

Laurence E. Lynn, Jr., of California, to be an Assistant Secretary of the Interior, vice John W. Larson.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 22, 1973:

DEPARTMENT OF THE INTERIOR
Stephen Alan Wakefield, of Texas, to be an Assistant Secretary of the Interior.

DEPARTMENT OF DEFENSE
William W. Woodruff, of Virginia, to be an Assistant Secretary of the Air Force.
Hadlai A. Hull, of Minnesota, to be an Assistant Secretary of the Army.

Carl S. Wallace, of Virginia, to be an Assistant Secretary of the Army.

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

EXTENSIONS OF REMARKS

THE WORK OF THE HOUSE COMMITTEE ON INTERNAL SECURITY, 1973

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. BURKE of Florida. Mr. Speaker, on February 20, 1973, the Honorable RICHARD ICHORD, chairman of the House Committee on Internal Security, opened this year's series of hearings on the theory and practice of communism. The subject of this hearing was the Communist Party—U.S.A. and Soviet anti-Semitism. The chairman pointed out that since 1919 the CPUSA has been a "disciplined organization operating in this Nation under Soviet control with the aim of establishing a Communist Party dictatorship in the U.S.A." The chairman further stated that—

The policies of the Soviet Union regarding its Jewish citizens have been a matter of considerable discussion and concern in recent years. All decent human beings are appalled by the mistreatment by the Soviet Government of its Jewish minority and, interestingly enough, as further evidence of the discipline of the Communist Party—U.S.C. to the Communist Party—Soviet Union, the Communist Party of the United States continues to support and defend every twist of Soviet policy. Even if some of the members of the Communist Party—U.S.A. had wished to publicly criticize the Soviet Union for its anti-Semitism, the Communist Party—U.S.A. has in the main prevented them from so criticizing.

The main witness at the hearing was Avraham Shifrin, a Soviet Jew who had suffered 10 years imprisonment in slave labor camps only for being Jewish. Shifrin's father had died in a Soviet slave labor camp where he had also been imprisoned only for being Jewish.

Mr. Shifrin testified about the discrimination and persecution that he as a Soviet Jew had experienced for 47 years. Ten of those years were spent in slave labor camps together with other innocent people who had been jailed for their ethnic origins or non-Communist beliefs.

Shifrin pointed out that he had met many people in the Soviet slave labor camps who had been jailed for the practice of their religion, including Baptists, Seventh-Day Adventists, and Catholics. But the Jews, Shifrin indicated, suffered the most severe persecution.

Describing the condition of Soviet Jews today Shifrin testified that there is not a single seminary in the So-

viet Union for training rabbis. There are no Jewish schools, and if a person attempted to study Hebrew, which is needed for Jewish prayer, he would be sent to a concentration camp.

A committee staff member placed into the RECORD two crude anti-Semitic brochures which were printed in the Soviet Union in English and shipped into the United States for distribution by the Soviet Government. One of these booklets "Caution: Zionism!" was printed in the Soviet Union in 1970 and had been exposed in the CONGRESSIONAL RECORD by Congressman ASHBROOK in 1971. This particular booklet expressed the Nazi fantasy about a Jewish conspiracy to control the world and even claimed that the Vatican and the Catholic Church were controlled by the Jews.

The other booklet published in Moscow in 1972 entitled "Anti-Communism, the Main Line of Zionism" contains similar Nazi-inspired anti-Jewish canards. The Communist Party—U.S.A. refuses to criticize these publications which are presently being distributed by the Soviet Embassy here in Washington.

Some members of the American Communist Party, according to the evidence developed during the hearing, want to criticize the Soviet Union for its mistreatment of the Jews. The Communist Party has cracked down on those members. Paul Novick, who is over 80 years old and who has been a Communist Party member and leader for over 50 years, has been brought up on charges for attempting to criticize the Soviet Union. A confidential Communist Party document entitled "Charges Preferred Against Comrade Paul Novick" was introduced at the hearing. The main charge against Novick was "his attitude toward the Soviet Union, particularly with regard to the Jewish question."

This hearing was a significant contribution by the Committee on Internal Security to the knowledge that we in the Congress need to understand the persecution of Jews and other minorities in the Soviet Union and to understand the role of the American Communist Party as a puppet organization dancing to the Soviet tune.

This information should also be useful to the American people in light of the fact that the Communist Party has been attempting to pretend that it is a legitimate political party. In the 1972 election, Gus Hall, the party's general secretary, appeared on the ballot of 13 States and the District of Columbia as a Communist Party candidate for the Presidency of the United States.

ABRAHAM LINCOLN

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. KEATING. Mr. Speaker, historians generally agree that President Lincoln was one of the greatest Presidents ever to serve his country. He governed this country during a period of crisis, a period of turmoil, and a period of tremendous change. Perhaps most important of all, President Lincoln served at a time when the divisions among the American people were perhaps the deepest of any time in our history.

My distinguished colleague from Ohio (Mr. WYLIE) recently spoke about many similarities between Presidents Lincoln and Nixon—similarities of these two men as individuals. I believe these comments of my colleague are most informative and appropriate, and I request that they be printed in the RECORD:

EULOGY TO LINCOLN AT LINCOLN-MCKINLEY DAY BANQUET, MARCH 8, 1973

Abraham Lincoln. What comes to your mind as you think Abraham Lincoln? President? Civil War? Common Man? Of course, all of these things.

When I think of Lincoln, I think President; and when I think President, I think of President Nixon. This brings to mind the Civil War—the Vietnam War. As I think—common man and humble beginning—I am again reminded that both Lincoln and Nixon had this kind of heritage which gave each a rare courage to persist for what they believed to be right. An unpopular war was forced on President Lincoln—an unpopular war was forced on President Nixon. President Lincoln did not surrender, and in his courageous persistence, a nation was saved. It was just as important that President Nixon persist in bring to an honorable settlement the Vietnam conflict. I think a surrender in Vietnam would have been just as destructive to the future of our country as allowing the South to secede from the Union.

Now that we have peace, we are caught up in a controversy over amnesty. President Nixon has said there will be no absolute amnesty for those who chose to leave the country at this time of trial. I agree with President Nixon and will support him. But, President Lincoln is frequently mentioned as having granted amnesty following the Civil War as a reason for granting it now. President Lincoln granted amnesty to certain southern troops, which is far different. And he granted conditional amnesty on an individual basis to persons who rejoined their regiments while the Civil War was still on. Contrary to what you might hear otherwise, at no time in our history have we offered complete amnesty to draft dodgers, deserters

from duty or those who refused to serve their country in time of war. They were all held responsible for their acts, if they chose to become citizens again.

We look to Lincoln for guidance because he exemplified the renewal of the American dream. His ability to come up with the right answer in time of trial has become legendary and we feel he could solve all of our problems if he were here today. But, it does no good for us to eulogize this great man or relate to the past unless we can somehow relate to the present and more importantly to the future.

The slow but steady steps that lead Abraham Lincoln from poverty to the Presidency gave him an understanding of people so that he expressed himself without harshness and yet got the message across. For example, President Lincoln was polishing his boots one day when a stuffy Senator came to the White House to call. "Mr. President," said the Senator, "You don't blacken your own boots do you?" Lincoln answered, "Whose boots do you think I blacken?"

The most famous of President Lincoln's speeches is the Gettysburg Address. The part of this great literary piece which comes to mind just now is, "It is rather for us to be here dedicated to the great task remaining before us." Lincoln always thought in terms of what was best for the future of America, however unpopular it might be.

Probably, the major problem facing the nation today is inflation, the attack on our economic system, or however you want to put it. The prime cause of inflation is the fact that the government has been spending more than its income for most of the last 25 years. That is a rather simple analogy, but Lincoln had something to say on this score.

When a neighbor asked, "What's the matter with those two boys who are crying?" Mr. Lincoln replied, "Just what's the matter with the whole world, I've got three walnuts and each wants two."

President Lincoln once said, "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do for themselves in their separate and individual capacities. In all that the people can individually do as well for themselves government ought not to interfere." We had drifted away from this concept of government until President Nixon said, "Let us encourage individuals at home and nations abroad to do more for themselves and decide more for themselves." This is basic American Republican Philosophy and President Nixon is trying to help people help themselves. Yes, President Lincoln and President Nixon have many things in common; Abraham Lincoln was our first peace-maker, Richard Nixon is our latest. Both held firm in the face of bitter criticism to secure a just and honorable peace in an unpopular war. President Lincoln was not able to direct the peace after the Civil War because of his tragic death. President Nixon has that opportunity and we must support him in his effort to eliminate inefficiency, duplication and waste and, more importantly, to come back to the spirit of the free enterprise where a person can enjoy the fruits of his labor. "It is rather for us to be here dedicated to the great task remaining before us." That is what Abraham Lincoln would have us do.

From President Lincoln to President Nixon we can be proud as Republicans to have played a great part in the building of this magnificent country. Let us here highly resolve to take advantage of our opportunity as a party to play a significant role in our future greatness.

D-Q UNIVERSITY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ROYBAL. Mr. Speaker, I wish to bring to the attention of my colleagues a bill which I introduced to develop D-Q University, the first national Chicano-Indian institution of higher education in this country. I was pleased to have 23 House Members join me in support of this important endeavor.

The bill would authorize \$35 million in grants to D-Q over a 5-year period to improve the site and develop D-Q's educational programs and bilingual studies. The funds would be used to carry out D-Q's goal of creating a national learning and cultural center focusing on the contributions made by American Indians and Mexican Americans and the issues affecting these people.

D-Q is the first university to be created and controlled by Americans of Indian and Mexican descent. It stands as an important national endeavor not only for the 8 million Indians and Chicanos in this country, but to all Americans dedicated to the idea of fostering cultural and racial understanding.

Two years ago the university received a Federal land grant to locate on 640 acres of surplus land near Davis, Calif. Under this grant the university holds title for the next 30 years for educational purposes. Within this short span D-Q has "become a leader in the development of innovative teaching methods and bilingual approaches, migrant manpower training, vocational, and community education."

Currently D-Q has "recognized candidate" status with the Western Association of Schools and Colleges, which is the second step to full accreditation. It is a degree-granting institution and is recognized by the U.S. Office of Education as eligible for its various programs.

Crucial to D-Q's educational philosophy is its deep commitment to the needs of its people and to serving the surrounding rural and migrant communities. Unlike traditional academic institutions, D-Q has adopted a community approach closely linked to the Aztec and early Cherokee and Choctaw schools, which were integral segments of their society and culture. Only recently has this country discovered the importance and benefits of this approach with its emphasis on community and vocational education.

D-Q provides training programs for teachers, social workers, and government personnel to respond to the needs of the American Indian and Mexican American. It offers courses in farm management and crop production, economic development and community health. It also provides precollege training, as well as traditional academic course work, with special emphasis on Indian and Chicano studies. D-Q has dedicated itself to creating a model for community education

as well as racial understanding and cooperation.

The naming of D-Q has its roots in the traditions and history of the Indian and Chicano people themselves. The D refers to the great Iroquois leader Deganawidah who founded the Iroquois Federation, an early experiment in democracy predating the U.S. experience. The Q refers to Quetzalcoatl, an Aztec spiritual leader and prophet who founded a religion based on peace and social reform. This blend of democracy, social reform, and cultural pluralism forms the backbone of D-Q University.

Mr. Speaker, I seek the full support of my colleagues in endorsing this important and innovative effort. The need for this university has been clearly documented by more than a century of persecution and discrimination against these people who have suffered educational neglect at all levels. Our commitment to D-Q would be a major step to ending this pattern of neglect and, in turn, developing a national Indian and Chicano center of education and leadership in America.

Cosponsors of the D-Q bill are: Representatives GLENN ANDERSON, HERMAN BADILLO, ALPHONZO BELL, PHILLIP BURTON, JOHN CONYERS, JAMES CORMAN, DON EDWARDS, RICHARD HANNA, AUGUSTUS HAWKINS, HENRY HELSTOSKI, HAROLD JOHNSON, ROBERT LEGGETT, WILLIAM LEHMAN, MANUEL LUJAN, JOHN MCFALL, PARRIN MITCHELL, JOE MOAKLEY, JOHN MOSS, JOHN MURPHY, BERTRAM PODELL, THOMAS REES, DONALD RIEGLE, and JEROME WALDIE.

TENNESSEE FLOOD DISASTER RELIEF A DISGRACE

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. FULTON. Mr. Speaker, recent torrential rains have caused heavy flooding and extensive damage which will run into the hundreds of millions of dollars in the State of Tennessee. Throughout the Southeastern States the damage may well run into the billions.

Because of this desperate situation the Governor of Tennessee and the Tennessee congressional delegation called upon the White House for emergency disaster assistance.

The reaction by the White House was prompt. It was loud. It was also disgracefully void of any substance.

