For example, the exhaustive analysis of erosion of the individual income tax base by Brookings Institution economists Joseph A. Pechman and Benjamin A. Okner in January, 1972, for the Joint Economic Committee of Congress shows that under a comprehensive tax system, the Treasury would pick up $55.7 billion in revenue it now loses to the leaky tax structure.

Of this total, $13.7 billion would come from taxing all capital gains, and gains transferred by gift or bequest: $2.4 billion from "preference income" such as tax exempt interest, exclusion of dividends, and oil depletion; $2.7 billion from life insurance interest; $9.6 billion from owner's prefer-

ences; $13 billion from transfer payments (welfare, unemployment compensation, etc.); $7.1 billion for the percentage standard deduction; $2.9 billion for deductions to the aged and blind; and $4.2 billion for other itemized deductions.

On the corporate side, Ehrlichman, made no mention of the $2.5 billion in reduced tax burden that business will get this year through accelerated depreciation schedules (ADR); and another $3.9 billion via the investment credit. From 1971 through 1980, ADR will be worth $30.4 billion and the tax credit $45.2 billion (all U.S. Treasury calculations). And in that span of time, there will also be some $3 billion in give-aways through DISC—a tax shelter for export sales profits just created by the revenue act of 1971.

Another tax reform target Ehrlichman appears unable to see is income-splitting, which Pechman and Okner estimate causes a revenue loss of at least $21.6 billion annually, almost half of which is a benefit to a relative handful of taxpayers in the $25,000-$100,000 income brackets.

But there's more to it than that. Ehrlichman pretends to be concerned about that "average householder" who would be hit if he couldn't take his mortgage interest as a deduction. But of the $9.6 billion that Pechman-Okner show lost to homeowners' preferences, defined as deductions for mortgage interest and real estate taxes, $5.3 billion goes to the tiny 5 per cent of taxpayers with reportable adjusted gross income of $20,000 or more.

And how about Ehrlichman's warning that Uncle Sam can't raise tax-reform money in significant amounts "if you don't let the average householder . . . deduct charitable contributions to his church or to the Boy Scouts . . .? Is he really worried about the guy?

The Tax Reform Research Group (one of Ralph Nader's operations) showed last year that when you divide the number of taxpayers in each income group into the total tax preference benefits of charitable deductions, other than education, you find this:

Among taxpayers in the $7,000 to $10,000 income bracket, the average tax benefit for charitable contributions was $17.44; for those in the $10,000 to $15,000 bracket, $33.11; for those in the $20,00 to $50,000 bracket, $199.09; for those in the $50,000 to $100,000 bracket, $1,211.16; and for those making $100,000 and over a whopping $11,373.56.

So who is Ehrlichman trying to kid? If the administration doesn't have a decent tax reform program, it's not because it could wring the money only out of the little guy, nor because there aren't outrageous loopholes waiting to be plugged. It's just because Mr. Nixon must believe that his constituency likes the inequitable tax system pretty much the way it is.

IN MEMORY OF THE LATE DR. HALEY BELL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. CONYERS. Mr. Speaker, it is with great regret that I announce to the Members of this House the passing of a good friend and civic leader in Detroit, Dr. Haley Bell. Dr. Bell, founder of the Bell Broadcasting System, passed away on Monday, March 12, 1973, at the age of 77, after many years of dedicated service to his community.

Dr. Bell was always concerned with the young people of Detroit, especially with providing them with the education and jobs needed for their future. He was an active supporter and contributor to student scholarship programs throughout the country, and established two trade schools at his own initiative nearly 30 years ago. Dr. Bell was the first black man to directly receive a license to operate a radio station, founding WCHB and WCHD, AM and FM. These stations provided an invaluable training ground for many local and national media personalities who received their first professional opportunities from Dr. Bell.

The Cotillion Club of Detroit will pay tribute to Dr. Bell on March 21. It is only fitting that their tribute take the form of scholarships that will be granted to deserving students. I shall miss his generosity, his kindness to me, and his dedication to the citizens of Detroit. To his wife, Mary, and his two daughters, Iris and Doris, I extend my deepest sympathy in their hour of bereavement.

The Michigan Chronicle of March 14 noted the passing of Dr. Bell in an editorial which follows:

DR. HALEY BELL WAS AN OUTSTANDING CITIZEN

The news of Dr. Haley Bell's passing comes as a shock to those who knew him—and an immeasurable loss to the community. There have been others perhaps whose worth to our town was more widely recognized, and occasionally more spectacularly displayed. But only a few have so consistently contributed of time, money and energy towards the betterment of life for all.

Only recently a local columnist highlighted this unsung hero of the past half century with these words: "Dr. Haley Bell, whose philosophy that 'only a part of all you earn is yours to keep' has enabled him quietly over the years to give much to many."

And it all started by chance. The decision of Dr. Bell and his wife to let down their bucket in Detroit resulted from the chance drawing of the name Detroit from among three places under consideration by the young man who had just completed his dental training.

Upon arrival here Dr. Bell lost little time establishing what was to become a lucrative dental practice in what was then predominantly white and Polish Hamtramck. It is indeed an interesting twist of circumstances that the financial base on which he built the business enterprises that were to mean so much to the Black community was made possible by a large white dental practice.

Perhaps the best known of those enterprises is the Bell Broadcasting System which had its shaky beginnings in 1955, and the rest is history. Stations WCHB and WCHD have become a major force in the community, not only providing an important medium of expression and identification for the Black community but also a proving ground for the many talented young Blacks who began fruitful careers there.

Dr. Bell's success in the broadcasting business as the nation's first Black, licensed owner is well known. But no less important was his quiet contributions in support of many life-giving community organizations and institutions. His Alma Mater, Meharry Medical College, together with the NAACP, the United Negro Fund and Detroit's United Foundation were only a few among the many beneficiaries of his generosity.

It is ironical that death struck virtually on the eve of a gala dinner planned in his honor by the Detroit Cotillion Club. It was to have been a belated tribute to his fifty years of service to our community. It is good that he lived to know about the honor and recognition that were to have been his on March 21, but Detroiters should be mindful that the tribute is no less deserved in death than in life.

DISCRIMINATION OF TAXPAYERS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BROOMFIELD. Mr. Speaker, since 1948, single, widowed, and divorced taxpayers have been paying a premium, in the form of higher taxes, simply because of their marital status. Last year, it was estimated that the cost of this unusual form of discrimination against more than 35 million unmarried Americans came to $1.6 billion.

I have introduced legislation along with more than 130 Members of the House to grant single taxpayers the same income splitting advantages that are now available only to couples.

Presently, single people can pay as much as 20 percent more in taxes. Widows and divorcees with dependents who qualify as heads of households can pay as much as 10 percent more than couples for the same taxable income.

This is unfair. By any definition of justice, it seems clear that these citizens deserve a refund for their overpayments. Since that is not likely, at the very least, Congress should act now on the Single Taxpayers Act to insure that this inequity does not continue next year.

I want to stress, Mr. Speaker, that the effect of this measure will not be to raise the taxes of marrieds. On the contrary, most couples will continue to pay a lower gross tax because they will probably be able to utilize more deductions and in this way reduce their taxable income. However, this proposal would specify that for the same amount of taxable income the same percentage of taxes would be paid regardless of marital status.

The rationale behind my legislation is the same which underpins our graduated income tax schedules. In short, tax liability should reflect one's ability to pay. Unfortunately, it has become obvious that in all too many instances using marital status alone as a yardstick for measuring this ability is unreliable.

I could cite many examples where in operation the discrimination against unmarried citizens is irrational. I think that the following two are sufficient to illustrate my point.

First, there are many widows, nearing the end of their work years, who are struggling to provide for their dependent children. It is inexplicable to me that they should pay taxes at a higher rate than a young married couple in their prime earning years with no dependents.

By the same token, single taxpayers supporting one or more of their aging parents have a good case against paying more taxes than couples without dependents.

More than that, Mr. Speaker, the very concept that one group should be forced to pay higher tax rates than another

group simply because of an arbitrary distinction such as marriage cuts against the grain of our democratic principles.

The most reasonable and fair means to assess tax liability is through the use of deductions such as those for dependent support, mortgage interest payments, and so forth.

During the last session of Congress, the Senate overwhelmingly passed legislation to repeal the accelerated tax tables imposed on nonmarrieds. It is regrettable that the House did not follow the lead of the Senate on this subject.

Judging by the groundswell of support that this proposal has received in this Congress, as evidenced by the many cosponsors it has attracted, I am hopeful that both Houses will finally recognize the logic of this legislation before another year passes.

A PRAGMATIC VIEW ON AID TO HANOI

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, as the last group of our prisoners of war return from North Vietnam, in accordance with the peace agreement, the debate over U.S. aid to the Democratic Republic of Vietnam accelerates. As the Congress deliberates over the pros and cons of this issue, I urge the adoption of an open-minded attitude which allows for a sobering appraisal of the situation. The war effort in Vietnam cost the United States billions of dollars: maintaining the peace will cost us considerably less, about $2.5 billion.

Mr. Speaker, I was pleased to see an editorial in the Joplin, Mo., Globe, which discusses the pragmatic considerations of aid to Hanoi and I would like to bring this editorial to the attention of my colleagues:

AID TO HANOI

The rumbles of disagreement in Congress concerning this nation's commitment to finance reconstruction of North Vietnam are understandable. But a refusal at this point to approve some sort of assistance program after the U.S. has pledged a "contribution to healing the wounds of war and to post-war construction" of the Democratic Republic of Vietnam and throughout Indochina could jeopardize the entire agreement.

Maybe most of us are revolted by the idea of sending money to a former enemy country of almost 10 years which killed and wounded so many American boys. But the time to have taken that stand, as did this newspaper, was while the terms were being negotiated and before the cease-fire accord was signed.

The figure of $2½ billion is frequently mentioned as the prospective cost of U.S. reparations to Hanoi, which is especially unappetizing to contemplate, coming as it does at a time when the administration is trying to cut down on expenditures in reducing budget deficits and hopefully to cool inflation.

Nevertheless, for the U.S. to pursue any course on this unpleasant matter other than that contained in the settlement is unfortunately tantamount to reneging on a promise. The galling task can be softened somewhat, however, by insisting that the Soviet Union and Red China also share in a major way in North Vietnam's rebuilding with the same fervor with which the two Communist powers supplied the North Vietnamese war machine. Also other nations, perhaps acting through the United Nations, could take part in the interest of peace in Southeast Asia while bolstering the uncertain and fragile relations existing between the hostile governments there.

It is true that war resulted from the invading aggression of the North, and that the U.S. intervened on behalf of a victimized South Vietnam with which there were treaty obligations. Thus in the cease-fire aftermath no reparations were automatically compelled, except we vowed to do so. As distasteful as it may be we have no honorable alternative. And in the end Congress will have to decide whether any dollars change hands, and if so, done, how many.

PENALTIES FOR DRUG PUSHERS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. KOCH. Mr. Speaker, I would like to bring to the attention of my colleagues a bill I introduced today, with 24 cosponsors, to change the Federal penalties for persons convicted of unlawful distribution of narcotics. Under the provisions in this measure, H.R. 4235, a convicted adult pusher, not himself an addict, would be given a life sentence with parole available only after at least 20 years of the sentence has been served.

The bill is designated to zero in with stiff penalties on the big-time pushers importing and selling large quantities of drugs in the United States. However, this bill would apply to all nonaddict adult pushers of hard drugs, no matter the quantity of the drug.

I drafted this legislation after the sentencing on January 29 of Auguste Joseph Ricord, the so-called kingpin of Paraguay-based smuggling ring. Mr. Ricord was given the maximum sentence allowable under Federal law: 20 years. But, he will be eligible for parole after completing one-third of his sentence—less than 7 years.

Prior to sentencing, U.S. District Court Judge John M. Cannella said that Mr. Ricord was responsible for drug dealing that produced death and hardships that "probably would equal the Vietnam war casualties." The U.S. Attorney's office estimates that Ricord's organization was responsible for bringing 2,000 pounds of heroin a year into the United States since 1966.

It is social injustice that men responsible for so much destruction in this country can be locked away for such short periods of time. These drug operators should be imprisoned for at least 20 years simply to take them out of circulation and protect society from them. While we must provide treatment for those already addicted to heroin, we must also act decisively to stop the present availability of drugs.

A list of cosponsors follows, as well as a text of the bill:

COSPONSORS ON H.R. 4235

Frank Brasco, John Buchanan, Edward Derwinski, Joshua Eilberg, Edwin Eshleman, Dante Fascell, Edwin Forsythe, Edith Green, William Green, Bill Gunter.

Margaret Heckler, William Hudnut, Richard Ichord, William Ketchum, Norman Lent, Manuel Lujan, Stewart McKinney, Morgan Murphy, Bill Nichols, Angelo Roncallo, Samuel Stratton, Gerry Studds, William Whitehurst, and Jim Wright.

H.R. 4235

A bill to amend the Controlled Substances Act to require life imprisonment for certain persons convicted of illegally dealing in dangerous narcotic drugs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part D of the Controlled Substances Act (21 U.S.C. 845) is amended by adding after section 405 the following new section:

"PENALTY FOR UNLAWFUL DISTRIBUTION OF SCHEDULES I AND II NARCOTIC DRUGS

"SEC. 405A. Any person who violates section 401(a)(1) by distributing controlled substance which is a narcotic drug in schedule I or II or by possessing such controlled substance with the intent to unlawfully distribute it, shall be sentenced to life imprisonment; except that this section shall not apply to any person who so violates section 401(a)(1) and who is found by the court, in accordance with procedures prescribed by regulations of the Attorney General, to have been an addict when he committed such violation. A person sentenced under this section shall not be eligible for parole under section 4202 of title 18, United States Code, until he has served at least twenty years of such sentence."

(b)(1) Section 401(b) of such Act (21 U.S.C. 841 (b)) is amended by striking out "405" in the matter that precedes paragraph (1) and inserting in lieu thereof "405 or 405A".

(2) Section 405(a) of such Act (21 U.S.C. 845(a)) is amended by inserting "or section 405A" after "subsection (b)".

(3) Section 405(b) of such Act is amended by striking out "Any person" and inserting in lieu thereof "Except as provided in section 405A, any person".

(4) The table of contents of the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by adding after the item relating to section 405 the following:

"Sec. 405A. Penalty for Unlawful Distribution of Schedules I and II Narcotic Drugs."

EDA'S WORK IS EFFECTIVE

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. BEVILL. Mr. Speaker, when we are able to make real progress in the development of rural America the one-way flow of people from our rural areas to our cities will stop. Programs administered by the Economic Development Administration have been of immeasurable assistance in the development of rural America. These programs have helped communities in my district and State finance much-needed water projects and other community facilities.

They have meant jobs for many and given hope to our smaller communities.

In my judgment, the termination of the EDA program would compound the problems of rural America and would be a mistake. Therefore, Mr. Speaker, I have cosponsored and am strongly supporting the proposal we are considering today to extend the life of EDA for 1 year. I am also in favor of funding the program at the full $1.2 billion authorization, as recommended by the House Public Works Committee.

The bill would provide $800 million for EDA public works grants, supplementary grants, and support the continuation of the accelerated public works impact program.

Another section would authorize $170 million for public works and business development loans.

Regional Economic Development Commission programs would be authorized $152.5 million.

An authorization of $50 million would be provided for EDA technical assistance and research. Another $50 million would be authorized for EDA growth centers for bonuses for economic development districts.

I have consistently supported and worked for programs to develop the rural areas of our great Nation.

Since the end of World War II, the United States has seen the greatest population migration within one nation that mankind has ever known.

This migration has resulted in the concentration of more and more people on less and less land. Today, 70 percent of the American people live on 2 percent of our land. This increasing concentration of people has produced many of our current problems.

In my judgment, the elimination of the EDA program would be a retreat from our goal of achieving a sound rural-urban balance.

The EDA program is one of the best things that has happened to rural America and is needed. Its discontinuation would be a severe blow to the progress we have made.

I am all in favor of reducing unncessary Government spending. But I do not believe that the elimination of such an effective program is wise economy.

Mr. Speaker, I am pleased to be one of the cosponsors of H.R. 2246 which is designed to extend the life of EDA for 1 year and I urge my colleagues to pass this legislation to continue this effective program.

WOMEN: PUTTING BREAD ON THE TABLE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. FRASER. Mr. Speaker, the role of women in the labor market was discussed by William Chapman in the Washington Post on February 3, in an article entitled, "Women: Putting Bread on the Table."

Mr. Chapman points out that one of the more durable misconceptions of our time is the notion that women go to work essentially to earn pin money.

A recent survey by the University of Michigan Institute for Social Research shows just how many women are, in fact, "breadwinners." It discovered that 40 percent of all working women are dependent on neither husband nor father for their support. About 32 percent were the sole wage earners in their homes and another 8 percent were the major, though not the sole, wage earner.

The Chapman article follows:

WOMEN: PUTTING THE BREAD ON THE TABLE

(By William Chapman)

One of the more durable misconceptions of our time is the notion that women go to work essentially to earn pin money—"They just want some extra cash for movies, a flashier coat, a more stylish wig." The pin-money reflex among employers accounts for a substantial number of women's complaints that they are required to begin work at salaries lower than men's and are denied pay increases because they are believed not to need the money as much as "breadwinners" do. The woman works for the frills of life, the thinking goes, not for the necessities.

The notion dies hard, even though it is buried almost daily under new statistics which prove the precise opposite. A very large number of women work to put bread on the table, and others work to provide the margin of material well-being that makes life a bit more enjoyable.

A recent survey of the University of Michigan's Institute For Social Research shows just how many women are, in fact, "breadwinners." It discovered that 40 per cent of all working women are dependent on neither a husband nor a father for their support. About 32 per cent were the sole wage-earners in their homes and another 8 per cent were the major, though not the sole, wage-earners.

Some of these are women putting their sons or husbands through college. Some are career women living alone and drawing good salaries. But most of them are society's least fortunate. It is among the two lowest economic brackets that one finds concentrations of women workers, the survey indicates. In families whose income was under $5000, 57 per cent of the wage-earners were women. There isn't much pin money around in American homes operating on that level of income these days.