With great fanfare the administration declared that Tennessee, indeed, was a disaster area and that emergency Federal assistance would be forthcoming. Then came a long list of programs which would be made available such as food stamps, debris removal, emergency rental, and mortgage payments.

But what of the real heart of emergency disaster relief? What about emergency housing loans, emergency small

business loans, and emergency loans through the Farmers Home Administration?

"Sorry," Tennessee was told. "Your need for help from your Federal Government does not extend this far."

Mr. Speaker, I can only protest this discrimination in the strongest terms. When the people of California suffered from recent earthquakes they were made eligible for SBA, FHA, and other emergency disaster relief loans.

When the people of Texas suffered recent disasters they, too, received such Federal aid.

Even the people of North Vietnam are being offered disaster aid by the White House, but not the people of Tennessee.

In Chattanooga alone, damage estimates run as high as \$65.5 million and yet officials there estimate that the Federal assistance offered by the White House yesterday will cover only \$4 million to \$5 million of this total.

Mr. Speaker, this announcement of assistance for Tennessee, like so many other goodies from this administration, was wrapped in a fancy package and presented with great fanfare. But, when the package was opened there was very little in it.

One can only surmise that this is an example of what was meant in the recent inauguration address which promised to "get big Government off your backs . . . Ask not what your Government can do for you. Ask what you can do for yourself."

Mr. Speaker, the people who have suffered this disaster in Tennessee are now experiencing the fulfillment of the benign neglect which this administration has sought and seeks to level at so many millions of Americans—the poor, the sick, the undernourished, the minorities, the middle classes, our veterans, our children, our schools.

Let us give aid to the Communists in North Vietnam says the administration. As for our own needy and deserving here at home, why just let them fend for themselves.

FEDERAL BUDGET IMPACT ON RUTGERS UNIVERSITY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. HELSTOSKI. Mr. Speaker, I should like to call to the attention of my colleagues an analysis of what President Nixon's fiscal year 1974 budget will mean to a higher educational institution, Rutgers University of New Jersey, if Congress adopts the budget proposal in its present form.

The difficult situation that Rutgers University will face by the President's budget proposals gives us a good idea of with what other institutions of higher learning will be confronted. I feel it is most important for the Congress to be

apprised of the consequences of the President's budget proposals.

Mr. Speaker, the analysis follows:

FEDERAL BUDGET IMPACT ON RUTGERS UNIVERSITY

If President Nixon's FY74 budget is adopted by Congress in its present form, the University stands to lose significant financial support. The following budget items will have the greatest impact on the operation of the University (see also the attached Federal Budget Impact Profile):

I. STUDENT FINANCIAL AID

Although President Nixon's FY74 budget provides for substantial funding of the Basic Educational Opportunity Grants (BOGS), the proposed elimination of Supplementary Economic Opportunity Grants (SEOG) and National Direct Student Loans (NDSL) and the proposed reduction of funds for the College Work Study Program (CWSP) will result in an overall reduction of the University's ability to provide adequate financial assistance to those students who have the greatest need.

There is no disagreement with the concept of BOGS, but the timing of the implementation is such that the University cannot efficiently gear up for the new program and continue to provide full service to our needy students. Our students would be best served by a continuation of funding for NDSL and SEOG coupled with a planned introduction of BOGS with a realistic Family Contribution Schedule.

II. COLLEGE HOUSING INTEREST SUBSIDY

The Department of Housing and Urban Development has provided support for college housing programs for the past several years. Based on the University's current housing construction plans, the elimination of the College Housing Interest Subsidy program means a loss of approximately \$1,400,000 over the next five years.

III. CAPITATION GRANTS: PHARMACY AND NURSING

Pharmacy and Nursing grants which are authorized under the Comprehensive Manpower Training Act of 1971 and were designed to encourage increased enrollments in the health professions are scheduled to be "phased out" in FY74. In 1972 the Rutgers College of Pharmacy received approximately \$227,000 which allowed for a substantial increase in student enrollment. At the Rutgers College of Nursing approximately \$51,000 was received which also allowed us to increase our student enrollment.

The elimination of the capitation program will necessitate either a reduction in the number of students we are able to accept, or the burden of financial responsibility will have to fall on the State of New Jersey.

IV. PHARMACY AND NURSING SCHOLARSHIPS

The FY74 budget message recommends a substantial reduction in the funds available for Nursing and Pharmacy scholarships. During 1972 Rutgers students benefited from this program by receiving \$53,000 for Pharmacy scholarships and \$29,000 for Nursing scholarships.

If the Federal government is indeed pledged to the ideal of providing greater opportunities to disadvantaged groups, what better way is there than to offer them the financial assistance to enter the health professions.

V. LIBRARY RESOURCES

The planned elimination of this vital program authorized under Title IIA and IIB of the Higher Education Act will severely limit the growth of the Rutgers University library system. In 1972, the University library received \$72,217 in federal funds for materials, and the Graduate School of Library Service received \$27,520 for student fellowships.

VI. BANKHEAD-JONES (LAND GRANT)

Congress has appropriated \$10 million for Land Grant Colleges for FY73. By formula distribution, this appropriation should authorize approximately \$225,000 to Rutgers. Although the University should have received this money in July 1972, the Office of Management and Budget has frozen the entire appropriation, and our award has not been received. In the FY74 budget request, President Nixon has asked that the FY73 appropriation be rescinded and that there be no appropriation for FY74.

The University's allocation from the Bankhead-Jones appropriation represents a significant amount of our unrestricted general operating budget. The loss of these funds will further restrict the University administration's ability to reallocate unrestricted funds to meet unexpected educational and research opportunities.

VII. TRAINING: HEALTH AND SOCIAL SERVICES

The drastic cuts proposed in the 1974 budget for training sponsored by the Social and Rehabilitation Services will necessarily restrict the availability of funds to the Rutgers Graduate School of Social Work for the training of our students in the social services. The Rutgers University Graduate School of Social Work currently has a training grant from the Social and Rehabilitation Services from which we pay six faculty members and provide tuition, fees and stipends to 18 students. Two of these faculty members and 10 of the students, by the way, will lose their salary support and student financial assistance in June of 1973 unless there is some additional training monies available. The remaining students and faculty will lose their support in June of 1974 when the training grant terminates.

VIII. TRAINING: HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Rutgers University Graduate School of Social Work has training grants from Health Services and Mental Health Administration approximating \$385,000. The likelihood of our being able to continue these training programs is, at best, extremely remote because of the severe cutback in the availability of training funds through the National Institute of Mental Health. Our current training programs pay the salaries of eleven faculty members and provide tuition, fees and stipends to 28 graduate students.

The loss of federal funds to support such vitally needed training programs will have a most severe impact on the teaching staff of the Graduate School of Social Work (approximately 40% of the faculty is paid through federal training programs) and will necessarily restrict the number of students who can be trained and who are available for training because of the loss of student stipends.

Also, it should be made quite clear that many of these faculty members and students are working in field units in major urban centers in the state of New Jersey, i.e., Newark, New Brunswick, Camden, Perth Amboy. For example, we have two faculty members and ten students working in the City of Perth Amboy. They operate out of the Model Cities Office, the Perth Amboy General Hospital, and in the Perth Amboy School System.

IX. GRADUATE STUDENT ASSISTANCE

In addition to the devastating impact on the students in the Rutgers University Graduate School of Social Work by the cut in training funds for National Institute of Mental Health and Social and Rehabilitation Services, the elimination of funding for other graduate student support programs will have an equally disastrous effect on the Uni-

versity's ability to provide needed financial assistance to young scholars.

The following table shows the number of students who have received financial support from various federal programs and the expected reduction in 1974. Although the figures are frightening, they do fall to show the trend over the past few years. For example, in FY 72 we had 83 NDEA fellows, but in 1968 we had 131. Also the table does not show the loss of funds that we had received from NASA to support as many as 40 graduate students.

	Fiscal year—		
	1972	1973	1974
NDEA fellowships.....	83	42	21
NSF traineeships.....	26	13	7
NIH traineeships.....	142	110	10
NIH fellowships.....	116	8	10
Total.....	257	173	28

¹ NIH training grants are being phased out. Other than limited obligations extending beyond Aug. 31, 1973, no further funding will be available.

X. COOPERATIVE STATE RESEARCH SERVICE (HATCH ACT)

The research done at the Rutgers College of Agriculture and Environmental Science with financial support from the Cooperative State Research Service is a well documented story of benefit to our nation's farmers and particularly to New Jersey farmers and citizens. The proposed reduction in research support will result in a loss to Rutgers of \$116,000 to \$360,000 in FY 74; these figures

represent a 12-37% cut over last year's \$1 million allocation.

XI. EXTENSION SERVICE (SMITH-LEVER ACT)

Although the administration's request for Smith-Lever funds for FY74 is approximately \$5.6 million greater than the 1973 estimate, the addition of new federal funding responsibilities and inflation will result in anticipated reduction in funding for the Rutgers Extension Service of \$52,000-\$53,000.

XII. INSTITUTIONAL AID

If fully funded, the cost of education allowance authorized in the 1972 amendments to the Higher Education Act would have provided Rutgers University with approximately \$2.5 million.

By enacting this legislation in 1972, the Congress acknowledged the validity of the statements of need presented by the higher education community. Nothing has changed in the last six months to alleviate the financial crisis at colleges and universities; if anything, the need seems to be greater.

XIII. VETERANS COST OF INSTRUCTION (VCI)

Rutgers is currently expending time and effort to recruit veterans and to satisfy their special needs, but additional work in this area can be carried on only at the expense of some other educational program. President Nixon's request for recession of the \$25 million that has been appropriated for FY73 and his elimination of any request for VCI funding in FY74 will limit the University's ability to expand our current program of support to veterans.

XIV. OTHER PROGRAM REDUCTIONS

In addition to Programs listed above, several other items in President Nixon's budget

will, if accepted by the Congress, adversely affect the operation of the University. Specifically, the elimination of funding for Title I (Community Services) of the Higher Education Act will mean a loss of approximately \$50,000 to Rutgers and the displacement of one professional staff member who is doing community liaison work at the Camden campus. The elimination of funding for National Defense Education Act Title VI may jeopardize the summer language training programs that Rutgers students currently have available to them. The elimination of the Model Cities program will also affect the University through the dissolution of our training program and consultative services for Model Cities personnel. In addition, the proposed elimination of allied health manpower programs will limit the University's ability to implement new programs in health manpower.

XV. OTHER PROGRAMS—ENDORSED

A. BOGS: As stated earlier, the University applauds the Congress and the President in their respective efforts to implement a Basic Educational Opportunity Grants program, but not at the expense of student assistance programs of proven value.

B. Special Programs for the Disadvantaged (TRIO): The substantial increase in funding requested for Special Services in Colleges and the modest increase in the Upward Bound programs and heartily endorsed by Rutgers University.

C. Cooperative Education: The concept of cooperative education is engendering considerable interest among both educators and students, and Rutgers encourages federal support for cooperative education programs.

FEDERAL BUDGET IMPACT PROFILE

	1972 appropriation	1973 proposed	1974 proposed	1972 RU share	Impact on RU
EOG (initial year) (HEA IV A).....	\$78,100,000	0	0	\$338,233	Loss of \$338,233.
EOG (renewal year) (HEA IV A).....	132,100,000	0	0	1,104,462	Loss of \$1,104,462.
National direct student loans.....	286,000,000	\$286,000,000	\$5,000,000	964,925	Loss of \$964,925.
Work study (HEA IV C).....	270,200,000	250,000,000	250,000,000	938,839	Minimal loss.
Basic opportunity grants.....	0	622,000,000	959,000,000	0	Gain: undertermined.
Institutional aid (authorized by 1972 HEA Amendments).....	0	0	0	0	Unrealized potential of \$2,500,000.
HEA title II A and II B library resources.....	12,934,000	\$15,000,000	0	\$73,217	Loss of \$100,737.
Land Grant money, Bankhead-Jones Act.....	10,000,000	\$10,000,000	0	\$27,520	Loss of approximately \$225,000.
Vets cost of instruction.....	0	\$25,000,000	0	0	0
Capitation grants:					
Pharmacy.....	0	0	0	227,485	Loss of \$227,485.
Nursing.....	\$31,500,000	16,800,000	0	51,572	Loss of \$51,572.
Student assistance:					
Pharmacy scholarships.....	7,198,000	5,695,000	\$3,700,000	53,000	Loss of \$53,000.
Nursing scholarships.....	19,500,000	19,500,000	\$11,000,000	29,147	Loss of \$29,147.
College housing interest subsidy.....	72,491,000	5,000,000	0	(10)	(10)
General mental health training (Health Services and Mental Health Administration).....	113,887,000	99,009,000	\$72,376,000	385,000	Potential loss of \$385,000.
Social and rehabilitation services—training.....	37,434,000	47,495,000	17,000,000	177,730	Potential loss of \$177,730.
Hatch Act (Cooperative State Research Service).....	0	91,438,000	73,700,000	1,000,000	Loss of \$116,000-\$360,000.
Extension service (Smith-Lever Act).....	0	191,289,000	196,860,000	1,820,748	Loss of approximately \$52,000.

¹ NDSL is not forward funded. \$286,000,000 for NDSL was spent in academic year 1972-73.

² Appropriated Presidential request to reduce to \$12,900,000.

³ Library materials.

⁴ Fellowships.

⁵ Appropriated, President Nixon has asked to reduce to zero.

⁶ Capitation grants are to be continued for medicine, dentistry, and osteopathy only.

⁷ Authorized.

⁸ Phase out.

⁹ Phased out in 1974.

¹⁰ Estimated loss over next 5 years is approximately \$1,400,000.

¹¹ Approximately.

THE EFFECT ON SELECTED GROUPS OF STUDENTS

(The following was extracted from a letter to President Edward J. Bloustein from Vice President Alice Irby. The letter was prepared by Mrs. Irby in cooperation with Mr. Arthur Richmond, University Financial Aid Coordinator.)

As you know, the difficulties created by the Nixon budget are not described adequately by using total dollar amounts to indicate levels of funding. The method of the funding will decrease the University's flexibility in packaging aid and thereby create a real financial hardship for some groups of students. Art will have a more thorough analysis of this when he completes his college-by-college studies of sample cases. However, he and I are guessing as follows:

A. EOF Students—BOG will replace the EOG and/or NDSL awards made previously

to EOF students to supplement the State EOF grant. These students will probably show a net gain in grant money. EOF students, on the average, will probably be somewhat better off than they have been in the past. There are about 2800 students in this category. However, those students with EOF grants and NDSL loans may be better off in terms of grant money but worse off in terms of total financial aid package unless they are able to get a loan from a commercial bank. One must also remember that while students generally may have more grant money than this year, this was a bad year with respect to supplemental funding to EOF students.

B. Low-income, non-EOF students who have had EOG awards (e.g., \$800) and NDSL loans will suffer. The grant money on the BOG may be smaller than their awards have been in the past and they will receive no

loans other than what they can obtain from a commercial bank. We estimate that there are about 1,000 non-EOF students who are now dependent on EOG grants and NDSL loans. These students have incomes as low as the EOF students but have not received EOF grants since they are not educationally disadvantaged.

C. Some students who receive NDSL loans or CWSP will receive small grants, whereas they have not had grant money before; but they will be dependent on a bank for a loan since NDSL will not be funded. About 1500 students are on a combination of loans and/or work-study.

D. Students with parents on social security will not be able to obtain BOG grants except in a few cases. These students have been receiving EOG grants in the past. We estimate that there are several hundred of these.

Finally, the statistics on a sample of 25 Rutgers College cases may be interesting. In 1972-73 there were 10 EOG awards totaling \$7400 and 24 NDSL loans totaling \$17,000 for a grand total of \$24,400. Art estimates that under the Nixon program next year, 23 of the 25 students will receive BOG awards in an amount of \$11,800, but that no loans will be available. This shows a net loss of \$12,600. Even if BOG were funded at its maximum level of approximately \$1 billion, we would have in this sample 23 of the 25 receiving awards in the amount of \$17,500, an amount smaller than we have had in the past. Of course, if one believes that it will be as easy to obtain loans from commercial banks as it has been to allocate NDSL dollars, the Rutgers students should not fare too badly although a number of them will be hurt in one way or another because of changes in the packaging of aid.

I was told by one student in Newark last Wednesday that she went to a commercial bank to get a loan and the bank informed her that before she could get a loan she would have to have a deposit in the bank in the amount of \$500. Of course, she did not have the \$500 to put into the bank in order to get a loan. Art estimates that we will be sending an additional thousand students into the commercial loan market to borrow about \$1.5 million in loans. One of my major concerns is the impact this will have on the banks, and the impact the banks will have on the students.

THE WEST FRONT

HON. JAMES W. SYMINGTON
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. SYMINGTON. Mr. Speaker, with regard to the continuing discussion concerning the extension of the Capitol's West Front, I would like to take this opportunity to submit the comments of Mr. George E. Hartman, Jr., a close and concerned friend who also happens to be one of Washington, D.C.'s most distinguished architects:

NOTES ON THE PROBLEM OF THE WEST FRONT OF THE CAPITOL

We are now approaching the 100th anniversary of the first proposal to extend the West Front of the Capitol, which was initiated by Thomas U. Walters, when the unconventional character of this elevation first became apparent with the completion of the dome. There is however, an important difference between the current proposal to destroy the last remaining facade of the original Capitol now 144 years old, and Walters' plan of 1874. At that time the West facade, completed in 1829, was less than fifty years old. Walters himself had added the two wings in the 1850s and the dome during 1856-65. It was only logical that he and his immediate successors would propose bringing the building into a traditional classical balance by extending the West front. However, this possibly was permanently abandoned with the addition of the Olmstead terraces in 1884-92.

During the 1880s Olmstead made several studies for extensions to the West front before deciding on the West terraces. In fact, his surviving drawings show almost every variation ever proposed by anyone, including the suggestions of Bullfinch, Walters and Clark, in addition to his own. These studies ranged from major extensions of the facade to mere face lifts achieved through the addition of pediments. The terraces as built did

not allow or provide for any extension of the West front. Why did Olmstead, whose far-sighted vision was large enough to include the design of Central Park in New York City, not allow for the extension of the facade when he executed the west terraces?

The answer lies in an analysis of the West elevation itself. Walters' dome is by far the most prominent and important aspect of the Capitol. Since Capitol Hill falls off rapidly to the West, any addition would project into the sight lines of the dome when seen from below and lessen the present dramatic visual impact of the dome when seen from the West. Furthermore, any addition would tend to unify the center with the two wings and integrate the entire structure into one massive block. To see this effect, compare the regularity of the existing East elevation with the articulation of the existing West facade, while realizing that the current proposal pushes parts of the West front as far in front of the wings as it now is behind them.

The current massing of the Capitol is the result of a most fortunate series of accidents as are many of the world's most successful monuments. It ranks with Renwick's Smithsonian, Mullet's State War and Navy Building and Meig's Pension Building, as being of unquestionable aesthetic value. No one would any longer seriously propose demolishing the Smithsonian to regularize the Mall, nor remodeling the Executive Office Building to make it match the Treasury. Contemporary planning does not require stylistic continuity through the purging of the past. The West elevation, deliberately preserved for over a hundred years following Olmstead's aesthetic decision, should not be destroyed through the relentless demands for space and efficiency, and then justified as being the realization of Walters' original plan.

The very real requirements for additional space can be met in other ways. Certainly, the current space requirements can be successfully met without sacrificing the West front. Like it or not, this building is now a monument, albeit a working monument, and there is no such thing as an efficient or economical monument. Any extension or alteration we make to this building will become a symbol of our attitude toward our heritage.

The most immediately apparent alternative to the extension of the West front, is the development of an underground complex underneath Capitol Hill. Because it will not be seen, it offers the unprecedented advantage of allowing a symmetrical building to respond to an unsymmetrical program. This approach, together with a much needed remodeling and better utilization of existing spaces promises to provide enough additional space for the foreseeable future. This was clearly not the case in the extension of the East front and is no more likely with that of the West. Since the majority of the space behind the proposed West facade would not have windows in any event, and is already spread over 4 to 7 levels, it already requires a constant reliance on an elaborate system of high speed elevators. If the same space were dug into the hill alongside the House, the majority of the offices would be nearer the floor in terms of walking distance and travel time than they would be in the extended West front.

Furthermore, it is unquestionably less expensive to build and operate underground facilities than it is similar ones above ground. This development is also consistent with meeting the service and communication needs of the entire Capitol Hill complex while simplifying the problems of the existing surface traffic.

Moreover, it is a thoroughly contemporary solution which, while providing exactly the space that is needed where it is needed, is also completely compatible with and even respectful of the past.

The proposed expansion of the West front is historically, aesthetically and monetarily wasteful, and is therefore uneconomical in the fullest sense of the word. We recommend that the West front be restored as soon as possible and all new construction deferred until it can be integrated into a long-range plan for all of Capitol Hill.

SOVIET FORCES IN EASTERN EUROPE STILL POSE GREAT DANGER

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. HUBER. Mr. Speaker, if, in our rush to reduce our commitments abroad, we unilaterally withdraw all or part of our forces from Europe, without meaningful concessions from the Soviet Union, it could lead to a tragedy. Any U.S. forces withdrawn would obviously return to the United States, while any Soviet forces withdrawn would only pull back into the western part of the U.S.S.R. In approaching the preliminary discussions on mutual and balanced force reduction—MBFR—with the U.S.S.R., we should insist on realistic withdrawals on their part. Soviet divisions are almost entirely organized for a quick strike combat role, while allied strategy depends upon mobilization and American reinforcement. If we do not achieve something better than a 1-for-1 ratio of withdrawal, the Soviet Union will retain a clear and present superiority with which to psychologically cow Europe into submission—more so after the withdrawal of any American units. The Soviets, for their part, have stressed that any such asymmetrical formula is unacceptable to them. An article that just appeared Sunday in the Star and Daily News by Jeffrey Record, points out clearly the dangers we face in this regard. I commend it to the attention of my colleagues:

SOVIET FORCE DESIGNED FOR BLITZKRIEG

(By Jeffrey Record)

Since it assumed office in 1969, the Nixon administration has confronted growing domestic and international pressures to reduce the number of U.S. troops in Europe. Those troops—some 300,000 of them—not only contribute heavily to America's imbalance of payments abroad but also appear to a weary public and to many congressional critics an anachronism in a Europe presumably capable of protecting itself.

So far the White House has successfully parried demands for withdrawals. The President has quite correctly asserted that any unilateral abridgement of U.S. combat power in Europe would irreparably weaken NATO's ability to defend itself. The foundation of that assertion is a recognition that the nature of Soviet military might on the continent has remained basically unchanged despite a definite and much-heralded thawing of relations between East and West.

Indeed, it is the character and not the fact of Soviet military power in Europe that has generated unease in the West since the close of the Second World War. The North Atlantic Treaty Organization was created in 1949 to counter that power. The preliminary discussions on mutual and balanced force reductions (MBFR) now underway in Vienna invite the prospect of diminishing it.

My purpose here is not to explore the intricate complexities of MBFR or investigate possible means of achieving it, but to review certain aspects of Soviet conventional military power in Europe which continue to give rise to suspicion, mistrust and even fear on the part of NATO, and to which the Vienna conference must of necessity address itself. I would focus upon the size, disposition and structure of ground forces, particularly those deployed in central Europe (the Central Front, or NATO Center), the arena of major military confrontation on the continent.

Three basic conclusions emerge: (1) the size of Soviet ground forces in Europe is grossly disproportionate to their stated purposes; (2) their structure reveals preparation for offensive and not defensive military operations; and, (3) truly "balanced" force reductions will require a contraction of existing Soviet military power far in excess of what NATO may safely entertain for its own forces.

Perhaps the most significant asymmetry between NATO and the Soviet Union is their respective assessments of the duration of future conflict in Europe. In sharp contrast to NATO's doctrinal and structural emphasis on protracted war, Warsaw military power (which for all practical purposes is Soviet military power), is postured for a short, intense conflict of perhaps no more than six weeks.

Warsaw Pact (Soviet) military doctrine calls for the speedy conquest of NATO Center by means of a massive, unstinting blitzkrieg—regardless of whether or not nuclear weapons are employed or of the circumstances attending the outbreak of hostilities. Tactical guidelines established by the Soviet General Staff for armored units postulate initial penetrations of up to 100 kilometers, and subsequent daily advance rates of 40 to 80 kilometers.

Motorized rifle units are to follow advancing armor, encircling and mopping up remaining pockets of resistance. The object of such a strategy is clear to overrun Western Europe before NATO can mobilize its potentially greater resources.

The size, disposition and structure of Soviet and Warsaw Pact forces reflect close adherence to the doctrine of blitzkrieg. The magnitude of the Russian garrison in Eastern Europe (31 divisions) is grossly disproportionate to any conceivable requirements for either maintenance of the Kremlin's political preponderance in the region or its defense from external attack.

The concentration of 20 crack divisions in East Germany suggests that they would be the cutting edge of any major Communist thrust into NATO Center and that their primary axis of advance would be across the North German Plain. A rapid southward turning movement here could quickly cut off the U.S. and West German divisions which are located well forward of the Rhine River.

Not only is the terrain there much more suitable for swift armored penetration than the more mountainous topography further south, but also Soviet forces stationed in East Germany are closer to such key objectives as the Rhine and the Channel ports than are Soviet forces deployed elsewhere along the Central Front.