Carolyn Shaw Bell, an economist, has observed that there now are 13 million women who maintain their own households and that they are responsible for the welfare of about 10 million children under the age of 18. For many of the poorest, it is a choice between working or welfare—or worse. "Since 1959," she writes, "the number of poor families headed by a man has decreased by over half while the number of poor families dependent on a woman has increased."

A bit higher up the income scale, there is evidence that the working woman has pulled some of the normally poor into the middle class. Last year the Census Bureau produced a remarkable profile of this phenomenon in one slim strata of black families where both husband and wife work. Young married black families outside the South, the Census Bureau found, had incomes at least equal to comparable white families.

It is a rare instance when any identifiable social group of blacks in this country attains the same level of income as a comparable group of whites. The reason in this instance was that so many of the black wives had gone to work.

So there is evidence that the working woman is to some extent doing in this country what the U.S. government seems incapable of doing. Increasingly, she provides the essentials of life for the poorest of families and she is pulling a very substantial number up the ladder into middle-class life.

An appreciation of these facts may lie behind the publication this week in the President's economic report of a special section devoted to the economic role of women.

"Women work outside the home for the same reason as men," the report declares, as if the thought had just dawned on the Council of Economic Advisers. "The basic reason is to get the income that can be earned by working."

To many that may sound terribly obvious, but only a year ago the administration was implying a rather different attitude toward the working woman. Treasury Secretary John B. Connally was telling the Joint Economic Committee of Congress, for example, that a 6 per cent unemployment rate wasn't as critical as it seemed because so many of the unemployed were teenagers and women. The implication was that higher unemployment could be tolerated more easily when one considered that ablebodied men were not so seriously affected as in the past.

A year ago, too, the President's economic message estimated a "relatively high level of transitional unemployment" because of projections showing more women would be entering the work force.

The tacit assumption that women somehow *cause* unemployment has been neatly abandoned by the revisionists this year. The President's economic report says that a surge of new entrants into the work force "might" cause unemployment. But, it adds, "the entry of women into the labor force has not been of that character."

This admission is followed by several pages extolling the role of women workers and deploring the fact that women are not closing the earnings gap between themselves and men and are almost as segregated by type of jobs as they were two decades ago: "Women work outside the home for the same reason as men"—the pin money theory dies hard, but the President's report this year is another step toward a decent burial.

PRESIDENT NIXON'S ABUSE OF POWER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, during the past few days we have witnessed an unprecedented arrogation of power by the President that threatens to provoke a direct constitutional confrontation with the Congress. I refer to President's Nixon's statement of March 12 in which he attempts to give a blanket immunity to executive officials under the guise of clarifying the mystical doctrine of executive privilege.

Last month, in remarks in the RECORD—February 5, 1973, 3407-3409—I pointed out examples of the President's abuse of executive privilege and commented on the statements made by President Nixon at his January 31 press conference which seemed to modify his interpretation of the use of such dubious privilege as spelled out in his March 24, 1969, guideline memorandum. At the conclusion of these remarks, I am inserting the letter I addressed to the President on February 1, 1973, asking for a clarification of his remarks and the text of a reply to my letter, dated February 16, 1973,

and signed by Mr. John W. Dean III, counsel to the President.

Mr. Dean, the subject of current controversy over his role in the Watergate investigation, denied that there had been any extension of the executive privilege procedures previously outlined. Yet less than a month later, the March 12 clarification statement of the President—promised during the same January 31 press conference—seems to extend the alleged privilege to a point where he claims it applies to previous administration advisers as well as the current crop and also asserts that administration officials need not answer the call of congressional committees if their duties would thus be seriously impaired. This new alibi could be voiced by every official if they wished to avoid testifying on a controversial subject or to avoid an investigation of embarrassing scandal or bureaucratic blunder. Mr. Speaker, the full text of the March 12, 1973, statement of the President is also inserted at the conclusion of these remarks.

The President is obviously operating under an illusion—which has become increasingly clear in recent months—that has has the sole power to govern this Nation and that the Congress may intrude only to the extent that he is willing to tolerate and only so long as he regards its actions as wise. In any case of disagreement—and there are many—he appears to be boldly asserting a self-assumed privilege to make the final and binding determination. This concept of "divine right" was rejected by the American colonies almost 200 years ago and after the desperate struggle for independence, was replaced by the checks and balances of our Federal system of representative government by the Founding Fathers when they wrote our Constitution.

The President's assertion that executive privilege is a deep-rooted tradition for almost 200 years is patently false. Executive privilege was not invoked by President Washington, contrary to oft-repeated, historical distortions of the St. Clair incident and the Jay Treaty. At best, the dubious doctrine of executive privilege can only be traced to May, 1954—during President Eisenhower's first term. This is hardly a deep-rooted tradition.

Mr. Speaker, it is past time for Congress to stop paying attention to the devices of Presidents who seek to impose their will on the legislative branch of our Federal Government. If we do not act to protect our constitutional prerogatives and to recapture powers that have been delegated to grasping bureaucrats in the executive branch, we will have acquiesed in our own funeral. Let us hear less about respecting so-called executive privilege and begin now to assert fully our congressional privilege in behalf of the well-being of the American people.

The distinguished columnist James Reston put into proper perspective the relationship to the President's arrogant assertion of broad-gage executive privilege and the political embarrassment being caused by congressional probes into Watergate bugging case and the degree of involvement of top White House aides and officials of the Nixon campaign organization. He said:

The President has gone way beyond the normal meaning of "executive privilege." He has applied a sound principle on security information to block the publication of "embarrassing information" of a political nature, while promising to avoid doing precisely what he is doing.

It is all very odd, and the oddest thing about it is that it is being done in the name of sound and noble principles, which are obviously being violated while they are being proclaimed.

Mr. Speaker, I also include the full text of Mr. Reston's article with my remarks:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1973.

Hon. RICHARD M. NIXON,
President of the United States, The White House, Washington, D.C.

DEAR MR. PRESIDENT: As Chairman of the House subcommittee with legislative and oversight jurisdiction over government information, I read with interest the text of your news conference remarks on the claim of "executive privilege". In this connection you stated that you would like to have "a precise statement prepared" rather than rely upon "an off-the-top of my head press conference statement."

As you may recall, you assured Congress through a letter to this subcommittee on April 7, 1969, that the claim of "executive privilege will not be asserted without specific Presidential approval." For your convenience a copy of the exchange of correspondence is enclosed herewith.

One statement made in the press conference could be construed to be contrary to the precise statement made in your letter of April 7, 1969. I am referring specifically to that portion of the press conference where you made the following statement:

"On the other hand. I can assure you that all of these cases will be handled on a case-by-case basis and we are not going to be in a position where an individual, when he gets under heat from a congressional committee, can say, 'Look, I am going to assert executive privilege.'

"He will call down here, and Mr. Dean, the White House counsel, will then advise him as to whether or not we approve it."

On the surface this statement might be interpreted as an intention to delegate to Mr. Dean the authority to assert the claim of "executive privilege". This would be contrary to the "specific Presidential approval" referred to in the letter of April 7, 1969.

On the other hand, the statement could mean that Mr. Dean's only function is to communicate the specific Presidential decision which would be consistent with paragraph 3 of the memorandum accompanying the letter of April 7, 1969.

Because you mentioned in the news conference the interest of Senators Javits and Percy. I am sending them copies of this material for their information.

Sincerely,

WILLIAM S. MOORHEAD,
Chairman.

THE WHITE HOUSE,
Washington, D.C., February 16, 1973.

Hon. WILLIAM S. MOORHEAD,
Chairman, Foreign Operations and Government Information Subcommittee, House of Representatives, Washington, D.C.

DEAR CHAIRMAN MOORHEAD: This is to acknowledge receipt and thank you for your recent letter to the President concerning his remarks on Executive privilege at the press conference of January 31, 1973. Because my role in the procedure established for invoking the privilege is at question, the President has requested that I respond to your inquiry.

I wish to assure you that there has been no change in the procedure set forth in the President's memorandum of March 24, 1969 to the heads of Executive departments and agencies. Executive privilege will not be asserted in response to a Congressional demand for information without specific Presidential approval. The role of the Counsel to the President in the process is solely to serve as a channel to transmit to the President a request for the invocation of the privilege, and, in turn, to notify the requesting official of the President's determination. No authority has been delegated to me contrary to the provisions of the March 24, 1969 memorandum.

With best regards,

JOHN W. DEAN III,
Counsel to the President.

STATEMENT BY PRESIDENT NIXON

During my press conference of January 31, 1973, I stated that I would issue a statement outlining my views on executive privilege.

The doctrine of executive privilege is well established. It was first invoked by President Washington, and it has been recognized and utilized by our Presidents for almost 200 years since that time. The doctrine is rooted in the Constitution, which vests "the Executive Power" solely in the President, and it is designed to protect communications within the executive branch in a variety of circumstances in time of both war and peace. Without such protection, our military security, our relations with other countries, our law enforcement procedures and many other aspects of the national interest could be significantly damaged and the decision-making process of the executive branch could be impaired.

The general policy of this Administration regarding the use of executive privilege during the next four years will be the same as the one we have followed during the past four years and which I outlined in my press conference: executive privilege will not be used as a shield to prevent embarrassing information from being made available but will be exercised only in those particular instances in which disclosure would harm the public interest.

I first enunciated this policy in a memorandum of March 24, 1969, which I sent to Cabinet officers and heads of agencies. The memorandum read in part:

"The policy of this Administration is to comply to the fullest extent possible with Congressional requests for information. While the Executive branch has the responsibility of withholding certain information the disclosure of which would be incompatible with the public interest, this Administration will invoke this authority only in the most compelling circumstances and after a rigorous inquiry into the actual need for its exercise. For those reasons Executive privilege will not be used without specific Presidential approval."

In recent weeks, questions have been raised about the availability of officials in the executive branch to present testimony before committees of the Congress. As my 1969 memorandum dealt primarily with guidelines for providing information to the Congress and did not focus specifically on appearances by officers of the executive branch and members of the President's personal staff, it would be useful to outline my policies concerning the latter question.

During the first four years of my Presidency, hundreds of Administration officials spent thousands of hours freely testifying before Committees of the Congress. Secretary of Defense Laird, for instance, made 86 separate appearances before Congressional committees, engaging in over 327 hours of testimony. By contrast, there were only three occasions during the first term of my Ad-

ministration when executive privilege was invoked anywhere in the executive branch in response to a Congressional request for information. These facts speak not of a closed Administration but of one that is pledged to openness and is proud to stand on its record.

Requests for Congressional appearances by members of the President's personal staff present a different situation and raise different considerations. Such requests have been relatively infrequent through the years, and in past administrations they have been routinely declined. I have followed that same tradition in my Administration, and I intend to continue it during the remainder of my term.

Under the doctrine of separation of powers, the manner in which the President personally exercises his assigned executive powers is not subject to questioning by another branch of Government. If the President is not subject to such questioning, it is equally appropriate that members of his staff not be so questioned, for their roles are in effect an extension of the Presidency.

This tradition rests on more than Constitutional doctrine: it is also a practical necessity. To insure the effective discharge of the executive responsibility, a President must be able to place absolute confidence in the advice and assistance offered by the members of his staff. And in the performance of their duties for the President, those staff members must not be inhibited by the possibility that their advice and assistance will ever become a matter of public debate, either during their tenure in Government or at a later date. Otherwise, the candor with which advice is rendered and the quality of such assistance will inevitably be compromised and weakened. What is at stake, therefore, is not simply a question of confidentiality but the integrity of the decision-making process at the very highest levels of our Government.

The considerations I have just outlined have been and must be recognized in other fields, in and out of government. A law clerk, for instance, is not subject to interrogation about the factors or discussions that preceded a decision of the judge.

For these reasons, just as I shall not invoke executive privilege lightly, I shall also look to the Congress to continue this proper tradition in asking for executive branch testimony only from the officers properly constituted to provide the information sought, and only when the eliciting of such testimony will serve a genuine legislative purpose.

As I stated in my press conference on January 31, the question of whether circumstances warrant the exercise of executive privilege should be determined on a case-by-case basis. In making such decisions, I shall rely on the following guidelines:

(1). In the case of a department or agency, every official shall comply with a reasonable request for an appearance before the Congress, provided that the performance of the duties of his office will not be seriously impaired thereby. If the official believes that a Congressional request for a particular document or for testimony on a particular point raises a substantial question as to the need for invoking executive privilege, he shall comply with the procedures set forth in my memorandum of March 24, 1969. Thus, executive privilege will not be invoked until the compelling need for its exercise has been clearly demonstrated and the request has been approved first by the Attorney General and then by the President.

(2). A Cabinet officer or any other Government official who also holds a position as a member of the President's personal staff shall comply with any reasonable request to testify in his non-White House capacity, provided that the performance of his duties will not be seriously impaired thereby. If the official believes that the request raises a substantial question as to the need for invoking executive privilege, he shall comply with the procedures set forth in my memorandum of March 24, 1969.

(3). A member or former member of the President's personal staff normally shall follow the well-established precedent and decline a request for a formal appearance before a committee of the Congress. At the same time, it will continue to be my policy to provide all necessary and relevant information through informal contacts between my present staff and committees of the Congress in ways which preserve intact the Constitutional separation of the branches.

[From the Washington Star-News, Mar. 14, 1973]

NIXON'S PRINCIPLES, PRACTICES

(By James Reston)

It is a common habit of most people to proclaim great principles when it suits their purposes, and evade or ignore them when it doesn't, and President Nixon's definition of the "privileges" of his office and his White House staff is only the latest illustration of the habit.

In his definition of "executive privilege," Nixon has insisted on the privacy and integrity of communications within the executive branch of the government. His personal aides must be free to advise him in private, without fear of being summoned by the congress to testify on their advice, he says, and nobody would seriously question this principle.

He was even generous in modifying this right: "Executive privilege," he said, "will not be used as a shield to prevent embarrassing information from being made available, but will be used only in those particular instances in which disclosure would harm the public interest."

This raises some practical questions. The Watergate charges of bugging the Democratic headquarters in the presidential campaign have been confirmed by the courts, and the testimony of the FBI has involved not only members of the President's campaign committee, but members of the President's own personal staff.

Would it harm "the public interest" to allow them to appear before the Congress and tell what they know about this case? If the President does not want to use his right of "executive privilege" to prevent "embarrassing information from being made available," why not let them be questioned by the Congress?

"Executive privilege," the President said in his official statement, "will not be invoked until the compelling need for its exercise has been clearly demonstrated, and the request has been approved first by the attorney general and then by the President."

This suggests that the burden of proof for keeping White House officials from testifying in the Watergate case rests personally on the President himself, but he has offered no proof why John Dean, the President's attorney, who sat in on all the testimony by members of the White House staff and others in the Watergate case should not be questioned. The President has merely said that Dean would not be allowed to do so, presumably because, in the President's personal judgment, it was not in "the public interest."

The more you try to reconcile the administration's principles and its actions, the more confused you get. The administration's "principle" is that the FBI should be independent, but the testimony of L. Patrick Gray 3d, the acting head of the FBI, is that he made political speeches for the President in the last campaign, undertook to investigate the Watergate case but agreed to have the White House lawyer sit in on his investigations, responded to appeals for private talks with people involved in the Watergate, and then turned over their private testimony to the White House.

All this at least raises some interesting questions about what the President's private aides were doing, but the President refuses to allow them to talk, as if they were involved, not in charges of political espionage and sabotage, but in some fundamental questions of national military security.

Another conflict of principle and political practice: When Gray told the Congress that Herbert W. Kalmbach, the President's personal lawyer, had admitted that he paid Donald Segretti to engage in unusual political operations in the last presidential campaign, the White House complained that Gray was releasing "raw unevaluated material" out of the FBI files, thereby violating Kalmbach's "privacy." But the White House has said nothing about the men from the Committee to Re-elect the President, who were convicted of invading the privacy of the Democrats, bugging the Democratic headquarters, and then turning over their illegal transcripts of those telephone conversations to officials in the White House.

Finally, there is a paragraph in President Nixon's defense of "executive privilege" which goes beyond the normal rules of privacy, for it suggests that White House officials should not only be silent while they are in office but after they leave it.

"In the performance of their duties for the President," Nixon said, "those (White House) staff members must not be inhibited by the possibility that their advice and assistance will ever become a matter of public debate, either during their tenure in government or at a later date . . ."

If this is to be taken seriously, Henry Kissinger, for example, is not only forbidden to testify before the Congress now on his critical role in the Vietnam peace talks, but he should not "ever"—even after he leaves the White House—get involved in the "possibility" that his "advice and assistance will ever become a matter of public debate . . ."

This is obviously ridiculous. The President has gone way beyond the normal meaning of "executive privilege." He has applied a sound principle on security information to block the publication if "embarrassing information" of a political nature, while promising to avoid doing precisely what he is doing.

It is all very odd, and the oddest thing about it is that it is being done in the name of sound and noble principles, which are obviously being violated while they are being proclaimed.

DEDUCTION OF ADOPTION EXPENSES

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. RIEGLE. Mr. Speaker, I have just read a statement presented yesterday before the Committee on Ways and Means in support of proposals to allow expenses incurred in connection with the adoption of a child by a taxpayer to be deducted from gross income for income tax purposes. I agree with Mr. Freeman's position on this issue and am, in fact, a cosponsor of H.R. 5070, a bill identical to H.R. 1858, the bill mentioned by Mr. Freeman in the statement. I am enclosing the text of the statement for the benefit of my colleagues:

DEDUCTION OF ADOPTION EXPENSES

(By Harry M. Freeman)

Mr. Chairman, my name is Harry Freeman. I am from Cincinnati, Ohio, and am testify-

ing as a member of Adopt a Child Today of Ohio, Inc.

Mr. Chairman, Adopt a Child Today of Ohio, is a citizen adoption group composed of involved laymen, adoptive parents, and other interested citizens concerned about homeless children and their need for families. The organization presently has six chapters and seven affiliates with approximately 1000 members living throughout the State of Ohio. The principals in the group have been involved with child welfare for nearly a decade. We appreciate your allowing us to testify before the Committee today.

Our purpose in testifying is to support proposals to amend the Tax Code to allow a deduction from gross income for adoption fees and related costs incurred in connection with the adoption of a child by a taxpayer. Currently, these expenses are treated by the Internal Revenue Service as personal expenses and consequently not deductible. Given that considerable social and economic benefits accrue to society as a result of individuals adopting children and removing them from public care, we believe that this treatment of adoption expenses is unreasonable. The expenses arising from adoption should be treated at least as favorably as medical expenses related to natural birth. However, since these expenses represent true out of pocket costs and are not covered by insurance they should be treated as completely deductible.

Adoption service is costly. In addition to the legal costs involved, there are the agency costs which may include the cost of medical care for the Biological mother and the child, court costs, and the costs of making the necessary social studies. While these fees are sometimes waived or adjusted according to the individual situation, adoptive parents usually pay costs beyond those incurred in a natural birth.

The amounts of the expenses vary considerably throughout the country depending upon whether or not there is an agency involved and whether it is public or private, the particular items included in the agency fee, the amount of legal work necessary, and geographic variations. The expenses typically range from zero dollars to $3,000 per adoption.

DHEW's Children's Bureau has estimated in a bulletin dated December, 1971 that, on the average, the prospective adoptive parent might expect to pay $1,000 for an adoption arranged by a private agency, $800 for an independent adoption, and $450 in attorney fees for an adoption arranged by a public agency that does not charge fees. Of course, since the joys of a child in a home are really inestimable, it is impossible to relate the above mentioned costs to the benefits of having a child. Nevertheless, they are rather sizeable and do represent a drain on the family's resources.

Today although there is a shortage of healthy white infants, the most popular group for adoption, there continues to be an increasing number of children without homes. According to estimates by the Children's Bureau, three out of every ten children available for adoption will not be placed. This thirty percent is made up of children of non-white or racially mixed parentage, of physically and mentally handicapped children, and of older children. The Child Welfare League of America believes that there are perhaps 80,000 non-white children plus 110,000 other children in foster homes and institutions who have not been placed in permanent homes. With the continued liberalization of parental custody laws affecting these children in limbo, there will be more adoptable children available in the future.

Most children adopted by non-relatives are born of unwed mothers. In 1970, for example, 88 percent of the children adopted by non-relatives were in this category. Furthermore, those children available for adoption who are not born of unwedded parents come from a family environment that for some reason has become damaging to the child's welfare. Either of these backgrounds means that some form of public service and support during childhood and youth would become necessary were these children not adopted. This potential drain on public sources of support is rendered unnecessary by adoption.

Of course, creating loving homes for the homeless children of the country involves many factors, only one of which is amending the Tax Code to allow adoption expenses to be deducted. In the instances of low income families who other than for financial reasons would qualify as an adoptive home, small subsidies might be necessary. This is an issue for state legislatures and not the Ways and Means Committee. (Incidentally, over 20 states have now passed enabling legislation for such programs and 15 or 20 other states are considering similar laws.) However, the Committee can contribute to the creation of an environment conducive to adoption by allowing the initial adoption costs to be deductible.

Other elements in our society besides the State legislatures have initiated programs to encourage the adoption of homeless children. Recently IBM has initiated a program to provide assistance to their employees for adoption expenses. The benefit reimburses employees for 80% of the costs up to $800 per child. Eligible expenses include adoption agency and legal fees, temporary foster care, and maternity benefits for the natural mother.

We are aware of at least two bills that have been referred to the Committee that will provide the desired relief to the parents of adopted children. Mr. Corman's bill, H.R. 4916, and Mr. Rarick's bill, H.R. 1858, both provide that adoption expenses be deductible. The bills differ in that Mr. Corman's bill contains a $1,250 limit on the deduction while Mr. Rarick's bill contains no such limitation. While we would prefer that no limitation be placed on the deduction, we cannot take strong exception to a $1,250 limit since most adoption expenses, which were estimated in 1971 by the Children's Bureau to be $580 per adoption, will fall under the limit.

We are very encouraged by the apparently broad support within the House for the provisions of the bills. Mr. Rarick's bill at last count had some 40 cosponsors from both sides of the aisle whose voting records represent the entire spectrum of political philosophy within the House.

Mr. Chairman, bills similar to and identical to Mr. Corman's and Mr. Rarick's bills have been submitted to the Committee during the past few Congresses, but for some reason have not been reported out for consideration by the House. We hope that you will not allow this to happen to these bills. Easing the financial burdens of initiating an adoption will encourage potential adoptive parents to open their families to homeless children, and will contribute to bettering the lot of an unfortunate group of young citizens who are all too often ignored by society.

Once again Mr. Chairman, we thank you for allowing us to testify before the Committee today.

This statement has been approved by the President of ACT of Ohio.

DISBANDING OF OEO

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ASHLEY. Mr. Speaker, today I am joining Congressman CONYERS and 46 other Members of the House in introducing legislation to stop the President from unilaterally dismantling the Office of Economic Opportunity and to provide the Congress with the opportunity to evaluate its performance.

The President tells us that he is disbanding OEO because many of its programs have been wasteful and inefficient. Yet Mr. Nixon has not set out to dismantle the Pentagon because the C–5A aircraft is going to cost $2 billion more than the original contract price—a sum which is $400 million more than the appropriations for OEO for the past 2 years.

President Nixon would have us tell the 26 million Americans living in poverty, "we had some bad apples in OEO so we're going to have to stop trying to eliminate poverty." But surely the war against poverty is one we really cannot afford to lose. If some programs have not worked out, then let us reexamine our poverty effort, keep the good programs and devise new ones to replace those that have failed.

Before we pass judgment on the utility of the Office of Economic Opportunity and the substance of the President's arguments for destroying it we must first resolve the question of who has the final authority to end this congressionally mandated program—Congress or the President.

Although the Office of Economic Opportunity was established by the Congress and its programs were continued through fiscal year 1975 by Act of Congress, the President contends that he has the power to unilaterally abolish OEO under the broad and ambiguous grant of authority in section 602(d) of the Act. However, it is clear that such delegations must be made pursuant to, and in compliance with, the Executive Reorganization Act of 1949, which requires the President to submit a reorganization plan to Congress before functions or powers vested by the Congress in the executive branch are transferred or abolished.

In these times when the President seems ready and willing to usurp the legislative functions of the Congress, I think we must make it crystal clear at every opportunity that programs established in law by the Congress cannot be abolished or gutted unless Congress gives its consent, as required by law.

The bill I am introducing would effectuate this purpose by suspending the authority of the Director of OEO to delegate any functions, powers, or programs for 1 year—this provision would apply to any delegations made on or after January 31, 1973. The bill would not prevent the President from reorganizing the Executive Office or from implementing plans to more effectively fight the war on poverty. It only requires that the President consult Congress in the process by observing the law as set down in the Executive Reorganization Act and the various provisions of the Economic Opportunity Act.

Mr. Speaker, I urge speedy action on this legislation to make it clear that the congressionally established Office of Economic Opportunity can be eliminated or changed only by congressional action. At the same time, the bill would insure Congress the opportunity to reevaluate and,

if necessary, reshape our important fight against poverty.

JUDGES AND THEIR CRITICS

HON. EDWARD I. KOCH
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. KOCH. Mr. Speaker, I would like to bring to your attention an article entitled "Judges and Their Critics: A Need for Understanding," which appeared in the New York Law Journal on January 24, 1973.

Judge Bernard Botein, the author of the article and former presiding justice of the appellate division, speaks to the problem of the tarnishment of the judicial image. Most important, he provides an excellent analysis of the demands of the justice system from the judge's point of view. It is essential that the public realize that despite an overwhelming caseload and criticism from the man in the street, conscientious judges are pursuing the difficult chore of administering justice. Former Justice Botein calls on the bar and lawyers to participate in the task of communicating to the public the dynamics and demands of the judicial system.

Mr. Speaker, I am appending this article for the information of our colleagues:

JUDGES AND THEIR CRITICS: A NEED FOR UNDERSTANDING

(By Bernard Botein)

The people of this state are disappointed in the administration of criminal justice. From the alpha of police to the omega of prison and parole they are skeptical of the efficacy of the system and disparging of its methods.

One need not tell members of the New York State Bar Association, particularly those from the larger cities, that fear for personal safety, apprehension of danger to home and possessions, have cast a pall over municipal streets. People are alarmed and angry, they want an immediate corrective, and when none is forthcoming they lash out.

JUDGES ARE TARGETS

More and more the focus of resentment tends to be the judges, with other representatives of government shielding themselves by deflecting criticism toward the judges.

Sitting judges are sitting ducks, the easiest game. One would think a mayor or a police commissioner would regard it unsporting to shoot at them. Of all the agencies meshed into the administration of justice, the courts are the most vulnerable to ill-considered criticism. The judge's vocation is no unapproachable mystery, but it does involve an intellectual discipline requiring years of study to attain and years of experience to sharpen and perfect.

TRADITION OF IMPARTIALITY

That discipline is one of restraint and moderate and impartiality. By principle and tradition courts do not take sides and they will not abandon that principle and tradition even though their functions are misrepresented and misunderstood. And they are correct. It is not alone a matter of decorum and good taste; but if judges are to leap into the public arena girded to do battle with misguided detractors, the tradition of impartiality will inevitably be undermined, to the detriment of law and to the grief of all who wish to live by law.

Lawyers of an earlier day would be astonished at the battering to which courts are being subjected. I doubt whether the judges of that generation were better, by any standards, than those of today. While I believe that our judicial selection procedures must be radically changed, particularly elimination of the boss-controlled judicial conventions for the nomination of State Supreme Court Justices, I cannot say that the recent crop of judges are in any way inferior to those of the past.

And in the big cities, not only are the judges in general at least as competent and honest as their judicial ancestors, they work much harder. Vacations used to aggregate twice the present periods, court hours were shorter, the pace was much more deliberate.

IMPROVED RECORD

While court administration leaves much to be desired today, it is nevertheless much tighter and more centralized than a generation ago. Since 1692, the Administrative Board of the Judicial Conference in establishing overall policies, and the Appellate Division in day-to-day execution of those policies, have increased considerably the productivity of the courts, and of their judicial and nonjudicial personnel.

In short, let's not romanticize the past. Yet, in the big cities at least, judges are not accorded the same respect that their predecessors enjoyed—though no less worthy, though no less industrious. Why is this?

One reason lies in the pell-mell pace at which all judges in a metropolis must function, as compared to their measured tread in the past. In one generation we have witnessed a population explosion; a huge increase in the number of automobiles on the roads, multiplying the already large number of motor accident cases in the courts; and an unprecedented spread of narcotics addiction, doubling the criminal cases in some communities.

THE OLD DAYS

Our judges have become caught up in a frenetic campaign against a voracious calendar—and let's face it, they don't resemble the public image of how a judge should look in the process. In the old days, even a bad judge, ponderously lumbering through a world of law he did not make and could not understand, looked good because he had plenty of time to cloak himself with the armor of spurious dignity and remoteness. And seldom did a lawyer, much less a defendant, dare hurl a lance against that armor. Courtrooms were not forums for political propaganda in those days.

There are many judges of learning and distinction in New York City; but to what avail their learning if they cannot swim upstream against the torrent of business unless they become glorified claim agents? How can a judge maintain his dignity, give careful deliberation to the case before him, when the next cases in line are pushing and clamoring for attention?

Conscientious judges in New York City face a difficult choice. They can give unhurried and deep consideration to each party's cause, and send him away, winner or loser, with a comfortable sense that right or wrong, the judge has granted him a full hearing. If they did so, aside from the fact that such judicial deliberateness might be denounced as "job action" or planned delay for ulterior purposes, it would cause guilty and innocent defendants in criminal cases and parties in civil actions to wait inordinate periods of time for their day in court.

HARD CHOICE

Confronted with such a choice, the judges in this city have gulped hard and decided that in the interest of society, particularly on the criminal side of the calendars, the lesser evil would be to defer dreams of the Bench as a scholarly and challenging extension of the campus, and instead to dig in and settle cases in what is more realistically an extension of the market place.

As a result of undertaking this grinding and unpalatable chore, the Civil Court of the City of New York, in which cases in some counties could not be reached for five or six years, is now completely current. Likewise, the Criminal Court of the City of New York is up-to-date. And the Supreme Court, by dint of lengthened court hours, shortened vacations, with most justices driving themselves far beyond the normal call of duty, has doubled the complement of judges assigned to criminal parts, while still reducing the delays in reaching trial in the civil parts.

Yes, there are a few judges who are sluggards and incompetents and there may be a few who are corrupt; but from the results achieved in the past few years it must be evident they are a very small minority. It is a pity this state has not yet adopted an efficient judicial selection system, as most of these undesirables would never have ascended the Bench. The derelictions and incompetence of the few taint the entire Bench in the eyes of the public, since the day-to-day excellence and dedication of the many are not generally newsworthy.

FEAR OF CRIME

Yet for all that I have said about the crush of calendars and the consequent tarnishment of the judicial image, I believe a more significant reason for the loss of esteem is to be found in the escalation of crime in the cities and suburbs and the growth of fear to which I adverted at the beginning of this paper.

The man in the street whom we lawyers so devoutly enshrine is now afraid to walk the street. In his mind, the criminal justice system has failed of its purpose, and since the courts are part of the system they must share the blame. It is of small moment to him—and we lawyers have not yet succeeded in making him understand—that judges are doing the best that competent and hard-working jurists can do with the insufficient finances, facilities and help available to them.

The crimes of violence so alarming to the public are the daily grist of the state's nisi prius courts, not of the federal jurisdiction, and it is the judges of the state courts who receive the barbs. Years ago, when the man in the street could walk it day or night without apprehension of violence, he paid little attention to the courts and was generally content with the quality of their incumbents. One suspects that a material abatement in street crime would lead to the same state of mind.

But there has been no material abatement, and the position of the Bench in the public mind continues unjustifiably to suffer. What can be done to restore its prestige? Judges can attain an easy popularity by being rough, tough and ruthless with defendants accused of assault and robbery, by sidestepping their civil rights, by insisting on unnecessarily excessive bail, by imposing unnecessarily severe and even horrifying sentences.

But judges are sworn to administer justice in accordance with law; to deviate from that standard is to betray the public, not to protect it. The public should be made aware that in civilized jurisprudence the victory of perfervid emotion over reasoned deliberation is not only degrading but ultimately hollow. It should be made aware of the magnificent, gruelling sustained performance by the courts of this city. It should be made aware of the valiant efforts being made to deal out even-handed justice against overwhelming odds and of the grave dangers to the body social and the body politic in "swift injustice."

Mullins, in *In Quest of Justice*, recalls that: "When after years of agitation against

the Lord Chancellor's delays in the Court of Chancery, a Vice-Chancellor was appointed to assist in clearing off the work, Sir Samuel Romilly, one of our greatest of law reformers, is reported to have said: 'I begin to think that the tardy justice of the Chancellor is better than the swift injustice of his deputy.' "

NEED FOR COMMUNICATION

Can these considerations be widely inculcated in the present angry atmosphere? I do not know whether they can; I do know that the attempt must be made. The judges cannot effectively assume this task of community communications. Some would suspect their statements as being self-serving, others as undignified. It is a job to be undertaken by the Bar, organized and as individual lawyers.

The information neglected by communications media must be disseminated by lawyers, through word of mouth and otherwise, to their clients, families, friends, churches, clubs and others. And also to their legislators and other governmental officials, so many of whom do not fully comprehend the dimensions of our court problem or the strictness of judicial standards. Only so will the work of the courts be understood and appreciated by the public and by government.

But in the indefinite meantime, what? Of this the community may be certain. The judge will continue to do his duty as a judge, continue to administer justice according to law, however burdensome the conditions under which he is forced to function, however exasperating the unfair criticism aimed at him. Courage as well as conscience is a judicial attribute.

If lawyers are to be the educational nexus between the courts and public, as I have suggested, they must be apprised regularly of what they cannot glean from their daily newspapers or favorite news broadcasts.

I believe that the New York Law Journal, with its specialized daily coverage of all matters affecting Bench and Bar, is the only organ of communication in a position to furnish this information. The publishers and editors inform me that they will continue, will intensify their efforts to present the image of the judiciary fairly and comprehensively.

The Journal will present the attractive and praiseworthy features; but when criticism is indicated the warts will not be disguised. Only so can the paper's readers secure a comprehensive but balanced account of what should be the major area of their professional concern.

We welcome the New York State Bar Association and the opportunity to freshen old friendships and make new ones. The Association has time and again played a major role in supporting the judiciary; and we offer the Law Journal's unreserved cooperation in that endeavor.

EXCERPTS FROM SPEECH BY CONGRESSMAN RAY J. MADDEN—THE PRESIDENT'S BUDGET AND THE HIGH COST OF LIVING

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HAWKINS. Mr. Speaker, I am pleased to recommend to the attention of the Members the timely and brilliant, articulated views of our colleague, Hon. RAY J. MADDEN, of the First District of Indiana.

These observations of the chairman of the House Rules Committee were made in a speech in Gary, Ind., on March 10, 1973.

As one of our most distinguished and influential Members, Mr. MADDEN's remarks will, I am sure, serve to enlighten and inspire us to greater activity in this session of Congress to better serve the needs of our constituents.

The remarks follow:

EXCERPTS FROM SPEECH BY CONGRESSMAN RAY J. MADDEN—THE PRESIDENT'S BUDGET AND THE HIGH COST OF LIVING

Now that the Vietnam War is gradually disappearing from the front pages of the news media, after almost four years of delay, some newspapers finally are becoming concerned about the high cost of living and the alarming conditions of our economy. On the front page of yesterday's Washington Post, the headline was "Food Leads Rise in Cost for February." The news item stated that the Labor Department had announced food costs are at a 20-year high and quoting further:

"The Labor Department said wholesale prices were 8.2 percent above February of last year. Industrial commodity prices were up 4.1 percent and farm and food prices 19.1 percent."

Wholesale prices in general on all commodities have risen at a rate of 11 percent in the last six months and 18.6 percent in the last three months.

The consuming public has been misled not only in recent months, but during the last four years regarding the primary cause of the scandalous rise in the cost of living. It has indeed continued, during and since 1969.