The structure of the Russian garrison in Eastern Europe, no less than its disposition and inordinate size, indicates a military establishment designed for highly mobile offensive operations at the theater level.

A major manifestation of this posture of quick-win is the high ratio of combat to support troops maintained at the divisional level, estimated at between 3 and 4 to 1. Thus 75-80 percent of Soviet divisional manpower is allocated to combat functions and only 20-25 percent is assigned to support units. Such an extraordinary ratio clearly favors a short, intensive war, since a protracted conflict would compel support-poor Warsaw Pact

forces to rely increasingly on inferior and less manageable civilian transportation and supply resources.

In fact, from a purely logistical standpoint a war of extended duration would be doubly disadvantageous for the Soviet alliance because it would be confronting NATO formations on the battlefield whose relatively low ratio of combat to support troops (about 3:2 at the divisional level) is designed to sustain combat for much longer periods of time.

The Warsaw Pact's emphasis on combat at the expense of support is graphically revealed in the high proportion of tanks in their divisions. For example, of the 31 Soviet divisions stationed in Eastern Europe, 16 are armored; all of the remaining 15 are motorized rifle divisions possessing an unusually large number of tanks.

The USSR's strong reliance on tanks—inherently offensive weapons—is reflected in the high ratio of tanks to men. Although the number of men in a Soviet armored division (8,400) is less than half that assigned to a U.S. armored division (17,500), the former fields 324 tanks while the latter counts eight fewer. Thus the 1:54 tank-men ratio for the U.S. is exactly 50 percent of the 1:27 ratio maintained by the USSR. With respect to mechanized infantry/motorized rifle divisions, the figures are 216 tanks/16,000 men for the U.S. versus 188 tanks/10,500 men for the Soviet Union.

Additional evidence of an offensive short-war posture includes the Warsaw Pact's power to mobilize and deploy rapidly extra military formations along the Central Front and its reliance on a unit replacement system.

Warsaw Pact mobilization and deployment capabilities opposite NATO Center are formidable. At no expense to its formations deployed along the Sino-Russian border, the Soviet Union can double the number of its divisions, tanks, and men now available in Eastern Europe for immediate combat against NATO within 30 days, and almost triple them within 120 days.

The key to the USSR's capacity for such swift mobilization is its reliance on cadre rather than simple reserve units to augment its combat-ready forces. In addition to 65 full-strength divisions the Soviet Army musters almost 100 divisions in lesser stages of readiness, over 60 of which are stationed within relatively easy reach of central Europe.

Unlike U.S. reserve formations, which are composed entirely of part-time and in many cases poorly trained soldiers (thus requiring larger periods of post-mobilization training), Soviet cadre divisions are a combination of active, full-time personnel and comparatively well-drilled reservists.

Non-Soviet armed forces of the Warsaw Pact vary with respect to political reliability, and it is questionable whether even active Hungarian and Rumanian units would be employed to bolster a Pact buildup. At a minimum, however, the Warsaw pact should be able to count on an additional Czechoslovakian and 11 Polish divisions within the first month following the decision to mobilize.

NATO's capacity to offset the Pact's ability to mobilize and deploy additional military power in central Europe during the crucial first 120 days of buildup is at best marginal.

Notwithstanding the greater size of NATO divisions and the generally recognized qualitative superiority of the alliance's major weapon systems (particularly tanks and aircraft) over those of the adversary, NATO is currently incapable of maintaining even a 1:2 ratio of divisions, main battle tanks, and combat troops vis a vis the Pact during most stages of the first four months of mobilization. Yet achievement of this ratio is considered essential by many analysts for an effective forward defense, which in turn, is a prerequisite for protracted war.

Twenty and one-third non-U.S. NATO divi-

sions are currently allocated to NATO Center. Yet, even drawing upon a large portion of their national forces not formally committed to the alliance, together, Belgium, the Netherlands, Great Britain, Canada, West Germany and France probably could not add more than 15% additional divisions within 120 days.

The central weakness of NATO's mobilization potential, however, is the inability of the United States—the ultimate source of major reinforcement for the alliance—to mobilize its own reserves at a pace equivalent to that of the Soviet Union. The United States currently maintains 4½ divisions on the continent. The 3½ divisions based in the continental United States but earmarked for European contingencies could, of course, be deployable to NATO within 60 days as could perhaps another three divisions drawn from the U.S. strategic reserve and the Marine Corps. National Guard and regular service reserves, however, are not considered deployable for at least four months. Indeed, some recent studies have concluded that a minimum of 200 days would be required before reserve divisions could be made combat-ready.

Thus there exists the very real prospect that the Warsaw Pact's potential military power may be fully mobilized before the first reserve division from the United States could reach the continent.

A final indication of the Pact's quick-victory stance is its use of the unit system of replacement. Restoring combat losses on a unit rather than an individual basis permits greater amounts of men and equipment to be transported to the front and in a much shorter time. The unit system is much more suited for a short, intense conflict than is NATO's individual replacement scheme.

By sending forward entire units rather than single individuals, the Pact can offset the high attrition rates projected for a brief, decisive war in Europe and at the same time avoid much of the tedious paperwork inherent in NATO's method of replacement.

This terse analysis of certain aspects of Soviet military power in Europe suggests a number of conclusions. First, the size of both deployed and mobilizable Soviet armed forces on the continent far surpasses that necessary to serve Russian security interests in Europe. Existing forces are more than sufficient to protect Eastern Europe against a NATO which, in its current posture, provides no offensive threat to the Warsaw Pact.

More importantly, with respect to the maintenance of Soviet political preponderance in Eastern Europe, it is questionable whether even a token military presence in that region is necessary to insure Moscow's ability to intervene forcibly in the affairs of individual Pact states. For example, the absence of a Soviet military presence in Czechoslovakia in 1968 did not hinder the USSR's capacity for a lightning occupation of that country and replacement of its "deviant" regime. Conversely, the presence of Soviet forces has proved no guarantee of immunity from anti-Soviet uprisings such as those that erupted in East Germany in 1953 and in Hungary three years later.

Second, notwithstanding Moscow's pretensions to the contrary, the structure of these forces indicates that they were designed for an offensive campaign. This is not to imply that a war is on the horizon or even that the prospect of conflict is not remote, particularly in an era of budding detente between the United States and the USSR. It is to say, however, that a disturbing disparity exists between the stated rationale of the Soviet garrison in Eastern Europe and its actual posture.

Finally, with respect to MBFR, no agreement can be satisfactory to the West that does not call for significantly disproportionate reductions in Russian ground forces since

anything approaching a one-to-one stand-down would reduce NATO's already marginal ability to sustain a successful forward defense of Western Europe.

RIGHTS ADVOCATE TROUTMAN DIES

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 22, 1973

Mr. TALMADGE. Mr. President, we in this Chamber all have the benefit of men among those we represent who serve as friends, counsels, critics, and advisers simultaneously. So it is in my case.

There are many in Georgia upon whom I rely for help and for guidance. These people come from all walks of life and from different regions of Georgia. They often hold divergent views.

I valued none of my friends more closely than Robert B. Troutman, Sr., of Atlanta, who died there last week.

Mr. Troutman was a prominent attorney of our largest city, but he was a man whose influence was felt statewide. He came upon the Georgia scene at a time when his State and his people were undergoing one of their most trying periods. He has always stood by us, and the devotion and understanding he gave to Georgia have earned him the respect of all.

I personally admired this man as a humanitarian, with the interests and rights of each person ever in his mind. He was one of the most responsible citizens we have had in Georgia, and his contributions to the general well-being were manifold. His interests and accomplishments were diverse.

Mr. Troutman was also a principal organizer of the foundation which bears the name of our late deceased colleague, Richard B. Russell. His support brought about a foundation honoring a great American and preserving the spirit in which Senator Russell lived.

I will sorely miss Bob Troutman, as will many, many others. I ask that the news-story which appeared in the Atlanta Journal following his death be printed in the RECORD, and I commend it to the attention of the Senate.

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

[From the Atlanta (Ga.) Journal, Mar. 16, 1973]

RIGHTS ADVOCATE TROUTMAN DIES

Robert B. Troutman, Sr., one of Georgia's most prominent attorneys and one of the early advocates of voluntary desegregation, died Thursday. He was 82.

The cause of Troutman's death was not announced but he was stricken with heart problems in 1958 and had been ill for some time.

A Rosary will be said at 7:30 p.m. Friday at Patterson's Spring Hill Chapel and the funeral will be at 10 a.m., Saturday at Sacred Heart Catholic Church. Burial will be in Westview.

For more than 50 years Troutman practiced law, becoming president of the Atlanta Bar Association in 1926 and president of the Georgia Bar Association 20 years later. At the age of 80 he still worked at his law office.

He specialized in business law, working on behalf of some of Georgia's largest corporations.

Much of Troutman's personal life was devoted to community and religious work. He was honored by Pope Paul VI and by the National Conference of Christians and Jews.

In 1963, when he was 73, Troutman was named by Mayor Ivan Allen to a special committee to seek voluntary desegregation of Atlanta businesses and public accommodations. His special task was to promote job opportunities for blacks in various businesses, including some of his clients.

The following year, as he accepted the silver "brotherhood" medallion presented by the National Conference of Christians and Jews, Troutman said he found it possible to go much further in life by treating persons "all as God's children seeking to find their way home, too." In 1965 Pope Paul VI honored him with the cross "for the church and the Pope."

Troutman cooperated with many Atlantans at various levels to promote better community and racial relations. One Atlanta priest described him as a "princely man" who was involved with "everything."

Troutman was born Nov. 26, 1890 at Rome, attended public schools in small towns in North Georgia, received his bachelor's degree from the University of Georgia in 1911 and his law degree (LLB) from Columbia University in 1914. He was admitted to practice law in Georgia that year, taught law at Emory University in 1916, served in World War I, then resumed teaching in addition to a law practice.

In the 1950s Troutman was one of the lawyers who tried to help Georgians adapt to the 1954 U.S. Supreme Court decision ending the "separate but equal" school systems. In an emotional atmosphere, he urged moderation.

Troutman made it clear that he disagreed with the decision. But he also said he disagreed with laws which forced segregation. The solution, he said, was "freedom of choice." This concept was later adopted widely in the South.

"No government has the power to compel the members of one race to associate with the other . . ." Troutman said on Law Day, 1956, at the University of Georgia. "The white people resent the court's compulsory integration. And the Negro resents the compulsory segregation of the state laws."

"Freedom of choice removes the cause. It eliminates the compulsion which each race resents."

Troutman urged fellow lawyers to seek a peaceful solution to the racial question, and asked them to "make the machinery of justice work." He added, "It is your supreme duty to see that every individual citizen, regardless of race or creed, shall receive justice under the law."

Troutman believed that the South had a good opportunity to lead the way in racial relations. "We are the testing ground," he said, "as to whether two races can work and live side by side in peace and justice to all."

Survivors are his widow, Mrs. Nellie Hood Troutman; a daughter, Mrs. Thomas Bockman of Atlanta; a son, Robert B. Troutman Jr. of Atlanta; a sister, Mrs. Robert C. Wilson of Athens; and a brother, Henry B. Troutman of Atlanta.

BYELORUSSIAN INDEPENDENCE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. GERALD R. FORD. Mr. Speaker, Sunday marks the 55th anniversary of

the Declaration of Independence of the Byelorussian Democratic Republic.

Instead of a happy event and a time for celebration as it should be, it is unfortunately a sad reminder that during the past half century the Soviet regime has deliberately and persistently tried to erode Byelorussian traditions, culture, education, and self-identity.

The All-Byelorussian Congress met in December 1917, in the city of Minsk, and on March 25, 1918, proclaimed the Byelorussian Democratic Republic. Unfortunately, the new state was unable to enjoy its sovereignty for long. The Russian Communists, in a display of naked imperialism, invaded Byelorussia.

On March 25, 1918, the highest aspirations of the Byelorussian people for a free and independent life were fulfilled. Today, March 25 is a symbol of a dynamic spiritual force for Byelorussian Independence which unites all Byelorussians wherever they may be. The desire of the Byelorussian people for their national freedom has not perished. The fight for Byelorussian independence is the fight of all the captive nations.

THE 55TH ANNIVERSARY OF BIELARUSIAN INDEPENDENCE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ANNUNZIO. Mr. Speaker, March 25 is the 55th anniversary of the Declaration of Independence of Belarus. We in the U.S. Congress have been elected by a free people and therefore we have an obligation to take this opportunity to focus the world's attention on the conditions under which the Belarussian people are forced to live and speak out most energetically in behalf of their freedom.

A statement of commemoration from the Belarussian Coordinating Committee of Chicago follows:

STATEMENT OF THE BELARUSSIAN COORDINATING COMMITTEE OF CHICAGO, ILL.