The time has come for big business, labor and the news media to combine in a concentrated effort to lower the cost of living. These forces have been "pulling their punches" on postponing or neglecting to demand that the President cooperate with Congress in the fight against profiteering.

The public should be reminded about the true facts of the inflationary condition of our economy and the reasons why millions are suffering from inflationary prices. The history of our present inflation began in the spring of 1969, when rents, foods, and interest started climbing. In December, 1969, 3½ years ago, the Congress by a large majority in both Houses passed an anti-inflationary bill giving the President immediate power by Executive Order to freeze prices, wages, rents, interest, foods, etc. The President signed that bill in December and it lay dormant in the White House for 22 months. In August 1971, in a nationwide television speech President Nixon announced his 90-day price freeze. This freeze was a failure. At the end of ninety days, the President announced Phase II.

Phase II gave authority to a committee made up of mostly industrialists and representatives of conglomerates and industry. This was the Committee from which President George Meany of the AFL–CIO resigned in indignation, because it was a stacked Committee of Members who were not cooperating with the lowering or curbing of the cost of living prices. The President then comes out with Phase III which even the news media admits is not effective in controlling prices.

The above statements are basic concerning our inflationary problem over the last 3½ years. If business, labor, industry, and the news media really combined and directed their demands to the President of the United States to cooperate with the legislation Congress passed in December of 1969, we could have a restoration of a stable economy in a very short time.

Older citizens over the nation will recollect that we are going through almost the identical situation we experienced in the 1920's under the leadership of the then Secretary of the Treasury, Andrew Mellon. He also believed in increasing prices, profiteering, and the trickle-down economy. This brought the collapse of our economy and the stock market crash in November, 1929, and led later to the devastating depression of the early thirties when approximately 14 million Americans were unemployed.

President Nixon during his first term was gradually leading up to a type of Federalism which is a duplicate of the 1920 period. His object seems to be to dismantle or make ineffective all of our social programs and to provide billions for the military . . . to allow profits of large conglomerates to go uncontrolled . . . to be silent and inactive in cooperating with the Congress to close fabulous and fraudulent tax loopholes . . . and even to resort to the old theory of the twenties when the buying power of millions in America was not considered essential to the prosperity of our Nation. As of today, the average working family does not have the money to spend for purchasing many of the manufactured products that he could buy if the fundamental day-to-day costs of living were reduced.

The President in curbing or abandoning many social programs such as housing construction, highway transportation, anti-pollution, aid to the handicapped, and unemployed, etc., will gradually bring about a condition that inevitably will throw this country into a similar economic turmoil that was experienced forty years ago.

In the last couple of years, the President has been advocating that the Federal Government should turn all these main problems back to the States and would allow the governors and the mayors of our cities to solve all these major problems that are so important to 206 million people over this nation. The President should read the history of our nation and learn what was the main foundation that made our country the Number One Nation of the world. He should review the history of our national economy during past generations. At two national meetings, for example, our nation's mayors denounced the President's Revenue Sharing Program as a political hoax set before the November election.

It was the Federal government in Washington, that despite the savage hostility and opposition of the great corporations and profiteers, finally provided labor with a bill of rights, legalized labor unions, regulated hours, set minimum wages, and offered the mantle of social justice to millions of workers. You ask any working man or any citizen of ordinary income whether he would prefer to rely on the voluntarism of private industry or on the Federal government. You will get an honest answer. It was the Federal government that provided legislation in the 1930's and 1940's to bring about Social Security, expansion of hospitals, health care, housing, protection of bank deposits, retirement funds, etc. It was the government in Washington that first launched the campaign to preserve the natural resources of our nation for future generations. Ask any conservationist whether he can rely on Governors and Mayors or on merely voluntary action to resist the giant oil, timber, coal and mineral interests in order to fulfill our obligation to future generations, and here are some more facts.

"It was the Federal government in Washington, not the American Medical Association, that finally brought about Medicare and Social Security; it was not the prvate interests. It was the Federal government with its almost limitless power and resources that corrected the inequities in public education on all levels. It was the Federal government which in recent years has gven vigorous support to the arts, music, libraries, higher education, and research. And, it will be the Fed-

eral government that eventually will clean up the Mississippi River and the Great Lakes, will regulate strip mining, will clean the air; but this cannot be accomplished with President Nixon curbing Federal programs and leaving the authority and the power to the governors and the mayors of our cities. Most governors and mayors want to cooperate but the real force and power must come from our President and the Congress if we are to conquer and solve these great national problems. They cannot do it alone."

Only the Federal government has the constitutional authority and the financial resources to deal with these problems on a national scale. The policy of President Nixon which is being followed . . . gradually curbing these great national programs . . . is an excuse and an escape from his responsibilities to the people. Should the Congress and the people be unable to curb the President's frantic effort to destroy so many of these long delayed programs, our Nation's economy and progress will be forfeited and we shall lose more than a quarter century of social advancement and will plunge us into another serious economic depression.

HON. FRANKLIN H. LICHTENWALTER

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ROONEY of Pennsylvania. Mr. Speaker, it is with deep sorrow that I call to the attention of my colleagues the passing of Franklin H. Lichtenwalter, a distinguished Member of Congress for 4 years from 1947 to 1951, and my good friend.

A native of Lehigh County, Pa., which I am now privileged to represent in the 93d Congress, Mr. Lichtenwalter began his distinguished career as a legislator in 1939 with his election to the Pennsylvania House of Representatives, continued serving through his subsequent election as Speaker of the House in the Commonwealth, and culminated his service in the years he spent in Congress.

Throughout his entire legislative career he displayed a sincere devotion to duty and a genuine desire to faithfully serve the interests of his constituents. Frank Lichtenwalter's keen understanding of the legislative process proved to be a valuable asset both for his constituents and for those State legislators and Members of Congress who were privileged to serve with him.

Although he chose not to continue in Congress beyond 1951, he remained active in the business sphere as an employee of the Pennsylvania Electric Association, of which he was serving as vice president and managing director at the time of his death. His deep interest in community affairs were reflected by the terms he served on the board of Pennsylvania Blue Shield, Community General Osteopathic Hospital, and the Lehigh Valley Motor Club. His conspicuous absence from community activities will be a source of sadness for all of us who observed his profound concern for others. Franklin Lichtenwalter was an outstanding American, a truly compassionate individual, and a valued friend.

Mrs. Rooney and I extend to his wife, Marguerite Stoneback Lichtenwalter, and his mother Ellen Ash Lichtenwalter, our deepest sympathy.

WHAT TO DO ABOUT THE DOLLAR

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. HANNA. Mr. Speaker, we have on previous occasions discussed the implications of the dollar crisis and included critical comments about the administration's reactions. It is appropriate to turn from the problem and from criticism and to suggest the broad outlines of a policy for the United States to effectively meet and solve the problem.

Our constant theme has been that the weakness of the dollar abroad was not the result of weaknesses of our economy at home. In fact, we have stoutly maintained that compared to the nations who have rising appreciation in currency we have, in fact, a stronger economy at home. The United States has two problems that have made our currency vulnerable in the international markets. The first and most important of these is the overabundance of dollars held by foreign governments and foreign agencies and individuals. The volume is variously measured from $80 billion to $120 billion. The second is the failure of the United States to move competitively with other countries of the free world in international trade. Here, I mean competitively in terms of effort and financing and not, as generally is stressed so myopically, price.

There then are needed responses to directly meet these two problems; that is, the dollar overhang and the growth of trade. A policy to deal with the excess of dollars should first address the need for early stabilizing of conditions.

To achieve this we suggest an immediate issue of a Treasury bill of 3 to 5 years available only to foreign-dollar holders at an interest rate calculated to assist whatever other incentives the Treasury and administration can devise. This would immunize for a period a portion of the present overhang and reduce the pressure of this heavy surplus of dollar reserves. Whatever legislative authority the Treasury needs for such a special issue of notes should be quickly made available. In addition, there should be undertaken an immediate drive to attract, encourage, and persuade investments from abroad into the dynamic and profitable American economy. In this regard notice should be given and compliments paid to the recent energetic program of the Bank of America to move aggressively toward the foreign investment market with information on available and attractive opportunities in our domestic economy. These two programs, if immediately and intelligently applied, would soon relieve and diminish the adverse pressure which was most responsible for the last two devaluations.

Finally, and above all, we must develop a policy for improved efforts in international trade for American products. This policy must address programs to raise the level of interest in and effort toward more industry involvement in trade. It must speak to more long range flexibility for the agencies and institutions which support trade and trade finance. I stress these, Mr. Speaker, because most of the material I have read and seen seem to miss these points while heavily stressing the problems of trade barriers between trading partners of the free world. This is a problem, granted, but not the only one in making a meaningful advance in volume of exports.

If we undertake these steps at once we will have done something meaningful and lasting toward strengthening our dollar and stabilizing the free world international monetary system.

PRESIDENT NIXON ENDORSES ATLANTIC UNION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. FINDLEY. Mr. Speaker, in a letter which I have just recently received, President Nixon has gone on the public record in support of Atlantic Union, a proposal under which the experienced democracies of Western Europe would be brought together with the United States and Canada in a single federal union government.

As one of the chief sponsors of the Atlantic Union resolution, House Joint Resolution 205, I am particularly pleased with the President's statement of support, as I am with the unanimous action of the Senate Foreign Relations Committee reporting an identical measure, Senate Joint Resolution 21.

The text of President Nixon's letter follows:

WHITE HOUSE
March 10, 1973.

DEAR PAUL: It was good to see you on March 2 and have an opportunity to discuss the Atlantic Union resolution and other legislative matters. Let me reiterate what I told you about the resolution. As a goal and a concept I have favored Atlantic Union for many years, dating back to my service in the Congress. As President I have made it a policy not to give specific endorsement to resolutions of this kind, but I want you to know that my long-standing position on the concept and the goal which you are seeking to achieve through this resolution has not changed.

With best wishes always,
Sincerely,

RICHARD NIXON.

Never before has a President of the United States publicly stated his support for Atlantic Union as a means of dealing with the supranational problems which confront us.

The current monetary crisis, imbalances in trade, troop levels in Europe, negotiations with the Warsaw Pact over weapons, environmental problems—all could be more effectively handled by a

federal government of the Atlantic nations.

Atlantic Union captures the genius of the American system of government—federalism—and adapts it to meet the common problems of the experienced democracies of Europe and the Americas.

While President Nixon's letter did not endorse specific language on Atlantic Union, he assured me personally when I discussed the question with him in the Oval Office of the White House on March 2 that he will sign the resolution if it is passed by Congress.

The Atlantic Union Resolution provides for an 18-member delegation of prominent U.S. citizens to be appointed by the President, the Speaker of the House, and the President of the Senate. The delegates are directed to meet with similar delegates from other NATO nations to see if they can agree upon a goal of federal union among their countries and to establish a commission to facilitate advancement toward that goal. Whatever action they take will be subject to the constitutional processes of each nation.

The text of my letter to the President follows:

MARCH 2, 1973.

THE PRESIDENT,
The White House,

DEAR MR. PRESIDENT: I thank you most warmly for this appointment. It gives me the opportunity to draw to your attention the Atlantic Union resolution at this vital time when you are making foreign policy plans for your second term. I am hopeful that you will decide to give the resolution your public support.

Your support will have a dramatic position to the importance your Administration attaches to the development of stronger institutional ties with Europe. It will also reinforce the foreign policy positions you have already taken, including the major initiatives with China and the Soviet Union, and the pragmatic steps taken elsewhere.

A statement of support could be included in your State of the World message or other public document. Or, of course, it could be included in a response to this letter.

Perhaps these thoughts will be useful if you consider making a statement:

Enactment of the resolution would be valuable, constructive notice to our allies in Western Europe and Canada that the Congress, like the President, rates Atlantic Community interests very high and that, far from withdrawing from the present arrangements, wishes to seek agreement on the goal of still greater unity, along federal lines.

One need look no further than the monetary and trade problems now before us to recognize the need for better institutions to deal with them.

The practical steps already taken toward European unity should inspire all of us to set a worthy goal for the still broader Atlantic Community. Small, pragmatic steps are easier to take if they are known to be down the path to an agreed-upon destination. In this, our own forefathers set the example by establishing long-term goals for the thirteen colonies.

The Atlantic Union resolution is a forward-looking proposal, and it is fitting that the United States, the world's first truly federal government, should be a main force behind this initiative.

In more personal terms, Mr. President, I feel this is a way for you to have a great enduring impact on history. By using your prestige to help establish federation as the long-term goal for the Atlantic Community, you will, I earnestly believe, establish an influence for peace and liberty that will last far beyond your own Administration.

I am supplying a memorandum which expands upon these points, and await with high hopes your response.

Sincerely,

PAUL FINDLEY.

MEMORANDUM ON ATLANTIC UNION PRESENTED PERSONALLY TO PRESIDENT NIXON BY REPRESENTATIVE PAUL FINDLEY

Mr. President, you have so consistently supported Atlantic Union in the past that I need not review your powerful arguments for it. The resolution now before Congress is quite similar to one which you endorsed in 1967. My hope is that you will again publicly endorse it.

We have now reached the point in Congress where your support of the resolution would be the kind of pragmatic step which you have made clear is your preferred policy for attaining great goals. Last year, the Senate passed the Atlantic Union resolution unanimously, and only a tie vote in the House Rules Committee kept it from coming to the floor, where passage seemed assured.

This year, Congress hopefully will pass the resolution. The composition of the House Rules Committee this year is more favorable than last.

Why do I believe that it merits your support at this stage?

First, your support will have a dramatic impact on Europeans. It will reassure them that Atlantic interests occupy very high priority in your second-term plans.

Passage of the resolution will give stability and depth to U.S. policy toward Europe beyond your term of office. Whatever other pragmatic steps you may accomplish in the next four years to strengthen our ties with Europe and to build a bulwark against Soviet hegemony may be erased by a successor. It is no secret that Europeans viewed your reelection as essential to their own security.

In four years, almost certainly they will face the same uncertainty when Americans again go to the polls.

Presidential politics aside, the resolutions to reduce U.S. troops in Europe hang like the sword of Damocles over U.S. European policy. Stability and direction need to be given to our European policy beyond the term of your own Presidency. The Atlantic Union resolution can do that.

Second, your support will underscore in a substantial way the importance your Administration attaches to the development of even stronger institutional ties with Europe.

While no government is today ready for federation, there is growing realization on both sides of the Atlantic that some joint exercise of sovereignty is needed. This is especially apparent in the areas of monetary and trade policy.

Third, your support will impart new confidence in world money markets at a critical time. Although institutional arrangements like our own Federal Reserve system, which could deal with the current monetary crisis, might be a long way off, your support for Atlantic Union would indicate that the goal had been set. It would lend stability to the dollar and confidence in U.S. leadership.

Fourth, your support will reinforce foreign policy positions you have consistently taken; that is, favoring small, pragmatic steps in policy. Small, pragmatic steps are easier to take if they are known to be down the path to a clear goal.

When policy occasionally falters, as it inevitably will, the setback is more transitory, and does not conjure up national visions of self-doubt, if the clear goal remains immutable, setting the standard to which all can repair. This was the principle you wisely applied in Southeast Asia policy, announcing the Nixon Doctrine and Vietnamization as the goal.

The identification of a great goal for Europe set fourth in the Treaty of Rome was also worthy. This principle has surely contributed to the strength and growth of the Common Market. It is doubtful that any of the small, pragmatic steps toward European unity which have occurred would have taken place if goals had not first been set at The Hague in 1948 and in Rome in 1957.

In our own history, it was not settled for almost one hundred years that the union of the thirteen colonies would survive. At times, only the great goal which the founding fathers had set in the Preamble to the Constitution, and the strength of several great Presidents, held the nation together. Shay's Rebellion and the Whiskey Rebellion threatened the union and required the personal leadership of President Washington to put them down; the Nullification Doctrine of 1832 crumbled upon the determination of President Jackson to enforce the laws of the land; and the Civil War, which finally settled the permanence of our union, brought forth our greatest President, Abraham Lincoln.

Fifth, announcing your support for Atlantic Union will dovetail perfectly with your initiatives in foreign policy around the globe. You have already stated that 1973 will be the year of Europe. Support for Atlantic Union will fulfill that pledge. It will complement the wise initiatives you began in Peking and Moscow, making yours the first Administration in decades to have a truly balanced global policy.

Most importantly, there is every indication that Europeans would welcome this initiative by the United States, especially the political and economic leaders. I am informed that central banking officials from the European countries would applaud it, almost without exception. Political leaders can also be expected to be enthusiastic, although some, including those in France and Britain, will probably mute their enthusiasm.

Sixth, although it may be presumptuous for me to say it, I view Atlantic Union as the opportunity of a lifetime for you, Mr. President.

It represents an opportunity for you to have a great, enduring impact on history. Setting the goal of Atlantic Union is not an unrealistic or visionary dream simply because it will take time to achieve it. A distinction must be made between pie-in-the-sky promises and realistic goals worth striving for even though they cannot be achieved in an instant or even in the course of one man's Presidency.

Although Atlantic Union is not something which one President can deliver to the world, just as no one President could deliver finally and irrevocably the union of the thirteen colonies, the goal of Atlantic Union is something which one President can set for the United States and the Atlantic community.

No initiative you might take during your Presidency could do more to contribute to lasting peace. Serious divisiveness in the West would evaporate, and no power on earth would challenge the Atlantic community's unity or guiding principles. Your great achievements in Peking and Moscow, which started the generation of peace, would be cemented by Atlantic Union into the fabric of an enduring peace that would last for more than a generation, I think a very long time.

If you use the prestige of your office to help set federation as the goal of the Atlantic community, this act will survive your term and influence future Presidents. Worthy goals, once set, are difficult to change. You will justly be recorded by history as the father of the greatest political association and the greatest force for peace and freedom the world has ever known. You would be remem-

bered as the architect of enduring peace, ranking with Washington and Lincoln.

Finally, the earlier Presidential support appears, the greater its prospective benefit. If you are to give Atlantic Union the push it needs and deserves, now, just after your overwhelming victory, would seem to be the very best moment. To wait even another year would be to limit your own influence upon the shaping of the Atlantic Union goal.

Sooner or later, Presidential interest will be required if the convention is to succeed. For one thing, the President will directly select one-third of the U.S. delegation. One of the serious weaknesses of the 1962 Atlantic convention in Paris was that the President did not participate in the formation of the delegation and did not actively support the resolution. Thus, a lesser standard was set, and the goal was abandoned almost before it was announced. With prompt Presidential support, this resolution will win this year by a comfortable margin. The nation will rally behind it. Europeans will renew their ties, confident that the wave of the future is an Atlantic Union of the free. And the security and peace of the world will be stronger.

CLEO A. NOEL, JR. AND GEORGE C. MOORE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. KING. Mr. Speaker, unfortunately, I could not be here last week to express my shock and sadness over the tragic deaths recently of the American Ambassador to the Sudan, Cleo A. Noel, Jr., and his deputy, George C. Moore.

While I did not have the honor or the privilege of knowing these two diplomats on a personal basis, I do know that they were both highly respected specialists in Middle East affairs who gave their lives for a better and safer world for all mankind.

I wish to join with their many friends throughout the world in extending my heartfelt sympathy to their families.

Under leave to extend my remarks in the RECORD, I wish to include an editorial which appeared last week in the Granville Sentinel Newspaper, Granville, N.Y., which further illustrates the kind of a man Cleo Noel was and how highly regarded he was by those who were fortunate enough to have known him.

The editorial follows:

CLEO A. NOEL, JR.

The letter was dated January 14, 1973. It said in part—"I arrived here on December 18 and presented my credentials to the President on December 23. It was a source of particular satisfaction since I was here to pull down the flag in June 1967, to hear the Sudanese Army Band strike up the Star Spangled Banner just before I reviewed the honor guard on the Blue Nile in front of the Palace, as well as to ride thru the city in the official Rolls with the flag flying.

"It's been a very busy four weeks including a five day train trip to Kassala in eastern Sudan with the Presidential party and diplomatic corps to celebrate Independence Day, January 1. I'm now very much looking forward to Lucille's arrival on February 2 and I think she is anxious to get here too. And in the longer run, I'm still looking forward to joining you in the Green Mountains."

Today, the writer of this note is dead. His two children are fatherless; his wife a widow. The State Department is minus its top-drawer professional expert on the Middle East and Granville has lost its "adopted son." Cleo Noel, the United States Ambassador to the Sudan was assassinated last week by Black September terrorists.

Last Saturday, March 3, the publishers of this newspaper received in the mail a manila folder with a return address "Ambassador Cleo A. Noel, American Embassy, Khartoum." Enclosed was literature about the Sudan and Khartoum. The Ambassador, a friend of many years, had been assassinated the day before the folder arrived in Granville. His reason for mailing the literature stemmed from a mutual interest—he and his lady wanted to host the Sentinel's publishers to a vacation at the Embassy—and the two Sentinel "people" anticipated the occasion.

News-wise much has been written and read about Cleo Noel. Normally, over many years, this nation's Administrations have passed out Ambassadorships to the "fat cats" who contribute heavily to election campaign costs. In many instances the appointments have not contributed to the diplomatic relations aspired to by the appointee. However, Richard Nixon deserves a star of some sort of approving Cleo Noel as the U.S. Ambassador to Sudan. Cleo had no peer in the realm of international diplomacy. He was tops!

The Ambassador and his wife were no strangers to Granville. They loved our community. Together they relished the dream of retiring here in our area. They cherished our hospitality and our people. They loved the good earth which Cleo Noel wanted for his gardens and flowers. Together, the Ambassador and his wife, would walk Main Street. They enjoyed the atmosphere of Granville; In their estimation Granville was just "it."

The publishers of this newspaper had no fonder friend than Cleo Noel. He was honest, he was sincere and he called the shots as he observed them. Best of all, Cleo Noel was a real man and a great one. May he rest in peace.

PLEA TO INSURE EQUAL ACCESS TO EDUCATION

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. RIEGLE. Mr. Speaker, I would like to insert the following two letters concerning the impact of the President's proposals for student aid. Curtailment of the presently operative programs would severely limit the opportunity of students to attend institutions of their choice. Depending upon the level of demand, the basic opportunity grants program is likely to provide smaller grants than those now available—grants inadequate for those who need considerable financial aid or who wish to attend a private institution. Implementation of the administration's proposals in the academic year 1973–74 would seriously jeopardize the educational future for many students. As testimony to this, I would like to insert the following letters from Ferris State College and Western Michigan University. I urge my colleagues to seriously consider these pleas to insure equal access to education for all. The letters follow:

FERRIS STATE COLLEGE,
Big Rapids, Mich., February 27, 1973.

Hon. DONALD W. RIEGLE, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. RIEGLE: The purpose of this letter is to bring to your attention some of the concerns of those of us working with college students and prospective college students as we study President Nixon's budget proposal.

We understood that the Education Amendments of 1972 stipulated that the present programs (Supplemental Educational Opportunity Grant, National Direct Student Loan Program, and College Work-Study Program) were to be funded before implementation of the Basic Opportunity Grant Program. However, as you are well aware, the President's budget phases out the old EOG Program entirely and for all practical purposes eliminates new capital for NDSL.

It is my understanding that the financial aid personnel not only at Ferris State College but throughout the country are acutely anxious about the administration of the BOG program for the academic year 1973–74, when the procedures for application and administration have not yet been developed or at least not made available. As I am sure you know, most high school seniors expect word in March or April regarding the types and amounts of aid to be available for the following academic year. Students, parents, and high school counselors will besiege our college officers for answers that we simply shall not be able to give.

I am informed that preliminary comparisons of the results of applying the regulations regarding BOG published in the February 2 *Federal Register* with the results of applying the old regulations for EOG indicate that a considerable number of students who would have been eligible for aid under the EOG program would not be eligible for BOG.

Of special importance from my point of view is the threatened loss of all financial aid to that large group of deserving and needy students who just do not quite qualify for the BOG because they are not quite needy enough, but who cannot handle college costs without some help. The NDSL Program has been the answer for hundreds of students in this category. In 1971–72 at Ferris State College alone 1,246 students received aid through National Defense Student Loans; for the current fiscal year the number receiving National Direct Student Loans will be approximately 1,400. While it is true that this program can be continued to a limited extent with the funds that become available through repayments, the lack of new capital will severely curtail the amount available and hence the number of recipients.

I am aware of course of the Guaranteed Loan Program and the new emphasis on need there. Presumably the intent is to phase out NDSL in favor of the Guaranteed Bank Loans; but the problem is that Guaranteed Loans are not equally available to all deserving students because not all banks participate in the program.

Even though the President's budget calls for no reduction in total dollars for College Work-Study, the amount requested represents an effective reduction because of the larger number of institutions eligible to participate this year.

For all these reasons I ask that every effort be made to provide adequate funds for the Supplemental Educational Opportunity Grant, the National Direct Student Loan Program, and the College Work-Study Program. Ferris State College serves students from all sections of the State of Michigan, and hence we believe that our concern is your concern.

Sincerely,

ROBERT L. EWIGLEBEN,
President.

WESTERN MICHIGAN UNIVERSITY,
Kalamazoo, Mich., February 27, 1973.

Hon. DONALD W. RIEGLE, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN RIEGLE: As you know, the Basic Education Opportunity Grant Regulations concerning the determination of the expected family contribution was published in the *Federal Register* on February 2, 1973. Enclosed please find our response to Mr. Peter Voigt, Acting Coordinator of the Basic Educational Opportunity Grants.

In our letter to him we have pointed out that the method of implementation of this program is such that few students from middle income families will qualify for the Basic Grant. This appears contrary both to the intent of Congress and to the wide publicity announcing this program.

This, however, is a relatively minor concern of ours when compared with the real crisis that many students from low income families will be facing next Fall unless some decisive action is taken *now* by Congress and reinforced or nullified by the federal court *soon after*. The crisis is occasioned by the *uncertainty of the funding of the National Direct Student Loan and the Supplemental Educational Opportunity Grant programs for the academic year 1973–74.*

We urge you *to support the priority in the 1973–74 appropriation of student aid funds to the presently operative aid Programs* (the National Direct Student Loan, the Supplemental Educational Opportunity Grant and the College Work-Study) *over funding of the Basic Educational Opportunity Grants.*

Unless these programs are funded, literally hundreds of thousands of students will lack adequate resources to continue or to begin college this Fall. As you know, President Nixon has requested funds for the Basic Opportunity Grants and the College Work-Study but none for the National Direct Student Loan and the Supplemental Educational Opportunity Grant programs. He is convinced that the NDSL program should be replaced by the Guaranteed Student Loan. Even though he may be right in assuming the one will replace the other, the time factor is against this happening for the 1973–74 academic year. The Michigan Office of Education does not anticipate that either lending institutions presently participating in the Guranateed Loan Program are prepared to increase significantly their involvement or that there will be any meaningful increase in the number of participating lending institutions.

This means that the student who has need for assistance to meet all, or nearly all, of his educational expenses will have no resources to turn to, to meet that portion of his need previously covered through the NDSL program. Even if the Basic Opportunity Grant program is funded to meet all entitlements fully, most of the students who qualify for the Supplemental Educational Grant and the NDSL programs will have inadequate resources since the basic grant cannot exceed half their yearly educational cost. Work-Study funds will not fill the gap since the requested appropriation for next year is less than for fiscal 1973, a year in which all funds are committed to meet student needs.

For these reasons between 1200 and 1300 of the students presently receiving aid here at Western Michigan University (over 50% are minority students) will be unable to enroll next Fall without NDSL aid, and no doubt many of them without SEOG to compliment the lack of full funding of the BEOG. I am sure this situation is typical of most colleges and universities.

We understand that far more is involved in this matter than the appropriation of funds for certain programs. We feel certain that even through appropriated funds survive the President's veto, they will be impounded by the administration. We, therefore, urge you that in addition to supporting the funding of the NDSL and SEOG programs, you along with your colleagues take whatever action is necessary NOW to settle the question of the President's right to impound these funds. It is important that this issue not be allowed to drag on through the summer and into the fall. The immediate future of too many students, who are constituents of yours, depend upon its resolution. If its resolution is in favor of the Congress, then we can get on with the business of providing assistance to qualified students for 1973. If its resolution is in favor of the President, then at least students would have the opportunity to search for alternate sources of aid and/or of action.

This is a matter of utmost importance which we trust you recognize and are vigorously dedicated to resolving now.

Yours sincerely,

EDWARD W. HARKENRIDER, Ph. D.,
Director, Student Financial Aid and Scholarships.

LYNDON JOHNSON

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. ECKHARDT. Mr. Speaker, the whole tapestry of words fashioned upon President Johnson's death still did not adequately depict the real man who fascinated this Nation for a quarter of a century and tried to move it in the direction of a Great Society. Nor can the words I speak here do so. The satisfaction he sought in life, and which this country grants him unanimously in death, is that of being the one man who advanced civil rights in this century as no other since President Lincoln.

Reporters, intellectuals, historians, and colleagues have written countless words about Lyndon Johnson. None stated so well what he was striving for as did a young black man from the South named Lafayette Haynes. Mr. Haynes wrote a column for the Boston Globe about his feelings concerning the death of President Johnson. Mr. Johnson would have appreciated it. He would have been so proud to know that a young man who is too young to remember his efforts in 1957 in passing the first civil rights bill in a century would benefit and grow from his efforts and would one day write so perceptively about them.

Mr. Speaker, I submit Mr. Haynes' article which appeared in the Boston Globe shortly after the President's death:

HE DARED AS NO OTHER FOR BLACKS

(By Lafayette Haynes)

I never personally knew Lyndon Johnson, but in many respects I was part of his history.

I never really had a concern for the war in Vietnam when all the white kids at my school were protesting Johnson's escalation of the war through bombing.

Now I am older and my views of Vietnam have changed considerably, but I would not venture to measure the greatness of LBJ or his flaws on the war. But as a Southerner and a black man there are measurements of feeling that Lyndon Johnson had a great deal to do with.

When John Kennedy was killed in 1963, most of the black kids my age were scared to go to a hamburger stand because we didn't expect all those northern liberals to come speeding down to Baton Rouge to keep us from getting our asses kicked after their leader had died.

Lyndon Johnson was sworn in and there was no doubt in my mind that the rednecks were back in business.

I was wrong. To the rednecks Lyndon Johnson was just as much a "pinkie commie" as his proper talking predecessor. And while whites north and south were trying to divert Johnson's civil rights effort, blacks were getting angry and challenging everything the President said we had a right to do.

At one point I and a few of my high school teammates had the audacity to tell L.S.U. we had a right to have football scholarships.

Blacks had reached a point where nothing could deny them their right to be "whatever in the hell they wanted to be." In retrospect it is difficult to say if going to a burger stand and having your food spit on or sitting in your car and having a group of white youths speed by shooting the finger at you, were important.

But it was important. And underneath the surge of black Americans was this sullen talking Texan telling white America it had perpetrated injustices on black Americans.

Johnson more importantly translated to the southern white man that he, the southern white, for social justice to be evident, would have to lead America. Johnson's efforts left him alone holding the country together when no other white dared take the steps he did for black America.

What is left of Johnson's legacy is left in places in the South where men never had any difficulty in saying what they felt about each other. A great part of the legacy is an honesty Lyndon Johnson felt was rooted in white southerners to make the dream of equality true for all men in America.

When I sat in the president's office at Southern Methodist University in 1968 protesting injustices, I asked myself as I do now what led me to waste my energies fighting rednecks deep in the heart of Texas.

It was probably because Lyndon Johnson had made it a part of my own destiny; a necessary element in resolving this nation's race issue. An issue Lyndon Johnson raised because he was a sincere American, but also a deeply rooted southerner who refused to turn his back on it.

Johnson was the kind of man I could look at and in a slow draw call a "son of a bitch" and expect a warm handshake.

It is different when you are a southerner because insult becomes a salutation of manhood.

PHILADELPHIA NAVAL SHIPYARD ACCLAIMED AS MOST EFFICIENT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. EILBERG. Mr. Speaker, at a time when there are constant complaints about waste in Government with the Department of Defense emerging as the prime target for these charges I am happy to report that the Philadelphia Naval Shipyard has been cited as one of the most efficient and cost-cutting operations in the Nation.

The award given to the shipyard is in recognition of its long history of providing the Navy with new and renovated ships ahead of schedule and below estimated costs and its continuing efforts in this direction.

FRANK POMPI: A FINE PUBLIC SERVANT IS RETIRING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. DULSKI. Mr. Speaker, 42 years ago, Francis J. Pompi began work for the U.S. Immigration and Naturalization Service. At the time, he thought it was a stopgap on the way to becoming a schoolteacher.

At the end of this month, Mr. Pompi will close out his long career, his final position being Assistant District Director-Travel Control at Buffalo, N.Y.

It was in May 1931 that Mr. Pompi joined the border patrol at Buffalo and he has had a variety of responsibilities in the Service during his long tenure.

His work has two sides, positive and negative: Helping immigrants become citizens and seeking deportation of illegal and undesirable aliens.

Mr. Pompi thinks positive and is proud of the part he has played in helping some 10,000 persons along the road to U.S. citizenship.

Frank Pompi has an important law enforcement role with sometimes unpleasant responsibilities, but he has not allowed it to diminish his faith in human nature; his love of his fellow man.

Nothing makes Frank Pompi happier than the chance to help an individual or a family. He looks upon his work as not simply a job but, rather, as a real opportunity to be of service to others.

Dedication is an overworked expression, but it is nowhere more appropriate than in describing the day-in, day-out operation of Frank Pompi. He is the personification of a fine public servant.

Mr. Speaker, we are fortunate to have public servants like Frank Pompi and we can be grateful for the 42 years of service he has given his country in a variety of responsibilities within the Immigration and Naturalization Service.

Incidentally, while he never swung over full time to being a schoolteacher as he had planned when he finished college in the early depression days, he has had a chance to do some teaching. He was assigned to Washington headquarters in the early 1960's as a member of the faculty of the National Immigration School, teaching and training future INS inspectors.

As part of my remarks, I include a newspaper article on Frank Pompi's forthcoming retirement:

[From Buffalo (N.Y.) Courier-Express, Mar. 11, 1973]

U.S. IMMIGRATION OFFICIAL TO END 42-YEAR CAREER

(By Jim McAvey)

On March 31, Francis J. Pompi will retire, thus bringing to a close a U.S. Immigration and Naturalization Service (INS) career which began here 42 years ago when he was 22 and still had dreams of becoming a school teacher.

When he finished college the country was in the depths of the great depression. Instead of finding himself launched on a teaching career, he became a stenographer with the U.S. Corps of Engineers in Providence, R.I.

In May, 1931, he joined INS and was assigned to the Border Patrol in Buffalo. That same year he married Clementine Lombardo of Buffalo. Over the years they raised two sons, Robert and Kenneth, both of whom are now PhDs. Pompi and his wife recently moved into what he says will be their retirement home at 316 Fairways Blvd. in Amherst.

The ruggedly handsome Pompi, who is now assistant district director-travel control, for the INS, will celebrate his 64th birthday March 17.

"My birthday is really March 16 but we have always celebrated it on St. Patrick's Day when I tell everyone my name is really O'Pompi," he said with a broad grin and what could have been a merry, Irish twinkle in his dark, brown eyes.

Pompi rose steadily through the ranks over the years, serving in Cleveland, Ohio, and Erie, Pa., as a naturalization examiner after six years on the Border Patrol here. He was reassigned to Buffalo in 1945 and in 1952 was appointed special enquiry officer. In this job he presided at deportation hearings in the Buffalo and Cleveland areas, and over a seven-year span he was responsible for the deportation of over 2,000 undesirable aliens.

Pompi said he prefers to think of the positive side of his work and over the years he helped more than 10,000 persons along the road to United States citizenship.

His teacher training was not for naught either because from 1960 to 1964 he served as a member of the faculty of the National Immigration School in Washington, teaching and training future INS officers.

Immediately prior to his present assignment here in 1970, Pompi was the immigration inspector in charge of the three international bridges in the Nigara Falls-Lewiston area.

He and his wife have toured Europe three times and traveled through Hawaii.