On the occasion of the 55th Anniversary of the Declaration of Independence of Belarus, the Belarussian Coordinating Committee of Chicago, Illinois, in cooperation with the Byelorussian American National Council of Chicago, the Whiteruthenian (Byelorussian) American Association in Illinois and the Belarussian American Youth Organization in the State of Illinois, wishes to focus the attention to the plight of the Belarussian people under the Soviet Russian occupation and to speak for their rights and their freedoms.

The Belarussian Coordinating Committee of Chicago, Illinois, accuses the Soviet Russian government of depriving the Belarussian people of their independence and of practicing genocide against the Belarussian people in the manner and form which are as follows:

1. On March 25, 1918, the Belarussian people have let their intention known to the entire world by proclaiming their country a free and independent Democratic Republic of Belarus, but Russia deprived the Belarussian people of their independence by imposing upon them the Soviet brand of government, which was proclaimed at the City of Smolensk on January 1, 1919, and is known

as the Soviet Socialist Republic of Byelorussia today.

2. In 1945 Byelorussia was permitted to become a signatory member of the United Nations, of which she still is, but the Russian Soviet government has denied the right of the Belarussian people to rule themselves and establish direct diplomatic relations with other countries.

3. All policies of the Russian government today are directed toward exploitation of natural resources and population of Byelorussia and at destruction of all ethnic and cultural traces and distinctions of the Belarussian people by transforming the Belarussian, cities and towns into permanent Russian settlements while "encouraging" the native Belarussian population to take up "voluntary" residence in other ethnic territories of the Soviet Union.

4. The Belarussian people have been subjected to intensive Russianization by their Russian masters, who are the ruling segment of the population in Byelorussia, and who represent the Belarussian people before the foreigners, giving the impression as if the Belarussians are same as the Russians. As a result of the presence of the Russians in Belaruss, the Belarussian people are deprived of the use of their language in government, scientific and cultural institutions and schools with the exception in some rural areas only where the Belarussian language is still allowed.

To accommodate the Russian masters in Belaruss even further, the schools, institutions, museums, libraries, theatres, cities, streets and even collective farms must "voluntarily" assume the names of Russian Communist and Tsarist dignitaries and writers and other heroes, and the monuments of old Belarussian architecture are being destroyed and buildings in typical Russian pseudo-classical style are erected in their place.

The percentage of newspapers and other publications in the Russian language is estimated at 80% for the 983,000 Russians living in Byelorussia, but the native Belarussian population, which numbers 7,290,000 according to the Soviet census of 1970, is allowed only 15% of all of the publications in their language.

5. Soviet Russia, which camouflages under the name of the USSR or the Soviet Union, claims that all peoples and republics are treated as equal partners in the Soviet Union, but this principle does not apply to the Belarussian people. If this were true, many talented Belarussians would be allowed to travel to other parts of the world as Russians do, but this privilege does not apply to them. We have not seen any native Belarussian scholars, scientists and artists included in the exchange programs with the United States though quite a few Americans visited in Minsk and performed there. Furthermore, why are the commodities and products made in Byelorussia not given proper identification and credit but go abroad labeled as made in USSR or Russia?

6. Over the years of the Soviet Russian domination in Belaruss the Belarussian people have shown their opposition to the destruction of their national life by their Russian overlords and for turning Belaruss into a mere administrative province of Russia, and as a result of that over 6 million of them were annihilated and exterminated as unreliable and dangerous elements to the Soviet state.

In view of the above stated facts regarding the genocide of the Belarussian people by Soviet Russia, the Belarussian Coordinating Committee of Chicago, Illinois, appeals to every freedom-loving human being to speak in defense and on behalf of the Belarussian people and their basic human rights and freedom from Russia.

Mr. Speaker, the members of the Belarussian Coordinating Committee have

also informed me of their concern that the proper designation of Belaruss has not been generally known, and I quote from the committee's letter:

Though our native country is known as Byelorussia in English, we reject this terminology as incorrect and confusing our people with the Russians. In the first place, we do not like the "ersatz"—one-half of the word being the original Belarussian while another half a Russianized English translation of the ending "rus," which properly means Ruthenia and not Russia. Secondly, the English name for Belaruss was not the choice of the Belarussian people but was introduced by the Russians, and presumably Stalin, when the United Nations was established and Belaruss was allowed to become a signatory member. We, therefore, feel that the words Belaruss in its original form for the country and Belarussian and/or Belarussians for the people are best suited and most proper and should be used to describe our native country and the people as opposed to the terms of Byelorussia and Byelorussians, which in our opinion, should be used only when speaking of the present Russian imposed Soviet regime in Belaruss.

I am privileged to join those Americans of Belarussian descent in the 11th Congressional District, which I proudly represent, in the city of Chicago, and all over the Nation as they speak out in common concern for the plight of the people of Belaruss and rededicate themselves to hasten the day when human dignity and justice may again flower in Belaruss.

BUSING, TRUE OR FALSE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. O'HARA. Mr. Speaker, judging by my mail, most of my constituents seem to share my general feeling that cross-district busing is not an acceptable method of achieving any educational purpose, including desegregation of the schools.

Once in a while, I hear from a constituent who believes, I think sincerely, that you cannot oppose busing unless you are a racist yourself. I am always sorry to see people's motives impugned, but in this case, of course, I find it particularly painful.

Recently, the noted Washington Post columnist, William Raspberry, who is most emphatically not a white racist—who is, in fact, neither—wrote a column about busing which I thought expressed my point of view very well.

As Mr. Raspberry points out:

Some people are against busing because they are against integration; no doubt about it. But some are opposed to busing because they are opposed to busing; because they think there is social and educational validity to the neighborhood school; because they believe there isn't anything at the end of an unnecessary bus trip to justify the economic, social and educational costs.

Or, Mr. Speaker, to put it another way, the best of ends do not justify improper means.

I am inserting Bill Raspberry's column at this point in the RECORD:

BUSING, TRUE OR FALSE

(By William Raspberry)

The U.S. Civil Rights Commission wants to believe that opposition to public school busing has its almost exclusive source in ignorance and bigotry.

And so it reads the results of a recent public opinion poll to "prove" exactly that.

It finds bigotry (and insincerity) in the fact that two-thirds of those polled say they favor integration as a national objective, while only 21 per cent offer general support for busing.

It finds ignorance in the fact that most of the respondents missed most of seven true-false questions about busing.

And it finds hope in the fact that the people who did best on the true-false questions tended to favor busing more than those who scored poorly.

With that sort of interpretation, it is perfectly natural to conclude that the way to sell busing to the American people is to inform the ignorant, expose the insincere and isolate the bigot.

Well, maybe. But the commission's conclusions don't necessarily flow from the Opinion Research Corp. poll.

I have a suggestion. Let Opinion Research put a pair of questions to the staff of the Civil Rights Commission: (1) As a national objective, do you favor racially integrated neighborhoods, that is, neighborhoods populated by both blacks and whites together? (2) Would you favor laws or court orders requiring that families residing in neighborhoods that are too white or too black be forcibly relocated to other neighborhoods in order to achieve neighborhood integration?

My guess is that the staffers would say Yes to Question No. 1 and No to Question No. 2. Yet, when the questions were put not in terms of neighborhoods but of schools and evoked the same yes/no responses, the Commission read it as bigoted and insincere.

The ignorance test involved questions relating to the status of court decisions, the approximate percentages of children now being bused for desegregation, the impact of desegregation on white students' test scores, the comparative safety of riding a bus or walking to school and the relative cost of busing.

Most people missed most of the questions, although nearly half answered correctly that busing is safer, statistically, than walking to school. But what does that mean? Except for one question, the impact of desegregation on white test scores, it's hard to see how informing the ignorant—that is, teaching people the right answers—would make the slightest difference in their attitudes toward busing.

The Civil Rights Commission, needless to say, feels otherwise.

"Too often public officials, educational leaders and members of the mass media have, unthinkingly, accepted the criticism and passed on the slogans of busing opponents without troubling to examine the evidence."

And the people, in their ignorance, have rejected busing.

Well, maybe the people aren't so ignorant after all. Some people are against busing because they are opposed to integration; no doubt about it. But some are opposed to busing because they are opposed to busing; because they think there is social and educational validity to the neighborhood school; because they believe that there isn't anything at the end of an unnecessary bus trip to justify the economic, social and educational costs.

Desegregation is a racial issue, but it is a tragic mistake to suppose, as the Civil Rights Commission and perhaps the NAACP apparently suppose, that opposition to busing is a bigoted position.

Such a supposition might explain why, in

the recent poll, only 17 percent of the white respondents said they would be willing to send their children to a better school in a neighborhood where most residents were of the other race. But now explain why only 49 per cent—less than half—of the nonwhites questioned said they would be willing to send their children to that better school?

"The public is clearly confused," the Commission asserts. "The people have been misled. They believe, for example, that the Constitution should not be amended to limit desegregation [favored by only 30 per cent] but that it is all right for Congress to restrict the courts' power to order busing [57 per cent]."

Only lawyers immersed in civil rights and constitutional law would be confused by that seeming contradiction.

The poll results, taken altogether, seem to me to make a clear (and not at all discouraging) declaration of what Americans, black and white, see as a reasonable racial posture:

There should be no return to racial segregation, in fact, remains an important national goal. But it is not the overriding goal, to be achieved no matter what the cost. And you don't have to be a separatist, a bigot or a Tom to feel that way.

NATIONAL PATRIOTIC EDUCATION WEEK

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. STUCKEY. Mr. Speaker, today I am introducing a resolution to authorize the President to proclaim October 12 through 19 of each year as National Patriotic Education Week.

This particular week was chosen for its significance in American history. October 12 was the date Columbus discovered America. October 19, known as Yorktown Day, marked the cessation of the American Revolution when Cornwallis surrendered to George Washington.

For a number of years now, we have seen patriotism become a lukewarm issue. However, I think, as our POW's well illustrated, that patriotism is not dead in this country. I am convinced that the majority of both young and old in America still believe in honor, integrity, patriotism, religion, and freedom of the individual to practice and revere the principles of democracy laid down by our founding fathers.

National Patriotic Education Week would be a time in which especially our young people could discuss and reflect on the American system of government—a time when study and education could focus on the patriots and ideals which have created and sustained our great Nation. The young in our country are playing an increasingly larger role in government with the advent of the 18-year-old vote. Therefore, I feel it is very important that they have an increased awareness of the processes of our Government, our country's rich history and the remarkable men who have made the United States the great Nation it is today.

LOYALTY PROGRAM IN TROUBLE

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ICHORD. Mr. Speaker, on January 3 of this year, I submitted to the House a report from the Internal Security Committee's special Loyalty-Security Subcommittee which summarized both the background and findings of a 2-year examination of the Federal Civilian Loyalty program.

Following publication of that report, the American Security Council invited the distinguished chairman of that subcommittee, my esteemed colleague, the Honorable RICHARDSON PREYER, to sum up the highlights of the subcommittee report. This, in turn, was published in late February in the Council's Washington Report newsletter and it has attracted extremely favorable and rather widespread reaction from the Council readership.

Judge PREYER's summation of the study, under the title "Loyalty Program in Trouble," is a clear and concise presentation of a highly involved subject, and I am confident that every Member of this House will find his remarks enlightening. I, therefore, insert it at this point in the RECORD:

LOYALTY PROGRAM IN TROUBLE

The 33 year-old effort by the Government of the United States to keep those who are hostile to its system, laws and institutions off the Federal payroll is in serious trouble. Some Departments and Agencies of the Executive Branch have virtually abandoned what is known as the Federal civilian employee loyalty-security program. Others barely pay it lip-service. And those that do attempt some screening indicate they are confused by a wide variety of rules and regulations, and depend on information and guidance which is no longer made available or which they are not trained to appraise. The evidence indicates an estimated 95 per cent of the Federal civilian work force may be escaping an effective application of the loyalty program.

Many government security and personnel officers do point with varying degrees of pride to the pre-employment, full-field investigations required of applicants for jobs having access to classified material of a "critical-sensitive" nature. But the headlines of October, 1972, even opened that portion of the loyalty-security program to serious question.

It was October 29, 1972, when Charles A. Tuller—a 48 year-old Commerce Department official—stepped out of an Eastern Airlines plane which he and two sons together with a friend had hijacked to Havana. In five days leading up to that moment, Tuller and his companions are charged with shooting and killing an Arlington, Virginia, policeman and a bank manager, wounding a women teller while attempting a holdup, killing an airline ticket agent in Houston, and threatening some 30 Atlanta/Washington-bound passengers from Texas with death during the air piracy flight to Cuba.