"Now we are going to do a considerable amount of traveling in the United States," he said. "I will keep busy. I love to go fishing and there will be work to do around the house."

On March 30, he will be honored at a retirement dinner-dance in the grand ballroom of the Ramada Inn, 401 Buffalo Ave., Niagara Falls.

NIXON COVER-UP AND ABUSE OF "EXECUTIVE PRIVILEGE"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the Nation's press has reacted strongly to President Nixon's statement of March 12th asserting blanket "executive privilege" to protect highlevel officials of his administration from congressional investigation of the Watergate incident and other administration scandals.

His arrogant effort to further reduce the status of Congress must be resisted by all available constitutional means at our disposal. Under leave to extend my remarks, I include the following article and editorials:

[From the New York Times, Mar. 14, 1973]

EXECUTIVE COVER-UP

When President Nixon at a news conference on January 31 promised a precise statement concerning the use of executive privilege, he assured reporters: "The general attitude I have is to be as liberal as possible in terms of making people available to testify before Congress, and we are not going to use executive privilege as a shield for conversations that might be just embarrasing to us."

Now that the promised statement has been issued, it turns out to be vague rather than precise, restrictive rather than liberal in its effect, and designed to protect the President from grave political embarrassment rather than to assist him in the exercise of his proper official duties.

Executive privilege is comparable to the impoundment of funds. It is one of those Presidential powers which is implicit rather than spelled out in the Constitution. Its boundaries are inherently difficult to define. Presidents have traditionally used it sparingly, reserving it for a last line of defense when a Congressional committee has overreached itself. A decent respect for the comity that should prevail between equal branches of the Government has normally controlled its use.

Unfortunately, as in the impoundment controversy, President Nixon now seeks to exploit the necessary vagueness in this constitutional domain and to rail down as unchallengable authority what is more wisely left flexible and loose.

Even worse, he is trying to extend the coverage of this doctrine in two significant ways. First, he would include not only members of the White House staff but also former members. No time limit is set on their alleged immunity from Congressional cross-examination. Secondly, he claims for Cabinet members who hold dual appointments as "Presidential counselors" the privilege of refusing to testify on that portion of their work which involves their White House duties.

These ambitious claims of a right secrecy are novel and specious. Once individuals cease to be members of the White House staff, they cannot carry with them into private life the privilege of routinely "declining a request for a formal appearance before a committee of the Congress." Contrary to the President's statement, this is not a "well-established precedent." It is wholly unfounded.

Similarly, a Cabinet officer has always been regarded in normal constitutional practice as responsible not only for administering his own department but also for advising the President on broad issues of public policy. It is specious to assert that simply because the President has conferred on some of his Cabinet members the additional rank of "Presidential counselor" that he also confers on them some special added immunity. The duties of Cabinet members and Presidential counselors are so intertwined that any distinction in the degree of confidentiality and trust between the two positions can only be arbitrary and artificial.

The saddest aspect of this latest institutional wrangle between the President and the Congress is that Mr. Nixon is asserting such arrogant claims in so unworthy an affair. It is impossible to avoid the suspicion that the President is trying to cover up White House involvement in the ugly campaign of political sabotage and espionage which climaxed in the Watergate raid.

The assertion that executive privilege protects former Presidential aides, for example, looks very much like an effort to protect Dwight Chapin, the former Presidential appointment secretary, and perhaps former Attorney General John Mitchell and former Secretary of Commerce Maurice Stans from Congressional interrogation concerning their responsibility for the Watergate episode and related activities.

When President Washington first invoked the concept of executive privilege to protect the confidentiality of the diplomatic negotiations leading up to the Jay Treaty in 1796, a squalid political intrigue such as the Watergate affair was the furthest thing from

his mind. When executive privilege is invoked in an apparent effort to cover up blatant political wrongdoing, the office of the Presidency is demeaned and this nation's constitutional practice is debased.

[From the Baltimore Sun, March 14, 1973]

ABUSE OF EXECUTIVE PRIVILEGE

As Presidential power expands, so does the potential for White House abuse of executive privilege. This is a correlation that should not be forgotten in the continuing struggle between the authoritative Mr. Nixon and a Congress that suspects its prerogatives are eroding. For the moment, one test is whether former as well as present members of the President's personal staff can be compelled to testify in Senate hearings on White House monitoring of the FBI's Watergate probe.

Mr. Nixon says his counsel, John W. Dean 3d, will not testify in formal committee session, and he probably has enough precedent to win this point. He also says his former appointments Secretary Dwight L. Chapin, will not testify, and here we have yet another debatable extension of executive privilege. Whatever distinction is made between the two men, the Congress should defend its rights every inch of the way.

It is lamentable that this latest test of our system of checks and balances is being fought on the matter of the Dean and Chapin appearances. From the President's standpoint, the issue is joined on a very shoddy business—the Watergate mess, itself, access to FBI raw files and interrogations. This, in what was essentially a criminal-political probe far, far outside the usual definition of Presidential function. From the Congressional point of view, the Dean-Chapin case opens opportunities to embarrass the executive only at the cost of deflecting public attention from the larger dangers of Presidential power-grabbing.

Mr. Nixon's campaign to impound government funds and, in effect, impose an item veto on congressional appropriations is a well-publicized conflict. But now that the President has issued his broad interpretation of executive privilege, it is well to re-emphasize his January 5 decision to make four Cabinet secretaries part-time members of his personal staff. This downgrades traditional departments and enhances the prestige of a White House staff that is not accountable to Congress. And it raises problems about dual responsibility that Mr. Nixon fails to answer satisfactorily.

"A Cabinet officer or any other official who holds a position as a member of the President's personal staff shall comply with my reasonable request to testify in his non-White House capacity, provided the performance of his duties will not be impaired thereby." Thus spake Mr. Nixon, and the room for dispute over what is "non-White House capacity" should enliven many a future hearing. There are, of course, sound reasons for improving the White House management of government and for protecting the confidential nature of staff discussions dealing with Presidential duties and decision-making. But once again Mr. Nixon has asserted and expanded his powers in a manner that unduly affronts Congress and arouses justifiable fears for the governmental balance Americans have long treasured.

[From the New York Times, Mar. 14, 1973]

NIXON-CONGRESS BATTLE—PRESIDENT'S EXECUTIVE PRIVILEGE VIEW BRINGS ISSUE CLOSER TO THE CRISIS STAGE

(By James M. Naughton)

WASHINGTON, March 13.—The President and Congress are headed once again for an impasse over executive privilege, the unwritten doctrine under which the executive branch has kept secrets from the legislative branch since 1796.

No Congress in all that time has had the nerve to go to court to test the President's asserted right to withhold some information from Congress. But the mood between the second Nixon Administration and the 93d Congress was acrimonious even before the President declared in a 1,000-word statement yesterday that it would be "inappropriate" for his aides, past or present, to be subject to Congressional questions.

As Mike Mansfield, the cautious Democratic leader, said today on the Senate floor, "the question of executive privilege may be approaching a crisis stage."

Legislation to set limits on use of executive privilege is pending in Congress. Two Senate subcommittees will begin joint hearings next Monday on Administration policies on secrecy. And the Senate Judiciary Committee voted unanimously this afternoon to try to question John W. Dean 3d. Mr. Nixon's White House counsel, about the fitness of L. Patrick Gray 3d to become permanent director of the Federal Bureau of Investigation.

NIXON AND ERVIN VIEWS

"No President could ever agree to allow the counsel to the President to go down and testify before a committee," Mr. Nixon said at his news conference March 1. His policy statement on executive privilege yesterday merely codified that attitude.

But Senator Sam J. Irvin Jr., Democrat of North Carolina, countered that Mr. Nixon's policy on Mr. Dean's unavailability "represents the essence of the conflict." And Senator Mansfield said today that Mr. Nixon was seemingly trying to extend executive privilege to "cover too much territory."

George Washington refused in 1796 to tell Congress all about the Jay Treaty with Great Britain and virtually all of his successors have refused to give some information to the Senate or the House of Representatives. Congress has often objected and has occasionally confronted the White House, but it has never resolved the issue.

The problem now, according to Senator Ervin and others, mostly Democrats, is that while previous Presidents have withheld information from Congress, Mr. Nixon is withholding witnesses.

According to Mr. Nixon's declaration yesterday, the President is not accountable for his use of his executive powers under the Constitution and it is therefore "equally inappropriate" to question his aides "for their roles are in effect an extension of the Presidency."

VIEW CALLED UNFOUNDED

Arthur Bestor, professor of history at the University of Washington, told a Congressional study conference last week that such an assertion of executive privilege was unfounded and that Congress would be well advised to disregard it. He theorized that Presidents had resorted to the custom of citing executive privilege as a response to the Congressional use of investigative power.

Similarly, Raoul Berger, the Charles Warren Senior Fellow of Harvard Law School, told the conference at the Capitol that Congress had been "too bashful about asking for what belongs to you" and that when an official refused to testify Congress should "stop being sissy about it—just clap him in jail."

No one in Congress has gone that far in opposing President Nixon's use of executive privilege. Senators Ervin and Mansfield concede that the President has a right to maintain confidentiality over his private discussions with intimate advisers. But they contend that the right does not extend to dealings between White House officials and third parties.

The Senate Judiciary Committee is asking to examine Mr. Dean not on his personal advice to the President but on his dealings with Mr. Gray during the bureau's investigation of the Watergate case last year.

TESTIMONY LAST YEAR

The situation appears to be comparable to one that involved Sherman Adams, President Eisenhower's closest aide, in 1958. Although General Eisenhower refused to allow the Senate to question Mr. Adams about his role in the Dixon-Yates power controversy of 1955, he permitted a House panel to interrogate Mr. Adams three years later about his relationship with Bernard Goldfine, the Boston industrialist. At the time, Mr. Nixon was Vice President.

There is an even more recent precedent for the interrogation of Mr. Dean. Last year, Mr. Nixon agreed to limited questioning of Peter M. Flanigan, a White House aide in Senate confirmation hearings on the nomination of Richard C. Kleindienst to be Attorney General.

The Constitution does not specifically give Congress the power to demand information, nor does it give the President authority to deny information.

Senator Ervin's solution is to try to write rules for the use of executive privilege. His proposal would require an Administration official at least to show up, with a written excuse from the President, to claim the privilege when called before a Congressional committee. The committee would then judge the validity of the request. If it refused, it could insist on the information and, denied it anyway, could seek a citation for contempt of Congress.

President Nixon is certain to veto such a proposal if Congress sends it to him, and enactment of it over his veto would pose a constitutional issue for the courts to decide. No one on Capitol Hill appears to want matters to go that far.

Senator Robert C. Byrd, Democrat of West Virginia, noted today that Mr. Nixon intended to apply executive privilege even to former White House aides. He said that, with Congress and the President already arguing over war powers and spending authority, the White House attitude would "only heighten the pitch of the battle.

Senator Mansfield said he would prefer to "reach an accommodation" with the President over executive privilege. Senator Edmund S. Muskie, Democrat of Maine, said in a speech last night in Texas that "the best political medicine" to such constitutional disputes was "compromise."

TERROR IN THIEU'S PRISONS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 12, 1973

Ms. ABZUG. Mr. Speaker, in 1968, two young Frenchmen, Jean-Pierre Debris, and Andre Menras, both teachers, went to South Vietnam on a governmental educational exchange program called "La Cooperation." Jean-Pierre Debris, aged 27, teaches mathematics, and Andre Menras, who is 24, is a primary schoolteacher.

Although they went with no political preconceptions, after 2 years, during which they worked in Da Nang, then in Saigon, they became so indignant at the amount of corruption and tyranny they encountered on every side, that on July 25, 1970, they decided to break the strict silence they had maintained.

Throwing all caution to the winds, they climbed on a monument just outside the National Assembly in Saigon, unfurled a National Liberation Front

flag, scattered leaflets, printed in Vietnamese, which urged immediate peace.

They were immediately arrested by ARVN military police and taken to the Chi Hoa prison in Saigon. They remained there until they were freed on December 29, 1972, without warning, and immediately expelled from South Vietnam. They arrived in Paris on New Year's Eve.

The following text is a translation of the taped statement they made January 20 during a meeting, organized by three Vietnamese groups in Paris, before an audience of some 5,000 persons.

Their testimony is, to date, the most authentic non-Vietnamese statement that has been received concerning the fate of the estimated 200,000 political prisoners in Thieu's jails.

These two young men are now in the United States on a speaking tour. I have heard their story and I believe it should be made known to all Americans. American Report published this account:

TERROR IN THIEU'S PRISONS

Jean-Pierre Debris: First I want to tell you about our arrest. During our first week in jail, we were surrounded by ordinary prisoners, who are used by the Saigon Administration to guard and beat up the political prisoners.

Still, even in that first week, while we were lying in our cell, I was thrown a little bottle of oil which the Vietnamese use for relieving pain after you've been beaten up. Around this bottle was a note written in very good French. It said, "Thank you, on behalf of the Vietnamese people," and was signed, "your comrades in arms."

We learned a long while afterwards that this came from a cell where the so-called "rebels" were kept, those who refused to salute the Saigon regime's flag. They were beaten and tortured for it.

We met them eight months later, during the first Tet celebration we spent in prison—in February 1971. After months of complete isolation, we were able to go down into the yard where the latrines were. It wasn't a favor on the part of the prison guards; it was just carelessness: they were too busy celebrating Tet. In the yard we met the brothers who had sent us the lotion.

They lived in awful conditions and now, for Tet, their families had been able to visit them and had brought them all kinds of good things to eat. They insisted on giving us everything, and we celebrated together. We sang the song of Unity and Solidarity.

Then the brothers from the isolation ward also came down. These were political prisoners who had been brought back from the tiger cages in Poulo Condor.

WITHOUT WINDOWS OR LIGHT

Normally, they were never allowed to go out into the sunlight; but were kept in solitary confinement, in cells without windows or light. But that day, the first day of Tet, they could come down into the prison yard. So we saw, the whole jail saw, for the first time, these hundred prisoners from the tiger cages.

And in what condition! They had to crawl down, because they couldn't walk anymore; their knees had been broken. They dragged themselves along the ground with little wooden benches they had made. In the sun they had to close their eyes completely because they'd been blinded from so many years of darkness. Their faces were haggard and lined, their bodies gaunt and emaciated. They were wearing tattered prison uniforms, the standard black pajamas.

PRISONER'S SOLIDARITY

No one made a sound when they arrived. Even the trustees who guarded them were astonished. A regular prisoner threw them a box of candy. The trustees didn't move. They let him do it.

Other regulars threw delicacies that had been brought: oranges, fruit, even a few ducks. We watched all the prisoners throw everything they had to these people, who had come back from the death camps.

We even saw an American, an American G.I., who was in the isolation ward. He had nothing to give, no money, he received no visits. All he had was his clothes. He started to undress and, piece by piece, he threw all his clothes to these prisoners from Poulo Condor.

This policy of "re-education," as the Saigon Government calls it, is aimed solely at breaking patriotic Vietnamese, sapping their strength, breaking them not only physically, but especially mentally.

There are many ways to kill a man * * *

At our prison of Chi Hoa, and elsewhere, there are ways of killing people: by giving them nothing to eat, by rationing their water, by beating them, by torturing them, by leaving them in tiger cages.

TIGER CAGES

In our last months at Chi Hoa, we saw something which was still more tragic. On Nov. 15, (1972), Col. Nguyen Van Ve came back. He had been exposed in 1969 and 1970 as the "father of the tiger cages" at Poulo Condor.

These tiger cages were denounced in 1969 by all the international press, by American papers, and by French papers. I even remember seeing a picture of this colonel in a Paris magazine that labeled him the father of the tiger cages. (Actually it was the French colonialists who were the first to build them.)

In 1967 this colonel was director of the concentration camps at Poulo Condor. After the scandal of the tiger cages he disappeared, only to reappear in the "Phoenix" campaign, which was aimed at destroying the ranks of the National Liberation Front by assassination.

Despite the exposure of the tiger cages, they're still there—and what's more, they've been rebuilt. We saw prisoners in RG sector, in particular, in cell 0G3, at Chi Hoa, who had come back from the tiger cages to be "nursed."

NO MONEY FOR MEDICINE

There is an infirmary at the Chi Hoa prison. When they arrived, they were told that there was no medicine.

The American supplies weren't being sent any more. There were no dollars for medicine for political prisoners, but there was $400,000 to build new tiger cages in camps numbers seven and eight, at Poulo Condor. There is an American company in Saigon which is building tiger cages at the present time—new, improved models.

The cages are too low for the prisoners to stand up. They put three to five prisoners in each one, so there's not enough room for them to sleep. They have to take turns lying down while the others crouch.

The cages are kept in completely dark rooms without ventilation; most of those who manage to live through the experience are completely blind afterwards. Friends of ours who've lived in the cages have told us how they were forced in desperation to wash themselves with their own urine, even to drink their own urine.

The food rations decrease each year. In August 1972 it was still a pound and a quarter of cooked rice a day; now it's less than a pound, and the rice is soaked in sea water and mixed with sand to make it go further. The only thing they get with the rice is a pinch of salt—not enough—no vegetables, no meat, of course, no fish. They used to get a bit of pickling brine, but now they don't even get that.

If anyone so much as asks for an extra bowl of rice, there is ferocious repression. Beside each tiger cage is a container of quick lime which the guards throw onto the prisoners, and which burns their skin. They also use grenades of nausea gas and tear gas.

Then, when they've used all this, they beat and handcuff them. We know people who've been kept handcuffed for years because they refused to salute the Saigon flag.

So, at Chi Hoa, the colonel came back. He brought into the prison a hundred members of the tac squad of the Saigon police, armed with bamboo shields, helmets, bullet-proof vests, pistols, clubs, even grenade launchers. They entered every cell containing political prisoners.

ELIMINATING PRISONERS

Each cell had from 60 to 100 people piled on top of one another. They divided each cell into tiny groups, separating people who had known each other for years. During this separation and change of cells, a lot of prisoners disappeared completely.

They even mixed the Catholic students with members of the National Liberation Front, so they could be classified as communists and all the political prisoners were mixed with ordinary ones. Then they took away the files of these prisoners, so that no one will be able to prove that they were political prisoners, and not ordinary criminals.