Tuller was a \$26,000 per year GS-15 with a "critical-sensitive" clearance. While one has a right to doubt that any Loyalty-Security Program could have anticipated Tuller's ultimate madness, the fact is there is ample evidence it should have worked against his continued employment by the U.S. government.

Investigation since Tuller's crime spree shows the man had long and loudly proclaimed to co-workers, neighbors and other associates that he thought the United States was a "fascist state" in need of a violent revolution. He especially admired such communist revolutionaries as Mao Tse-tung and the late Che Guevara. And he publicly insisted that Fidel Castro's Cuba was the only "free" place in the world.

Extreme as Tuller's case was, the fact remains that no one in the Federal government today knows just how many who share his ideological views may be drawing a government paycheck while working to destroy us from within. Presumably the number is small, but it is known that among the vast numbers of employees not presently covered by the Loyalty-Security Program, there are some who belong to organizations seeking the overthrow of the U.S. government by unlawful means.

IN THE POSTAL SERVICE

The U.S. Postal Service, for instance, has admitted it has employees who belong to the Communist Party—USA, the Trotskyite Communist Socialist Workers Party and its youth arm, the Young Socialist Alliance, and to other revolutionary groups. Most other branches of the Executive establishment confess they frankly have no idea whether any of their employees are subversive or maintain membership in organizations recognized as subversive.

A 2-YEAR INQUIRY

In a two-year inquiry conducted by a House Internal Security Subcommittee prior to the Tuller escapade it was found that not a single Federal civilian employee has been suspended or fired on loyalty grounds for the last five years and perhaps for an even longer time. Many personnel and administrative officers testified it would be almost impossible to fire on the basis of a loyalty question.

From the Civil Service Commission on down through the ranks of the Federal employment service, the Loyalty-Security program is in such disarray that when the issue of loyalty is indicated, it is resolved under the catch-all "suitability" (that is, other than loyalty) category with respect to Federal employment. It is the bureaucracy's way of brushing "loyalty" under the proverbial rug.

HOW DID THE LOYALTY-SECURITY PROGRAM BECOME SUCH A SHAMBLES?

In the first place, the Program is based on a patchwork quilt of laws, Executive Orders and regulations which began with passage of the Hatch Act in August of 1939. Section 9A of that Act made it unlawful for the United States to employ anyone having "membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States." Persons found to be in violation of this section were to be immediately removed from government service.

The need for such legislation had been growing throughout the decade of the 1930's as the spectre of subversion increased with the growing threat of Nazi Germany, Fascist Italy, and totalitarian Japan, and with the spread of the world communist movement from headquarters in Stalin's Kremlin.

Congressional investigations led to the 1938 enactment of the Foreign Agents Registration Act, the Hatch Act and the Smith Act of 1940—all aimed at protecting America from alien forces at home and abroad.

With the advent of World War II, Congress authorized the Departments of State and War, plus the Coast Guard, to suspend and remove any employee considered to be a threat to national security.

After World War II and in the face of a growing threat to our internal security by

the World Communist Movement as directed by the Soviet Union, the late President Truman announced in 1947 he was promulgating Executive Order 9835 to exclude subversives from Federal employment in order to preserve the integrity of the Civil Service. The Order established investigative and screening programs to accomplish the announced objective.

In August of 1950, an Act was passed increasing to eleven the number of Departments and Agencies which could summarily suspend and, after hearing, dismiss an employee whose retention was deemed not consistent with the "interests of the national security."

At the same time, the Internal Security Act of 1950 which established the Subversive Activities Control Board was passed to inform the public of the names and mode of operation of communist organizations and prohibit the employment of members who belonged to Moscow-controlled organizations.

In 1953, President Eisenhower revised President Truman's Order by issuing, in its stead, Executive Order 10450, imposing upon the "head" of each Department and Agency the responsibility for establishing and maintaining an "effective program" to insure that the employment and retention in employment of any civilian officer or employee, "is clearly consistent with the interests of the national security."

THE COURT INTERVENES

There was criticism that some of the language used in building the base of Loyalty-Security Program laws, regulations and directives was full of ambiguities and vagaries. In 1956, the Supreme Court (*Cole vs. Young*, 351 U.S. 536) held that the August, 1950 Act did not clearly define "national security" and could only be applicable to "sensitive" jobs.

As the recent Report of the Internal Security Committee's Subcommittee on Loyalty-Security noted:

"... the decision had both an immediate and a long-range impact upon the operation of the Loyalty-Security program. Its immediate impact was to nullify pending proceedings and a number of actions which had been taken during the previous 3 years. The agencies were compelled to restore 109 persons to employment and to award back pay in excess of \$579,000. The decision's long-range result was even more serious. Since the date of the decision, there has literally been no implementation by the Departments or Agencies of a loyalty program with respect to nonsensitive positions under E. O. 10450 despite the fact that nonsensitive positions are said to embrace not less than 95 percent of the total civilian Federal work force."

Regrettably, the Justice Department never attempted to reform or amend the Order which the Court had termed both awkward in form and ambiguous.

The Order was amended in other ways, however.

In 1971, President Nixon tried to put new life and meaning into the program by replacing Executive Order 10450 with a new one—E. O. 11605—extending new duties and jurisdiction to the Subversive Activities Control Board. The Board had become almost non-functioning because of crippling court rulings and the failure of national Administrations for more than a decade to give it something to do.

The Nixon Order was immediately challenged in the Congress as being unconstitutional since it appeared that the Executive was attempting to delegate special power to a creation of the Legislative Branch without benefit of any legislative sanction to do so.

An effort was made in the last half of 1972 to give the Nixon Order a legislative mandate but the measure (H.R. 9669) passed

the House only to die in the Senate. With the advent of the 93rd Congress in 1973, President Nixon submitted a proposed budget for Fiscal Year 1974 calling for an end to all funding of the SACB.

Even though the SACB had become a hollow shell—albeit through no particular fault of its own making—it did represent the one instrument which was originally designed to characterize communist organizations and to provide some measuring stick—at least as to that category of subversion—when applying the Loyalty-Security program. The vacuum thus effected by the abolition of SACB points up the growing disintegration of the machinery the government needs to cope with Federal employment security.

COURT STRIKES THE LOYALTY OATH

However, what prompted the Internal Security Committee to launch its sweeping examination of the Loyalty-Security Program in 1971 was a number of court decisions bearing upon the maintenance of the program. These culminated in *Stewart vs. Washington*, 301 F. Supp. 601 (1969), a decision of a three-judge District Court invalidating provisions of the revised Hatch Act requiring the taking of a loyalty oath as a condition of Federal employment, and *Boorda vs. Subversive Activities Control Board*, 421 F. 2d 1142 (1969), a decision of the Court of Appeals for the District of Columbia Circuit invalidating those provisions of the Subversive Activities Control Act authorizing the identification of members of Communist-action organizations.

In its Report, the Internal Security Subcommittee observed:

"It was a curious fact that the Department of Justice took no appeal from the lower court decision in *Stewart* although in this case important provisions of an act of Congress (5 U.S.C. 333 and 7311) were struck down which required that an individual be denied office or employment in the Government of the United States or of the District of Columbia unless he executed an affidavit that 1) he does not advocate 'the overthrow of our constitutional form of government,' and 2) is not a member of an organization 'that he knows advocates the overthrow of our constitutional form of government.' Of equal significance was the unexplained refusal of the Supreme Court of the United States (397 U.S. 1042) to review the decision in *Boorda*. In that case the Court of Appeals had held that the disclosure of Communist Party membership was 'constitutionally protected' by the First Amendment, except for those who join 'with the specific intent to further illegal action.' In voiding provisions of the Subversive Activities Control Act on that basis, the Court of Appeals had in effect overruled a prior and contrary decision of the U.S. Supreme Court itself. In *Communist Party vs. Subversive Activities Control Board*, 467 U.S. 1 (1961), the Supreme Court had as lately as 1961 expressly upheld the registration provisions of Section 7 of that Act requiring the disclosure of officers and members of Communist-action organizations."

Representatives of 24 principal Departments and Agencies of the Executive Branch were asked to appear before the subcommittee to testify on the actual operation of the Loyalty-Security Program.

The subcommittee directed its principal attention to five points of interest:

1. Whether or not the Departments and Agencies in which nonsensitive positions have been designated have established any procedures for the application of a loyalty program to such positions;

2. The extent to which reliance is placed on the Attorney General's list of subversive

organizations, which has not been updated since 1955;

3. The extent of damage to the program by *Stewart vs. Washington*, and other decisions by the courts;

4. Any recommendations Departments and Agencies might have for strengthening the program through remedial legislation, or other means;

5. Whether anyone known to be a past or present member of such organizations as the Communist Party—USA, Socialist Workers Party, and Progressive Labor Party was on the Federal payroll.

SUBCOMMITTEE'S FINDINGS

Six thousand pages of testimony later, the Subcommittee was able to reach a number of general conclusions, the more outstanding of which were enunciated as follows:

"The subcommittee finds that the Departments and Agencies have virtually abandoned the practice of postappointment dismissals on loyalty grounds. This failure in the post-appointment program is pointed up in two decisive conditions which we have found to exist: 1) The bulk of the Departments and Agencies in which nonsensitive positions have been designated have not established regulations to implement dismissals from nonsensitive positions on loyalty grounds, and 2) they are not utilizing loyalty grounds as a basis for dismissals from sensitive positions under the 'national security' regulations which they have established. This is not to say that there is no effort whatsoever to exclude disloyal persons from Federal employment, but it is apparent that whatever remains of the loyalty program is principally confined to preappointment exclusions, and hence to applicants for sensitive positions only, a limitation under which the program cannot fully attain its objectives.

"Co-existing with the system of divided responsibilities for the exclusion and removal of persons on loyalty grounds is the absence of centralized direction and authority for its overall coordination and enforcement. In the judgment of the subcommittee, this absence of centralized direction is doubtless a major contributing factor to those failures which appear to exist in the administration of the program. Certainly the failure to reform the overall program following *Cole vs. Young*, the failure of the Departments and Agencies to update and maintain appropriate implementing regulations, the absence of uniformity in standards and practices, the delays and bypassing of responsibilities in loyalty adjudications, the failure in obvious cases to dismiss disloyal persons from nonsensitive positions, inadequacies in investigative or applicant forms or questionnaires, the failure to appeal lower court decisions adversely affecting the program, and generally the uneven capacity and expertise among personnel of the Departments and Agencies in the application of the program, are all in some measure, we believe, to be ascribed to the basic weakness in the organization of the program.

"At the present time, preappointment (the term is herein used interchangeably with 'preemployment') investigations are required only with respect to applicants for appointment to sensitive positions, and, as to such positions, the scope of the investigation is dependent upon the characterization of the position as critical-sensitive or non-critical-sensitive. As delineated in the Macy letter of November 18, 1965, to which we have previously referred, preappointment investigations are not conducted for access to 'non-sensitive' positions. A full field pre-appointment investigation is now generally required for access to critical-sensitive positions and a minimum preappointment NAC for access to non-critical-sensitive positions.

We are not in agreement with this arrangement.

"In our view a minimum degree of pre-employment investigation should be mandatory for access to all positions, including those generally, although not always accurately, described as non-sensitive. We regard such preappointment investigations as essential to the effectiveness of the loyalty program."

The entire scope of the subcommittee inquiry has led to a number of recommendations which may be instituted by executive action without the necessity for legislation. This does not preclude the desirability for legislation, especially now that the SACB has been phased out of existence effective June 30, 1973.

The full Committee on Internal Security is now studying a number of proposals to supply Congressional authorization for strengthening the Loyalty-Security Program.

SUBCOMMITTEE'S CONCLUSIONS

The Report concludes "that the deficiencies in E. O. 10450, under which the present loyalty and security programs were authorized and were to be maintained, are so pervasive that we do not recommend the retention of the Order with such extensive patchwork as would be required to correct them. We thus recommend the immediate revocation of E. O. 10450 and its replacement by a comprehensive order establishing similar loyalty and security programs on the basis of specified standards."

Minimal standards and procedures would call for the appointment and retention of Federal civilian employees on the basis of an investigation to determine suitability on loyalty and security grounds. The extent of such an investigation would be governed by the degree of sensitivity in the position under consideration and the degree of adverse effect an occupant of the position could have on national security or on the mission of the Department or Agency concerned.

"The minimum degree of investigation for appointment to all positions within the Departments and Agencies should consist of a NACI, or national agency check with inquiries. Full field investigations shall be required for appointment to sensitive positions, and for appointment to any position with respect to which a NACI discloses information raising questions as to the applicant's loyalty.

"No person should be appointed to or employed in any position with respect to whom a NACI has not been made and the results favorably determined, or prior to the completion of a full field investigation in those instances where the NACI reveals unfavorable information as to the applicant's loyalty.

"No person shall be employed in any position designated as sensitive prior to the completion of a full field investigation and a favorable determination made of its results.

"Suitability standards for employment and retention in employment in the Federal civil service shall be promulgated by the Civil Service Commission, under rules established by the President, and shall be applicable to all Departments and Agencies. Such suitability standards shall include the specification of minimum standards of suitability for employment on loyalty and security grounds.

"No person shall be employed or retained in any position, whether or not sensitive, as to whom there is a reasonable doubt as to his loyalty to the Constitution of the United States.

"All administrative and other personnel charged with the responsibility for the conduct of investigations, review of investigative reports, evaluation and adjudication of suitability of employment or retention in employment on loyalty and security grounds, and hearings in connection therewith, shall be required to have a minimum degree of

training and experience in the performance of their duties, and shall, in particular, be knowledgeable by reason of study, training, or experience of concepts of ideological subversive organizations, their diversity, leadership, and semantics, their organizational, recruitment, and indoctrination techniques and practices, their propaganda, agitation, and conflict doctrines, their objectives, strategies, and tactics.

"The Civil Service Commission, with the participation of the Federal Bureau of Investigation and other appropriate agencies, shall establish a permanent training school which shall provide instruction in depth to personnel and security officers, with specific emphasis on concepts of ideological subversion and the foregoing subjects, as well as other relevant subjects appropriate to the duties to be performed.

"There should be established, preferably in the Executive Office of the President, a central loyalty-security review agency, headed by a Director who shall be an assistant to the President, which shall be composed of persons of exceptional judgment, training and experience in this field. It shall have the function and authority to coordinate and provide for the establishment and maintenance of minimum, uniform practices and procedures within the executive agencies in carrying the loyalty and security programs into effect. In the performance of his responsibility the Director should make recommendations to the President which, when embodied in regulations or directives prepared by the Director and approved by the President, shall be binding upon the Department and Agencies concerned."

NO SENSE OF URGENCY

Admittedly, this is the very least that should be done immediately, and yet to the dismay of the subcommittee, neither the White House nor the Department of Justice has indicated any sense of urgency in rebuilding the Loyalty-Security Program.

It is to be hoped that this situation changes promptly in the interest of protecting the integrity of our Civil Service. Otherwise the government's ability to defend itself against penetration by those with subversive ties and attitudes will further vitiate the effectiveness of even the tattered remnants of the Loyalty-Security Program which exists today.

It is up to the citizenry of this nation who concern themselves with the strength of our internal security to let their will be known.

RICHARDSON PREYER,
Member of Congress.

BYELORUSSIAN INDEPENDENCE

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. SANDMAN. Mr. Speaker, March 25 marks the anniversary of the proclamation of independence by the people of Byelorussia.

After the Byelorussian people declared their independence, they were able, for a few brief months, to live according to their ideals and beliefs.

The Soviet Government which now rules the Byelorussian people certainly does not represent their wishes or hopes, but merely serves as an instrument of oppression. Thus, the Byelorussian people suffer in the same manner as the

other captive peoples of communism under a cruel dictatorship.

As thousands of American citizens who are of Byelorussian ancestry know, their families and friends still in Byelorussia have no freedom to express their deep and individual liberty. Today all Americans join with our fellow citizens of Byelorussian ancestry in renewing our own devotion to the principles of freedom and in our deeply felt hope that the day is not far off when the people of Byelorussia as well as people everywhere, can join us in our enjoyment of the blessings of freedom.

PLIGHT OF THE RUSSIAN JEW

HON. MENDEL J. DAVIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. DAVIS of South Carolina. Mr. Speaker, once again evidence has surfaced pertaining to the high cost of emigration for members of the Jewish faith in Russia. These Jews not only suffer a monetary loss, but mental anguish as well. I would like to present a newspaper article about such a Soviet citizen, Mr. Alexander Tiemkin. Here is a man who has been reduced to a common criminal in the eyes of the Russians simply because he and his daughter wish to seek a new life in Israel. I hope my colleagues will see fit to read this story, which apparently is the rule, rather than the exception. Perhaps as we hear more and more of these instances of maltreatment, we might finally take steps to bring them to halt.

The article follows:

RUSSIAN FIGHTS FOR FREEDOM

(By Dora Ann Reaves)

For Alexander Tiemkin being a Jew in Russia and applying to leave means becoming a criminal.

Tiemkin, a 43-year-old physicist, applied for emigration in February 1972 and was granted an exit visa in November. He has not left because his daughter was refused permission to go and was later taken from him.

On March 8 he was interviewed by telephone by Theodore Levin of the Committee for Soviet Jewry of the Charleston Jewish Welfare Fund.

Tiemkin related that when he applied for an exit visa he gave up his Soviet citizenship. "That in itself is considered a crime against the State."

His daughter Marina also asked for permission to give up her citizenship, but never got a reply.

"Marina wants to go to Israel and she considers Israel her homeland," Tiemkin said. "Marina's mother is categorically against going to Israel and against Jewish culture and anything to do with Judaism or Jewishness . . . it reached to a point that she filed for divorce."

When Marina and her father went to pick up their visas they were told the child could not leave because of protests of her mother.

"On the seventeenth of January they stripped me of all my parental rights," Tiemkin elaborated. "My parental rights were taken away because of my behavior against the State regarding my influence towards my daughter."

Specific actions, he said, were Marina eating matzos on Passover, receiving a gift from

him for Rosh Hashanah, wearing a Star of David and resigning from the Pioneer Youth Organization.

"We don't even have to go into any more," Tiemkin told Levin, "There are countless things that I could list."

Tiemkin said that the trial which officially deprived him of his rights was a "kangaroo court."

He had waited from 8:30 a.m. to 11:30 p.m. and there were supposed to be 11 witnesses to testify. "It was a closed session and the entire session lasted for five minutes . . . do you really believe that three judges could analyze in five minutes whether or not I am a fit father."

On Feb. 22 he appealed and in closed session his appeal was denied. However, before the appeal was heard his daughter was taken. Both the closed session and the taking away of his daughter before the appeal were violations of Soviet law.

The child was taken while Tiemkin was staying at his mother's home. Four people burst in, he said.

"They informed us that they were carrying out the decision of the courts and depriving me of my parental rights and they dragged Marina away with force. . . . She screamed and yelled for help and physically fought them back, but what could she do against these enormous roughnecks."

Tiemkin believes his child has been placed in a concentration camp or a lunatic asylum. He hasn't seen his daughter since she was taken away and the State refuses to tell him anything about her.

Now he can only wait.

Levin told him cables have been sent to Brezhnev, Podgorny and Kosygin, and that articles could be put in the paper and on radio and television about the maltreatment. He said the people also present at the interview would write and are concerned about his problems.

Tiemkin said, "I would like you to know that these are not problems—these are criminal offenses that they are committing."

"Give my regards to all our friends in the United States of America," he concluded, "and thank you very much."

WELFARE SCANDAL I

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, our welfare system is just as disastrous this year when no one is talking about it as it was last year during the election campaign. For two consecutive Congresses, the House has recognized the imperative need for reform and passed comprehensive reform legislation only to see it drastically altered and effectively killed in the Senate.

The abuses and failings of the present system which called forth the original impetus for reform are still with us. Improvements in our program of assistance for the aged, blind, and disabled have left the basic aid to families with dependent children as the chief offender.

Surveys have shown that the present welfare system has failed. It has failed the taxpayers by permitting waste and mismanagement and even fraud. It has failed the recipients by its demeaning personal supervision by social workers

and its ineffectiveness in returning the employable to useful jobs.

Nationally, surveys have shown that for every 100 welfare cases, seven should not have been receiving any benefits, 14 are being overpaid and eight are being underpaid. The system fails those who cannot work, those who will not work, and those taxpayers who pay the bills.

For the past 3 weeks, the Milwaukee Sentinel has run a series of articles based on a 3-month investigation by two of its reporters of the operation of the Milwaukee County Welfare Department. Gene Cunningham and Stuart Wilk concluded that about \$28 million or 20 percent of the welfare budget which, itself, is more than half the total county budget, was lost through welfare cheating, fraud, or administrative errors last year alone. An investigation is underway now in that city.

I intend to insert these articles into the CONGRESSIONAL RECORD during the next several weeks as a reminder to the Members that this continuing problem still demands our attention.

[From the Milwaukee Sentinel, Feb. 26, 1973]
CHEATING, ERRORS, FRAUD FOUND—WELFARE WASTE BARE—COST TO PUBLIC IN 1972 PUT AT \$28 MILLION

(By Gene Cunningham and Stuart Wilk)

Note.—3 Month Investigation. These stories are the first in a series of several detailing conditions in the County Welfare Department. They are the result of a three month investigation by two Milwaukee Sentinel reporters, Miss Gene Cunningham and Stuart Wilk. Miss Cunningham has been an investigative reporter for The Sentinel since 1966. She has reported on such subjects as gambling, organized crime, conditions in nursing homes, the Milwaukee County Infirmary and the Mental Health Center's South Division, as well as the activities of County Board Chairman Richard C. Nowakowski. Her work has prompted formal investigations by various governmental units and, in some cases, led to corrective action.

Miss Cunningham was named 1972 Wisconsin Newsmen of the Year by Sigma Delta Chi, professional journalistic society.

Wilk first worked for The Sentinel in 1967 as an intern reporter. He rejoined the paper's staff in 1971 and has done general assignment reporting and reviewing. Last November he spent three weeks touring Wisconsin's Indian reservations for a series on "The Sons of Weese-Coh-Seh."

The Milwaukee County Welfare Department is wracked with fraud, waste, employee cheating, mismanagement and the confused bungling of bureaucracy.

A three month investigation of the department by Milwaukee Sentinel reporters turned up:

Double checks issued to welfare recipients. Duplicate payments to cover recipients' bills.

Food stamps and bus passes sold for drinking money.

Widespread cheating on mileage and overtime by department employees.

Admissions by employees that they loaf, play or just "take off" during working hours.

Grants for as many as three refrigerators given to one recipient in less than four months.

Welfare checks mailed to local taverns.

Rent deposits paid by the department on condemned and substandard housing for recipients.

Housing "inspections" made by telephone. Recipients receiving checks under two or three different names.

As much as 20% fraud and administrative

error, amounting to an estimated \$28 million in 1972.

A misunderstood or misused application system that invites fraud.

Policies and procedures that sound good as stated by department administrators but bear little resemblance to the practices of the system as carried out by caseworkers and case aides.

Almost 100,000 persons in Milwaukee County are on welfare—1 out of every 10 of the county's one million population—at a cost this year of \$151.5 million.

How those millions of dollars get to those thousands of people is a story marked by waste, fraud and administrative error.

It's the story of bureaucracy gone wild—of 20 pounds of government how-to-do-it manuals, of a breakdown in communications between workers and administrators, of snowstorms of paper shuffling and of a system geared to quotas and quantities rather than efficiency and quality.

As one County Board supervisor put it, the welfare department has become "a huge complex beast."

Its regulations and procedures are mandated from above at the federal and state level, then snarled and "interpreted 100 different ways by 100 different workers," as one department administrator put it.

It's an operation that invites fraud—from within and without—and it gets it.

Caseworkers and aides told Sentinel reporters in detail how they cheat the department.

It's the accepted practice in some divisions to cheat on mileage and overtime and to loaf or "take off" during working hours, they said.

Some employees go to movies, play tennis, go to the beach, play cards or read right in the department, or just leave and go home, they said.

The department rule on mileage, they said, is that anyone who drives 40 miles or more a day on the job has to explain where he drove.

As a result, some of the cheaters file monthly mileage claims reporting that they drove 39 miles practically every day, they said. Others simply "stretch" their mileage, they said.

Mileage claims on file at the County Department of Administration bear out their claim. A number of employees consistently reported driving 39 miles almost every day, with only occasional shorter distances thrown in.

The department pays 12 cents a mile for mileage traveled on the job.

One worker speculated that the amount of fraud committed by department employees is probably greater than that committed by welfare recipients.

It all costs—and so do the errors and misinterpretations, some of which, through practice, have almost become department policy.

For example—federal, state and local welfare officials insisted that case aides and workers can and, in some cases, should question applicants for welfare when the information given by the applicant seems untruthful or inaccurate.

But aides—and they are the ones who determine who gets on welfare—insisted that they are prohibited from asking questions. They were told they couldn't, they said.

At the same time, and perhaps in explanation of their practice of doling out grants without question, the aides said that they received only a "minimum amount of training" for their jobs and that there is no continuing training program to update them on regulations and procedures.

The welfare department has claimed that its fraud rate is as little as 1%.

Federal and county officials, fraud investigators and workers in the departments scoffed at that.

A study done for a County Board committee in 1970 established that the rate of fraud and department error—"inappropriately spent funds," the department calls it—actually was 20% in Aid to Families with Dependent Children, the largest single welfare category.