This was done for a very good reason. If there is a cease-fire, (which was declared seven days after this statement), the criminal prisoners won't be released. If the political prisoners are indistinguishable from the ordinary ones, they won't be released either.

The colonel also stopped family visits, with the result that families lost track of their relatives. Sometimes, they would tell people whose time was up, that they were going to release them. So these prisoners would say good-bye to us and follow the guards. Later, prisoners would arrive at Chi Hoa who had been transferred from other prisons, and they would tell us, "so-and-so is in the prison we just left," while we thought he had been released.

UNRELENTING PRESSURE

Nguyen Dong Ha, the younger brother of Madame Nguyen Thi Binh, is an example. His only crime is to be her brother. Because they couldn't find anything against him, they gave him a light sentence of only three years. When he had served his time, they told him he was released, and took him to the police station.

There he was faced with American interrogators who asked him to sign letters defaming his sister's character and to go on Saigon television to speak against her. When he refused, he was brought back to Chi Hoa, and that was how we met him and learned his story. Then he was taken away to the camps at Poulo Condor, and no one has heard of him since.

His wife was pregnant when she was brought into the prison, and she gave birth there. She, too, was asked to sign letters about Madame Binh, and the police threatened to take away her baby. A few days later they actually did take the child away and no one knows what became of it.

PREPARING FOR CEASE-FIRE

So in the last few months of our imprisonment, we realized that the colonel was preparing for the cease-fire. By mixing the prisoners, putting them out of sight, he was going to do away with the political prisoners, who should be released upon a cease-fire.

There are a lot of examples of this. We knew a student, Nguyen Ngoc Phuong, who was at Camp No. Seven at Poulo Condor. He was tortured to death by officials at Poulo Condor called "specialists." We know of at least 26 other prisoners who were being tortured to death when we left.

On Dec. 10, 16 Catholic students began a hunger strike to protest. They weren't

allowed to go into the yard to get sunlight or to have visits from their families. On Dec. 26, less than three weeks after they began their hunger strike, they were taken away on stretchers to the tiger cages at Poulo Condon. We also saw 53 political prisoners from Cell EG three, Sector FG, who had already been brought back from the tiger cages at Poulo Condor, returned there. They were among those who had been brought to Chi Hoa to be treated, but as I said, there was no medicine.

There is a nurse at Chi Hoa, but she had no medicine and did nothing. So when these students went there, the 53 prisoners accompanied them. They went back to the tiger cages in the same condition they had left them, their legs broken, their joints paralysed, asthmatic and leprous, and most of them infected with tuberculosis.

LIQUIDATION FOR SURVIVAL

We knew that this was a death sentence for these prisoners we had lived with for nearly a year. We know we will never see them again. The president of the Association of Vietnamese Students, told us upon our departure, "We have to bring back all those who've been deported to Poulo Condor. Otherwise we'll never see them again. We know that we're going to be taken away too."

Why had these liquidations begun before we left? If the Thieu regime is going to have a chance of survival after a cease-fire, they've got to get rid of everyone who has lived in these prisons and who could tell what they've experienced and what they've seen in the camps, especially the Catholic students and the Buddhist monks, who refused military service.

Obviously, they can't be called "communists"; they're from families that are well-known to the Saigon upper classes. It could snowball if they begin to tell what they've lived through, what they've seen, and what tortures they've undergone. Because of their religion and their social standing, people will believe them.

Thus it is a matter of survival for the Thieu regime to get rid of these people. Also, there are some prisoners they haven't been able to break. Even if they've broken their bodies, they've not always broken their spirit.

On Dec. 28, three days after the convoy left with the Catholic students and the 53 prisoners, the French consul came to tell us that we were released and would be deported to France. It was really unbelievable, unthinkable, that after what we'd seen of the conditions of imprisonment of our brothers, we should be released now.

WHY WE LEFT

When we were to go, we refused to leave. We didn't want to leave our comrades in arms who had helped us so much. They ran the risk of being taken to the security room to be tortured; this was a room which, when American delegations came, they transformed into a "movie theater."

Then some political prisoners came to see us and told us that we had to go, to bear witness of what we had seen, to tell of the tortures, the beatings, the assassinations, the policy of slow death. All this has been going on for dozens of years and no one speaks of it the papers. And that's why we're here.

In the last nine months of our imprisonment we saw a new type of political prisoner arriving at Chi Hoa. Until then we had seen mostly members of the National Liberation Front, patriotic Vietnamese, usually peasants.

But from about March, 1972 we began to see lawyers; intellectuals; professors; students, even Catholic students; Buddhist monks—a category of prisoners we had not seen before.

At first, we were extremely surprised, then we understood; these people belonged to the neutral "Third Force" that, just now, Thieu is so afraid of.

Andre Menras: There exists a form of torture which leaves fewer traces than the others, but is much more painful and lasting.

The victim, after having been bound hand and foot, is plunged into a big metal barrel filled with water up to the neck. Then the police, armed with heavy wooden hammers, beat against the sides of the barrel with all their might.

The water acts as a conductor of these blows, which penetrates to the internal organs of the body, especially, the liver, the heart, and the kidneys. People who have been tortured this way several times, never really recover.

Then, there is what the police call the "plane trip." After the victim's wrists have been tied together behind his back, a long, very strong rope is inserted through the cords around his wrists, while the other end is attached to a pulley on the ceiling. By pulling on the rope the police can make the victim swing in the air by his wrists, which have been tied together behind his back. The effects of this action are heightened by an occasional backjacking, or cigarette burn on the more sensitive parts of the body, particularly on the genitals.

FRACTURED BODIES

A girl student who was subjected to this torture twice in succession, could not bend her arms or wrist joints, and her shoulder-blades were fractured. The same was true of a young male student, who after having been subjected to practically every form of torture, tried to commit suicide. He was afraid that he would break down and sign the paper they tried to force upon him.

He first tried to cut his veins open with a piece of glass. He failed, however, and fainted.

When the trustees saw the blood trickling from under his cell door, they saved him in spite of himself. He then tried to kill himself by biting his tongue as hard as he could, and beating his head against the walls of the cell. Here again, however, he failed, a fact he seemed almost apologetic about. However, he signed nothing.

There is yet another form of torture, which is practiced on war prisoners. The prisoner is stripped naked and made to sit on a chair with a hole in the seat. A lighted oil lamp—making it possible to raise and lower the flame—is placed underneath the chair.

If the prisoner refuses to talk, the flame is raised higher and higher, until it burns the anus. Some 75 percent of the prisoners tortured in this manner do not survive since the only possibility of saving them would be operation on the abdomen that would permit the intestine to function normally.

TORTURING WOMEN PRISONERS

While rape has always been the fate of the little peasant girls who are all considered "communists" by the Saigon authorities, the same thing is also now true of girl students. A young woman student, whose fiance is now in the Chi Hoa prison, told us she had been raped by a veritable monster who, himself, forced a living eel into her vagina. He was known to have done this type of thing with other young women, using, among other instruments, filled cola bottles, which he had shaken before opening.

This same young woman also told us that she had had lizards let loose to run over her body, cigarette burns on her breasts, and the like. She too tried to commit suicide.

At first she tried to hide from her family and from her fiance what had happened to her. But she couldn't keep it from them, and three months later, she tried again to take her life. At present she has been moved to another prison.

One student told of having been subjected to torture with needles. Seated at a table, his hands were attached to the table, with his fingers spread so far apart that he could no longer move them. Slowly, by means of light taps on a piece of cardboard, needles were inserted under the fingernails.

Once in place, a sheet of tissue paper was attached to each needle, after which the ventilator just opposite, was turned on. The breeze from the ventilator set the tissue paper in motion and this, in turn, made the needles move, under the nails. The student told us that he stood it for 10 minutes before fainting, but added that even the most hardened, could not stand it for longer than 15 minutes.

He also described to us an interrogation during which the skin of his face had been burned by high-powered lamps.

The young girls especially, who for the most part come from well-to-do Saigon families and who have grown up in surroundings where more than elsewhere children are sheltered, even spoiled, have not been prepared for either physical or moral suffering.

And even if the day should come when they regain their liberty, even if they are not physically marked, they will never be able to lead normal social lives. All their lives they will be haunted by the images of the tortures to which they have been subjected. A young girl who has been raped in this manner may appear to be alive; in reality she is dead.

ARRESTING TEENAGERS

There have been many arrests of 15-year-olds, who took part in the movement to steal American cars whose owners refused to show the peace sign with the broken rifle. One young boy was condemned to 20 years of hard labor and 10 years banishment from the Saigon area. At present he is in the youth center in Dalat.

This shows how a person can get into prison. From then on, the penal authorities apply the policy of forcible patriotism or "rallying" as they call it.

All these hard-headed rebels will have to be brought to heel. They will have to be made to salute the Saigon flag, stand at attention every morning, join the Saigon side, show that they repent, if not, they'll be blackjacked and put in the big, dark "cinema hall."

Then, for one, two, or three months, every morning, regularly, they'll be beaten if they continue in their attitude of refusal, then they'll be returned to a cell. They'll be in solitary confinement, no exercise in the yard, no light, reduced food, and water rations. After that, they can expect to be deported, about which all the prisoners speak at Chi Hoa.

There are people who are old, sick, tubercular, or paralyzed for whom deportation will mean isolation, then death.

When other prisoners in the cells, who were not yet broken in health heard about them, they decided to resist the deportation of their friends, since it would surely bring on their death. They barricaded themselves in their cells because they know that their friends were going to be sent away, and that it would mean their death.

While this movement of resistance was at its height, a group of trustees entered the yards, formed a line, and began to hurl nausea tear gas grenades into the cells. In one cell, where there were 78 prisoners, 80 grenades were thrown, leaving the inmates unconscious, their skin so burnt that it hung in shreds from their bodies.

The trustees next rushed into the hall where they first beat the prisoners, then dragged them by their feet into the yard. From there they were dragged again—some by their hands, others by their feet—to a more distant yard, next to the kitchens, where a number of closed army trucks were waiting. (Jean-Pierre even succeeded in taking the license numbers of these trucks.)

THE TRIPS TO THE ISLAND

The unconscious bodies were thrown into the trucks, the way butchers handle animal carcasses. Once inside the trucks the prisoners were numbered and tied together by a trustee designated for this task.

When the trucks were finally loaded they were driven to the Saigon wharf, where a boat—always the same one—was waiting to take them from Saigon to the Island.

The welcoming ceremony at Poulo Condor starts with the "third degree" between two rows of blackjack-wielding trustees. Then each prisoner is searched, in a way that is always humiliating.

If he has succeeded in bringing a small parcel with him with perhaps a few pieces of clothing, it is confiscated, all individual clothing being against the regulations here. * * *

"CONVALESCENCE" AND "RE-EDUCATION"

Poulo Condor is a re-education center, so it has to have a convalescence camp—and this should not be forgotten—for people who are ill. Actually, there is one. Eloquently enough the prisoners call it by the name of a famous cemetery in Viet Nam.

All the tubercular, paralyzed, ill, or old prisoners are put in this camp, where their food rations are reduced and they are constantly beaten. There was one among them who escaped from this camp and returned to Chi Hoa; but he was redeported on Dec. 26. We know that we shall never see him again, since he was already in a very critical condition. * * *

This then is the long road that the Vietnamese patriots must travel until the reach extermination.

How do they do it?

This is what impressed us most. It is also for us the greatest lesson in courage we have ever learned.

It's their smile, the smiling will-power of these patriots. Systemically, scientifically, their bodies are destroyed. But their spirit is not destroyed, they continue to resist. After 10, 15, 17 years—we met one man who had spent 17 years in these jails, but who still smiled, nevertheless.

THE CHILDREN

The symbol, perhaps, of the struggle, of the suffering of these Vietnamese patriots in the concentration camps of the South, is the children whom we met at Chi Hoa, because there are children there too. The youngest among them, whose name is Dong, is six years old. His mother was killed by American bombing in the Delta region. His father, suspected by the Saigon regime of being a communist sympathizer, was incarcerated in Chi Hoa and brought the child with him. The child had no relatives to take care of him.

The last news we have of Dong dates from Dec. 20, 1972 when we heard him cry out in the disciplinary section where he was imprisoned with his father, with his friends. He was shouting slogans with the adults, to protest the living conditions that were forced upon the political prisoners—to protest the lack of food, the imprisoning of people in unknown places—and to demand that the prisoners be allowed to take walks outside, to take baths in water, in real water, not in urine. They were demanding unadulterated water, and larger rations of preperly cooked rice. * * *

We saw a section of 40 youths in Chi Hoa who organized themselves and who, when they were mistreated, got together like adults and made up slogans. At night, when the prison camp was sleeping, they shouted these slogans so that the adults in all the different sections could hear them. * * *

We saw how these children, at an age when little French children are playing marbles, are already adults. We saw how the prison authorities treated them. No difference between them and adults. They were put into the same category: hardheaded rebels.

There's a camp at Dalat, a concentration camp for children, where at this moment 800 young boys and girls are being held. In this center the prison authorities try as well to force the children to rally to the regime: they must salute the flag and work. There is a special torture for the children.

Dalat is situated on the high plateau, a place where it rains a lot and the nights are cold. The children who are obstinate, who refuse to salute the flag and to sing the "re-education" song, are put into a cell. They are bound so that they cannot move, and then twice during the night they are drenched with water and left like that to dry.

Psychological tactics are often used on them as well, especially on the younger ones. They are isolated without food or water for a day or two and then the kids are told: "Your mother is sick, she is very sick. Do you want to see her? Do you want to see your mother? Well, it's easy. You just have to salute the flag and go cut wood with the others on the hill, and then you will see your mother."

At the last transport of prisoners to Dalat we received word that there were four children who persisted in refusing to salute the flag, the others couldn't hold out. It's impossible to hold out for long. If you do you are dead.

THE NEED FOR PUBLIC PRESSURE

I think I have forgotten to mention many things. When we left, we saw many friends cry for the first time, people whom we had seen suffer for two and a half years without complaint. We saw them cry, and we left them there—a part of our family. We came back to try to save them. We know that they will be exterminated, especially in the weeks which will precede an eventual cease-fire, or even in the weeks that will follow.

We must not demobilize, we must not lose our interest in these prisoners just because the cease-fire is signed. We must not say that we have peace, that it's a cease-fire, that it's finished. Not at all!

It is precisely at that moment that they are going to finish them off. The same thing happened in the Nazi concentration camps. It was at that moment that they killed people off.

We have come back, then, to relate what we have seen and to arouse people's attention. We want to say that if we are still alive, Jean-Pierre and I, if we can talk to you, it is thanks to a campaign launched by the *Secours Populaire Francais*, it is thanks to thousands of people who sent us letters, who were concerned about us.

From the moment thousands of French people decided to pressure the Saigon fascists, from that moment on, we saw a difference in the attitude of our jailers. They stopped beating us and they took precautions with us.

We also saw how the torturing of the students had been denounced, and how The New York Times and The Daily Mirror (England) printed articles which spoke of this torture. At that moment the torturers stopped their work. They permitted families to see their children, who up to that point, had been kept in unknown prisons. And then we saw how silence closed in after that . . . silence; and then the tortures started again.

But thousands, tens of thousands of Europeans, not only French, must show that they know what is happening and must exert constant pressure on Thieu's Government until all these patriots who have been suffering for decades and who are fighting for the liberation of their country and for their independence have been released.

A BUDGET SUMMARY FOR THE CONGRESS

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1973

Mr. MAHON. Mr. Speaker, on January 29, 1973, the President submitted to Congress his budget for fiscal 1974, the fiscal year which begins July 1. We now think in terms of a new fiscal situation. The President has proposed that the Federal Government spend no more than $269 billion during fiscal 1974. This expenditure would result in part from funds which the President has recommended that Congress provide at this session and in part from funds made available in previous years.

The unified budget deficit is estimated to drop from $25 billion in fiscal 1973 to $13 billion in fiscal 1974. In full employment budget terms these actions would actually produce a paper-thin surplus of $300 million for fiscal 1974. Those who are somewhat sophisticated in the budget business might also note that the new budget authority recommended by the President for fiscal 1974 is $288 billion.

The casual reader of the foregoing figures might very well assume that the fiscal situation is dramatically improving and that we are moving rapidly toward a balanced budget. Such is not the case. No dramatic improvement in the budget is anticipated for fiscal 1974.

We can agree that the figures which I have recited are interesting and significant for many purposes but the fact is that they do not reflect to a sufficient degree the implications of this budget for Congress. In Congress and outside Congress we need to better understand just what the key fiscal facts are as they apply to the budget.

BUDGET SUMMARY

Perhaps one of the best summary statements is set forth in a table on page 327 of the budget document, part of which I shall include at this point in the RECORD:

BUDGET SUMMARY

[In millions of dollars]

Description	1972 actual	1973 estimate	1974 estimate
Budget authority (largely appropriations):			
Available through current action by Congress:			
Enacted and pending	164,806	179,575	
Proposed in this budget		3,269	172,820
Available without current action by Congress	102,793	131,653	146,477
Deductions for offsetting receipts	−19,503	−34,131	−31,268
Total budget authority	248,097	280,366	288,029
Receipts and outlays:			
Receipts:			
Federal funds	148,846	154,250	171,308
Trust funds	72,959	91,952	105,471
Intragovernmental transactions	−13,156	−21,218	−20,797
Total budget receipts	208,649	224,984	255,982
Outlays:			
Federal funds	177,959	188,390	199,108
Trust funds	67,073	82,624	90,354
Intragovernmental transactions	−13,156	−21,218	−20,797
Total budget outlays	231,876	249,796	268,665
Surplus or deficit (−):			
Federal funds	−29,114	−34,140	−27,800
Trust funds	5,886	9,328	15,117
Total budget	−23,227	−24,812	−12,683

CONGRESS ACTS ON BUDGET AUTHORITY NOT EXPENDITURE ESTIMATES

It must be borne in mind that the $268.7 billion figure in the table refers to expenditures. It is the President's estimate of the rate at which the Federal Government will pay its bills in fiscal 1974. Congress, in acting on direct appropriations and backdoor authority during this session, will be acting on budget authority. As is shown on the table, the

total budget authority requested for fiscal year 1974 is $288 billion.

A large share of this budget authority becomes available automatically under permanent authority enacted in previous Congresses. Examples are: Trust fund programs, interest payments on the national debt, and the revenue sharing account.

When we eliminate this automatic and permanent authority, we find that Congress has been requested to enact during the current session budget authority of about $173 billion, or about 60 percent of the total $288 billion requested. Virtually all of the $173 billion is estimated to be provided in appropriation bills.

Action on budget authority is critical because it occurs at the earliest stage of the decisionmaking process. Such action initially authorizes program officials to carry out activities, to contract for goods and services, or otherwise commit the full faith and credit of the Federal Government.

Not one dollar of outlays will occur unless Congress first provides budget authority authorizing it. The estimated $269 billion in budget outlays is the Executive's estimate of the rate at which the Federal Government will pay off its obligations and honor its commitments during fiscal 1974.

FEDERAL FUNDS DEFICITS AND BORROWING REQUIREMENTS

This summary table is particularly useful because it provides some detail on Federal Funds receipts, outlays, and deficits proposed in this budget. Federal Fund deficits are of great importance because, as the budget narrative itself points out on page 35:

Changes in the Federal debt subject to limit are more closely related to the Federal funds surplus or deficit than to the unified budget surplus or deficit.

The Federal Funds deficits as shown in the table to which I refer, for instance, for fiscal years 1972 through 1974 are $29.1 billion, $34.1 billion, and $27.8 billion respectively. The related increases in the debt subject to limitation for those years are $29.1 billion for fiscal 1972; $34.2 billion for fiscal 1973; and $29.7 billion for fiscal year 1974.

It is important to have these figures because they focus on the rising borrowing requirements of the Federal Government. The President submits his official budget on a unified basis which probably misleads the average reader. The man on Main Street does not understand that under the unified budget borrowings from the trust funds—social security, highway, and so forth—for the general purposes of government are not counted as part of the deficit, even though these borrowings must be repaid with interest.

It is proposed, for instance, that in fiscal 1974 the sum of $15 billion be borrowed from trust funds for the general operation of the Government, thus increasing the Federal debt. These borrowed funds must be restored, and with interest.

TIMELINESS OF APPROPRIATIONS

Mr. Speaker, we hear much these days about the need for Congress to reassert its control over the purse. I would simply like to make the simple and obvious point that orderly and timely enactment of appropriations are an essential factor of control.

The Joint Study Committee on Budget Control of which I am a member considered this matter in its unanimously reported interim report of February 6, 1973. The joint committee agreed in principle that provision for authorizations at, or near, the beginning of the fiscal year to which they relate."

I will insert into the RECORD at this point, Mr. Speaker, the pertinent parts of the joint committee interim report that support this conclusion:

RELATION OF AUTHORIZATION PROCESS TO APPROPRIATION PROCESS

Under the rules of both Houses of Congress, appropriations may not be approved until the Congress has passed a bill authorizing the expenditure and the level of operation of the program. The period of time for which authorizations are valid may be one year or may be for an indefinite number of years.

In recent years, there has been an increase in the amount of programs that have been made subject to authorization on a one-year-at-a-time basis. One effect of this has been to delay action on appropriations bills since they must await action on authorizations. This has been an important factor in delaying action on appropriations bills, often until after the start of the fiscal year involved and sometimes until after the end of the session of Congress.

Appendix Table 12 shows that 9 of the present 13 annual appropriations bills are affected at least in part by the requirement of annual authorizing legislation. This table also shows that for the 9 bills which required some annual authorization, during the period 1968 through 1971, the dates of passage for the authorizations generally occurred later in the year. On the other hand, as indicated in the table, action on the appropriations bills has been completed in relatively short periods of time after completion of authorization.

TABLE 12.—COMPARISON OF DATES OF LAST CONGRESSIONAL ACTION ON ANNUAL AUTHORIZATIONS AND RELATED APPROPRIATION ACTS, 90TH CONG., 2D SESS. TO 92D CONG., 1ST SESS

Annual authorization activities	90th Cong., 2d sess.	91st Cong., 1st sess.	91st Cong., 2d sess.	92d Cong., 1st sess.
Atomic Energy Commission:				
Authorization legislation	Apr. 8, 1968[1]	July 1, 1969[1]	May 19, 1970	July 31, 1971
Related appropriation act	July 30, 1968	Dec. 4, 1969	Sept. 23, 1970	Sept. 22, 1971
Foreign assistance programs:				
Authorization legislation	Sept. 19, 1968	Dec. 19, 1969	Dec. 22, 1970	Jan. 25, 1972
Related appropriation act	Oct. 11, 1965	Jan. 28, 1970	Dec. 28, 1970	Mar. 2, 1972
Maritime Administration, Department of Commerce:				
Authorization legislation	July 26, 1968	Sept. 25, 1969[1]	May 11, 1970	Jan. 24, 1971[1]
Related appropriation act	Aug. 1, 1968	Dec. 10, 1969	Oct. 7, 1970	Aug. 3, 1971
Military construction, Department of Defense:				
Authorization legislation	July 11, 1968	Nov. 21, 1969	Oct. 14, 1970	Oct. 21, 1971
Related appropriation act	Sept. 18, 1968	Dec. 19, 1969	Nov. 25, 1970	Nov. 15, 1971
Military procurement, R. & D., Department of Defense:				
Authorization legislation	Sept. 11, 1968	Nov. 6, 1969	Oct. 1, 1970	Nov. 11, 1971
Related appropriation act	Oct. 11, 1968	Dec. 18, 1969	Dec. 29, 1970	Dec. 15, 1971
National Aeronautics and Space Administration:				
Authorization legislation	June 18, 1968[1]	Nov. 7, 1969[1]	July 22, 1970	July 28, 1971
Related appropriation act	Sept. 25, 1968	Nov. 18, 1969	Dec. 7, 1970	Aug. 2, 1971
National Science Foundation:				
Authorization legislation	([2])	Nov. 5, 1969[1]	July 15, 1970	Aug. 3, 1971
Related appropriation act	([2])	Nov. 18, 1969	Dec. 7, 1970	Aug. 2, 1971
Office of Saline Water, Department of Interior:				
Authorization legislation	Apr. 11, 1968	July 1, 1969	Mar. 18, 1970[1]	July 15, 1971
Related appropriation act	July 11, 1968	Oct. 15, 1969	July 22, 1970	Aug. 2, 1971
Peace Corps:				
Authorization legislation	June 17, 1968[1]	Oct. 16, 1969[1]	July 9, 1970[1]	Sept. 23, 1971[1]
Related appropriation act	Oct. 11, 1968	Jan. 28, 1970	Dec. 31, 1970	Mar. 2, 1972
U.S. Coast Guard, Department of Transportation:				
Authorization legislation	May 27, 1968[1]	July 8, 1969	May 7, 1970[1]	Aug. 5, 1971
Related appropriation act	Aug. 1, 1968	Dec. 19, 1969	Dec. 29, 1970	Aug. 2, 1971

[1] Congressional action on authorization legislation (usually multiyear authorizations) for other activities included in the same appropriation act was completed later than the specific annual authorization here indicated.

[2] Annual authorizations for the National Science Foundation were not required for appropriations for period prior to fiscal year 1970 (sec. 14, Public Law 90-407).

Source: Library of Congress.

I will place in the RECORD at this point a comprehensive listing of the recommended fiscal year 1974 appropriations requiring additional authorizing legislation. I would only note that the list totals $49.6 billion or about 30 percent of the appropriations that Congress will act on this year, and that it affects 10 of the 13 annual appropriations bills.

1974 Budget—Recommended amounts requiring additional authorizing legislation

NOTE: These amounts are recommended in the 1974 Budget, but the Congress does not generally act on these appropriation requests until after enactment of the authorizing legislation.

[In thousands of dollars]

EXECUTIVE OFFICE OF THE PRESIDENT	
Council on International Economic Policy	1,400
FUNDS APPROPRIATED TO THE PRESIDENT	
Foreign Assistance:	
International Security Assistance:	
Military assistance	685,000
Foreign military credit sales	525,000
Security supporting assistance	729,100
International Development Assistance:	
Multilateral assistance:	
International organizations and programs	152,000
Bilateral assistance:	
Grants and other programs	481,350
Alliance for progress-development loans	150,000
Development loans-revolving fund	201,400
Contingencies	30,000
Total, funds appropriated to the President	2,953,850

1974 Budget—Recommended amounts requiring additional authorizing legislation—Continued

[In thousands of dollars]

AGRICULTURE	
International programs: Expenses, Public Law 480, foreign assistance programs, Agriculture	653,638
Rural Development:	
Farmers Home Administration:	
Mutual and self-help housing	3,000
Rural housing insurance fund (indefinite)	90,650
Consumer programs: Food stamp program	2,195,750
Total, Agriculture	2,943,038
COMMERCE	
Promotion of Industry and Commerce:	
Minority business enterprise: Minority business development	40,680
U.S. Travel Service: salaries and expenses	9,000
Science and Technology:	
National Oceanic and Atmospheric Administration: Operations, research, and facilities (Sea Grant Program)	19,500
Ocean Shipping:	
Maritime Administration:	
Ship construction	275,000
Operating-differential subsidies	*213,500
Research and development	20,000
Operations and training	14,800
Total, Commerce	592,480
DEFENSE-MILITARY	
Military Procurement:	
Aircraft procurement, Army	181,000
Missile procurement, Army	599,900
Procurement of weapons and tracked combat vehicles, Army	253,000
Aircraft procurement, Navy	2,958,300
Weapons procurement, Navy	942,000
Shipbuilding and conversion, Navy	3,901,800
Procurement, Marine Corps	79,200
Aircraft procurement, Air Force	2,912,800
Missile procurement, Air Force	1,573,200
Research, development, test, and evaluation:	
Army	2,108,700
Navy	2,709,100
Air Force	3,212,500
Defense Agencies	500,400
Director of test and evaluation, Defense	24,600
Military Construction:	
Army	655,400
Navy	627,600
Air Force	278,900
Defense Agencies	19,100
Army National Guard	29,900
Air National Guard	16,000
Army Reserve	35,900
Naval Reserve	18,858
Air Force Reserve	9,000
Family housing, Defense	1,250,567
Special foreign currency program	2,600
Total, Defense-military	24,900,325
DEFENSE—CIVIL	
Corps of Engineers-Civil:	
Construction, general	125
Flood control, Mississippi River and tributaries	1,000
Total, Defense-Civil	1,125
HEALTH, EDUCATION, AND WELFARE	
Health Services and Mental Health Administration:	
Mental health	137,099
Health services planning and development	103,081
Health services delivery	466,965
Preventive health services	20,500
National health statistics	17,409
National Institutes of Health:	
National Library of medicine	6,522
Office of Education:	
Elementary and secondary education	35,000
School assistance in federally affected areas	60,500
Education for the handicapped	93,609
Occupational, vocational, and adult education	10,000
Educational development:	
Educational broadcasting facilities	10,000
Dropout prevention	4,000
Social and Rehabilitation Service:	
Social and rehabilitation services:	
Vocational rehabilitation	(650,000)
Developmental disabilities	(38,965)
Research [1]	(41,196)
Training [1]	(17,000)
Aging	(96,000)
Total, Social and Rehabilitation Service	844,161
Total, Health, Education, and Welfare	1,808,846
HOUSING AND URBAN DEVELOPMENT	
Community planning and management:	
Comprehensive planning grants	110,000
INTERIOR	
Bureau of Indian Affairs:	
Road construction	*75,000
Territorial Affairs:	
Administration of territories:	
Trust Territory of the Pacific Islands	56,000
National Park Service:	
Road construction	9,000
Preservation of historic properties	19,559
John F. Kennedy Center for the Performing Arts	2,400
Office of the Secretary:	
Saline water research	2,527
Total, Interior [2]	164,486
JUSTICE	
Law Enforcement Assistance Administration:	
Law enforcement revenue sharing	800,000
Other law enforcement	91,124
Total, Justice	891,124
LABOR	
Manpower Administration:	
Salaries and expenses	35,788
Manpower revenue sharing	628,138
Total, Labor	663,926
STATE	
All federal fund accounts except permanent appropriations	604,223
TRANSPORTATION	
Coast Guard:	
Operating expenses	300,494
Acquisition, construction, and improvements	74,500
Alteration of bridges	7,000
Reserve training	18,535
Research, development, test, and evaluation	1,345
Federal Aviation Administration:	
Grants-in-aid for airports	*560,000
Federal Highway Administration:	
Federal-aid highway program (trust)	*5,550,000
Highway Beautification	*65,000
Administrative expenses	*1,020
Territorial highways	*3,500
Forest highways (trust)	*33,000
Public lands highways (trust)	*16,000
Trust fund share of other highway programs (trust)	*30,000
National Highway Traffic Safety Administration:	
Traffic and highway safety	35,063
Trust fund share of traffic safety programs (trust)	*191,882
Federal Railroad Administration:	
Railroad research	6,000
Railroad safety	8,000
Grants to National Railroad Passenger Corporation	44,100
Total, Transportation [2]	6,945,439
ATOMIC ENERGY COMMISSION	
Operating expenses	1,754,750
Plant and capital equipment	551,575
Total, Atomic Energy Commission	2,306,325
ENVIRONMENTAL PROTECTION AGENCY	
Research and development	57,000
Abatement and control:	
Toxic substances and toxic waste disposal	6,000
Clean air	79,000
Enforcement	9,000
Total, Environmental Protection Agency	151,000
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
Research and development	2,197,000
Construction of facilities	112,000
Research and program management	707,000
Total, National Aeronautics and space Administration	3,016,000
VETERANS ADMINISTRATION	
Grants to the Republic of the Philippines	2,000
OTHER INDEPENDENT AGENCIES	
Action:	
International programs	77,001
Operating expenses, domestic	92,399
Cabinet Committee on Opportunities for Spanish-Speaking People	1,000
Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped	40

Footnotes at end of table.

Corporation for Public Broadcasting	45,000
American Revolution Bicentennial Commission	7,100
(Supplemental for 1973)	(2,868)
Indian Claims Commission	1,086
International Radio Broadcasting	44,640
Legal Services Corporation	71,500
National Foundation on the Arts and Humanities:	
Salaries and expenses	153,000
Gifts and donations (trust)	15,000
National Science Foundation:	
Salaries and expenses	579,600
Scientific activities (special foreign currency programs)	3,000
Renegotiation Board	4,690
Small Business Administration, Business loan and investment fund	225,973
Temporary Study Commissions:	
Commission on Highway Beautification (Supplemental for 1973)	(250)
National Commission on Productivity (Supplemental for 1973)	(5,000)
United States Information Agency:	
All federal fund accounts	224,404
Water Resources Council, Water resources planning	3,170
Total, Other Independent Agencies	1,548,603
(Supplementals for 1973)	(8,118)
Grand Total, 1974 budget authority	49,604,190
(Supplementals for 1973)	(8,118)

* Contract authority.

[1] This represents the maximum, and may be reduced when HEW makes a final distribution of the appropriation request among the numerous authorizing statutes. Some of these statutes contain 1974 authorizations; some do not.

[2] Additional authorization for 1973 programs is required as follows:

Interior: Bureau of Indian Affairs: Road construction, $60 million.

Transportation: Federal-aid highway program, $1,300 million.

Urban mass transportation fund, $3,000 million.

SENATE—*Monday, March 19, 1973*

The Senate met at 12 o'clock meridian and was called to order by Hon. FLOYD K. HASKELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal and everblessed God, who has given us this season of holy remembrance, help us to follow the example of the Man of Nazareth, who toiled and taught, struggled and suffered as one of us. Help us to walk with His humility that we may be true servants; to walk with His courage that we turn not back from any danger; to walk with His endurance that we may persevere against all evil; to walk with His magnanimity that we may be true gentlemen; to walk with His love that we may be free from hate; to take His cross that we may share His crown; to share His death that we may also share His life.

Bring us at last to the new kingdom. In His name we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 19, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FLOYD K. HASKELL, a Senator from the State of Colorado, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HASKELL thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 15, 1973, the Secretary of the Senate, on March 16, 1973, received the following message from the House of Representatives:

That the House had passed a bill (H.R. 2246) to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period, in which it requested the concurrence of the Senate.

The bill was referred to the Committee on Public Works.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 15, 1973, the Secretary of the Senate, on March 16, 1973, received written messages from the President of the United States, submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on March 16, 1973, are printed at the end of Senate proceedings of today.)

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, March 15, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rules VII and VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that I may be able to reserve the time that is normally allotted to the distinguished majority leader or his designee under the standing order, because I believe that the distinguished Senator from North Carolina (Mr. ERVIN) and the distinguished Senator from Nebraska (Mr. HRUSKA) have a matter which they will want to take up and I should like to reserve that time and yield it to them.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Does the Senator from Pennsylvania desire to be recognized?

Mr. SCOTT of Pennsylvania. Mr. President, I yield back my time.

Mr. ROBERT C. BYRD. Mr. President, if I may, I now yield 5 minutes to the distinguished Senator from North Carolina (Mr. ERVIN).

SEPARATION OF CONSTITUTIONAL POWERS

Mr. ERVIN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 583.

The ACTING PRESIDENT pro tempore (Mr. HASKELL) laid before the Senate the amendments of the House of Representatives to the bill S. 583 to promote the separation of constitutional powers by securing to the Congress additional time in which to consider the Rules of Evidence for U.S. Courts and Magistrates, the Amendments to the Federal Rules of Civil Procedure and the Amendments to the Federal Rules of Criminal Procedure which the Supreme Court on November 20, 1972, ordered the Chief Justice to transmit to the Congress, which were to strike out all after the enacting clause, and insert:

That, notwithstanding any other provisions of law, the Rules of Evidence for United States Courts and Magistrates, the Amendments to the Federal Rules of Civil Procedure, and the Amendments to the Federal Rules of Criminal Procedure, which are embraced by the orders entered by the Supreme Court of the United States on Monday, November 20, 1972, and Monday, December 18, 1972, shall have no force or effect except to the extent, and with such amendments, as they may be expressly approved by Act of Congress.

And amend the title so as to read: "An act to promote the separation of consti-