There has been no fraud study since that time, the department said.

The 20% fraud rate is still accurate and it exists across the board, not just in one category, said Supervisor William E. Nagel, chairman of the County Board's Welfare and Human Resources Committee.

This means, he said, that 20% of the total welfare budget is being "inappropriately spent."

That 20% fraud and error rate last year would have amounted to \$28 million, and this year, more than \$30 million—wasted.

Just a fraction of that amount could finance a program for the detection and prevention of fraud and error, Nagel said.

Such a program could save the taxpayers "untold millions which lurk behind the facade of deceit and administrative error," he said.

The County Board, Nagel said, has not given the welfare department the attention it needs, considering that it is the most costly operation in the county budget.

"It's (the department), a mess, but I can't indict the whole department. But it's enough of a mess that everyone should be concerned."

"Any private business with this much waste and inefficiency would go under. We must all do something about it," Nagel declared.

"I'd like to see it more efficient—to take care of those who are deserving and not make it so easy for those who are not."

"It's easier said than done," said Supervisor William F. O'Donnell, chairman of the County Welfare Board.

With all of the pressure from the state, the employees' union, management, the taxpayers and the recipients, "It's a wonder the thing runs at all," O'Donnell declared.

No one is more critical of the department than its workers. As one put it:

"The gross inefficiency and incompetence—it's staggering! If the public realized it, I think they'd go down there and demand change!"

MICKEY MOUSE LEFTIST INTELLECTUALS FIND POLITICAL ATTITUDES IN DONALD DUCK

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. RARICK. Mr. Speaker, a recent Associated Press news story datelined Rome confirmed what many conservatives have known for years: That liberal political theories are founded in pure fantasy.

The fear expressed by many observers is that the favorable public image Donald Duck has enjoyed over the years may now be tarnished by association with leftist intellectuals.

I request that the following news item follow:

[From the Washington Star-News, Mar. 21, 1973]

COMIC BOOKS BOOM

ROME.—Comic books are a \$26 million business in Italy, with Mickey Mouse tops in popularity. Some leftist intellectuals are said to have discovered political theory in Donald Duck.

A BILL TO EXTEND THE DEADLINE FOR STATES TO DESIGNATE SEGMENTS OF THE INTERSTATE SYSTEM

HON. HAROLD V. FROELICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. FROELICH. Mr. Speaker, at the request of highway officials in Wisconsin, I have introduced a bill, H.R. 5701, to extend for 1 year the deadline for States to designate segments of the Interstate System. My bill is identical to section 112 of the Senate highway bill that passed last week. It is similar, but not identical, to section 107(e) of H.R. 5138, the bill introduced by the distinguished gentleman from Illinois (Mr. KLUCZYNSKI) at the request of the administration.

All these bills seek to amend section 103(g) of title 23. This section reads as follows:

(g) The Secretary, on July 1, 1973, shall remove from designation as a part of the Interstate System every segment of such System for which a State has not established a schedule for the expenditure of funds for completion of construction of such segment within the period of availability of funds authorized to be appropriated for completion of the Interstate System, and with respect to which the State has not provided the Secretary with assurances satisfactory to him that such schedule will be met. Nothing in the preceding sentence shall be construed to prohibit the substitution prior to July 1, 1975, of alternative segments of the Interstate System which will meet the requirements of this title. Any segment of the Interstate System with respect to which a State has not submitted plans, specifications, and estimates for approval by the Secretary by July 1, 1975, shall be removed from designation as part of the Interstate System. No segment of the Interstate System removed under authority of the preceding sentence shall thereafter be designated as a part of the Interstate System.

My State is unable to comply with the requirements in the first sentence of this subsection by the date of July 1, 1973. Consequently, I am appealing to the House to amend the date in this subsection to July 1, 1974, in order to prevent the loss to Wisconsin of \$150 million in interstate funding.

Our problem is with the Saukville to Milwaukee segment of I-57. This is a small segment of an interstate highway that will stretch from Green Bay in northeastern Wisconsin to the heart of Milwaukee. Because the Milwaukee segment will pass through a heavily populated urban area, there is a serious problem of housing displacement as well as major concern about environmental impact.

The State of Wisconsin is thoroughly committed to the eventual construction of this vital and needed segment, but it is also keenly aware of the social and environmental implications of constructing a major highway through an urban area. The State is now taking steps to ameliorate and resolve these problems, but this will take time.

To facilitate housing relocation, the State has passed legislation authorizing

the establishment of the Wisconsin Housing Authority. However, because of a possible conflict with the State constitution, this legislation faces a court test before WHA can go into effect. This litigation cannot and will not be settled by the July 1 deadline. Nor will it be possible by this date for State and local officials to demonstrate that real progress is being made to come to grips with the housing displacement problem.

It is thus impossible for the State to fulfill the procedures necessary to designate the Saukville-to-Milwaukee segment of I-57 by July 1, 1973, without callously disregarding social problems, breaching commitments to local officials, and stirring up a hornet's nest of intense local opposition. Moreover, because of present uncertainties, it is equally impossible for Wisconsin to provide the Secretary of Transportation by July 1, 1973, with an honest and realistic "schedule of expenditure" that will satisfy an administrator who digs beneath the surface.

In short, unless the July 1, 1973, deadline is extended for 1 year—at which time Wisconsin will be able to meet its social responsibilities and provide the Secretary with the necessary commitment—my State will be forced to submit a contrived, flimsy, dishonest schedule to the Secretary—which could easily be rejected—or simply to forfeit our claim to \$150 million in highway funds.

Wisconsin has an entirely legitimate concern that it will not be able to submit by July 1, 1973, "assurances satisfactory to" the Secretary that the schedule for the expenditure of funds "will be met." If we do not provide these assurances, the Secretary is required by section 103(g) to remove the Milwaukee segment from designation. With all due respect to the Secretary, I submit he would have a motive not to accept an application from Wisconsin that is not in perfect order. The President has already impounded \$2.5 billion in highway funds. Rejecting Wisconsin's application would avoid the expenditure of an additional \$150 million without resorting to impoundment.

Now, finally, there is another reason why section 103(g) should be amended. Even if Wisconsin's application were in perfect order, we could not now comply with the requirements of subsection 103(g) because we do not expect to complete I-57 until 1980. The statute requires that a State submit:

A schedule for the expenditure of funds for completion of construction of such segments within the period of availability of funds authorized to be appropriated for completion of the Interstate System.

If I am not mistaken, no money is authorized to be appropriated for completion of the Interstate System after June 30, 1976.

As a result, Wisconsin cannot safely submit its plan to the Secretary until such time as the Congress extends the period for completion of the Interstate System to 1980. If Congress does not extend the date for completion of the system, Wisconsin will never be able to submit an application that conforms to the requirements of the statute. If Congress for any reason—including Presidential veto—fails to extend the date for comple-

tion of the system before July 1 of this year, Wisconsin will be barred by section 103(g) from submitting the schedule required by that subsection, unless the submission deadline is changed to 1974.

Wisconsin has not dragged its feet in attempting to claim our share of the 1,500 additional miles of interstate that were authorized in 1968. On the contrary, we have tried to move forward with a sense of social responsibility, to minimize the effects of "the Federal bulldozer." Our record for completion of the other interstate highways in the State has been excellent.

I urgently appeal that section 103(g) be amended to preserve for Wisconsin the funds to which we are entitled.

BUSING, TRUE OR FALSE

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. FRENZEL. Mr. Speaker, I would like to call to the attention of my colleagues an article by William Raspberry which appeared in the March 16 Washington Post entitled "Busing, True or False." Mr. Raspberry, a Washington columnist takes exception to the stereotyping of those who show less than complete enthusiasm for busing as a tool for achieving racial integration. His is an unusually balanced view in an area fraught with emotionalism.

At this point I include the article in the RECORD:

BUSING, TRUE OR FALSE

(By William Raspberry)

The U.S. Civil Rights Commission wants to believe that opposition to public school busing has its almost exclusive source in ignorance and bigotry.

And so it reads the results of a recent public opinion poll to "prove" exactly that.

It finds bigotry (and insincerity) in the fact that two-thirds of those polled say they favor integration as a national objective, while only 21 per cent offer general support for busing.

It finds ignorance in the fact that most of the respondents missed most of seven true-false questions about busing.

And it finds hope in the fact that the people who did best on the true-false questions tended to favor busing more than those who scored poorly.

With that sort of interpretation, it is perfectly natural to conclude that the way to sell busing to the American people is to inform the ignorant, expose the insincere and isolate the bigot.

Well, maybe. But the commission's conclusions don't necessarily flow from the Opinion Research Corp. poll.

I have a suggestion. Let Opinion Research put a pair of questions to the staff of the Civil Rights Commission: (1) As a national objective, do you favor racially integrated neighborhoods, that is, neighborhoods populated by both blacks and whites together? (2) Would you favor laws or court orders requiring that families residing in neighborhoods that are too white or too black be forcibly relocated to other neighborhoods in order to achieve neighborhood integration?

My guess is that the staffers would say Yes to Question No. 1 and No to Question No. 2. Yet, when the questions were put not in terms of neighborhoods but of schools and

evoked the same yes/no responses, the Commission read it as bigoted and insincere.

The ignorance test involved questions relating to the status of court decisions, the approximate percentages of children now being bused for desegregation, the impact of desegregation on white students' test scores, the comparative safety of riding a bus or walking to school and the relative cost of busing.

Most people missed most of the questions, although nearly half answered correctly that busing is safer, statistically, than walking to school. But what does that mean? Except for one question, the impact of desegregation on white test scores, it's hard to see how informing the ignorant—that is, teaching people the right answers—would make the slightest difference in their attitudes toward busing.

The Civil Rights Commission, needless to say, feels otherwise.

"Too often public officials, educational leaders and members of the mass media have, unthinkingly, accepted the criticisms and passed on the slogans of busing opponents without troubling to examine the evidence."

And the people, in their ignorance, have rejected busing.

Well, maybe the people aren't so ignorant after all. Some people are against busing because they are opposed to integration; no doubt about it. But some are opposed to busing because they are opposed to busing; because they think there is social and educational validity to the neighborhood school; because they believe that there isn't anything at the end of an unnecessary bus trip to justify the economic, social and educational costs.

Desegregation is a racial issue, but it is a tragic mistake to suppose, as the Civil Rights Commission and perhaps the NAACP apparently suppose, that opposition to busing is a bigoted position.

Such a supposition might explain why, in the recent poll, only 17 per cent of the white respondents said they would be willing to send their children to a better school in a neighborhood where most residents were of the other race. But now explain why only 49 per cent—less than half—of the nonwhites questioned said they would be willing to send their children to that better school?

"The public is clearly confused," the Commission asserts. "The people have been misled. They believe, for example, that the Constitution should not be amended to limit desegregation [favored by only 30 per cent] but that it is all right for Congress to restrict the courts' power to order busing [57 per cent]."

Only lawyers immersed in civil rights and constitutional law would be confused by that seeming contradiction.

The poll results, taken altogether, seem to me to make a clear (and not at all discouraging) declaration of what Americans, black and white, see as a reasonable racial posture:

There should be no return to racial segregation. Racial integration, in fact, remains an important national goal. But it is not the overriding goal, to be achieved no matter what the cost. And you don't have to be a separatist, a bigot or a Tom to feel that way.

BUT WHAT HAPPENS TO THE GI'S?

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Ms. ABZUG. Mr. Speaker, now that most of the POW's are home and we can take time to reflect on the past decade, we see some ironic contrasts: the gala

reception for prisoners of war versus the neglect of the ordinary GI; the administration's tributes to POW's, versus its attempt to cut benefits to GI's, even those who are handicapped.

Among those who ponder this paradox are two whose comments I would like to insert at this point:

[From the Evening Star and Daily News, Feb. 16, 1973]

PERSPECTIVE ON THE TEARS FOR THE POW'S (By Carl Rowan)

Many a tear was shed these last few days as this nation welcomed home some of its prisoners of war.

It was hard for even the strongest man to keep dry eyes as he watched men who had known the unimaginable agonies of up to eight years of imprisonment walk into a new world of freedom.

Small wonder that, in passionate moments of gratitude, some Americans clamored to shower these POW's with special bonuses, benefits, gifts.

Yet, when the tears are wiped away and a less sentimental logic returns, we ask ourselves how man can ever achieve a world of peace when he is so easily swept away in chauvinistic emotions, or when momentary joy warps his long-range concept of where the rewards of gratitude ought to go.

We pour our hearts out to those bomber pilots who were unlucky enough to be shot down and imprisoned in North Vietnam. We agonize over their sufferings, real or imagined—and we never face the fact that most of us have never shed a tear for those who writhed, retched, died as a result of the bombs they dropped.

How can we be so moved to see those pilots when we have been so callously indifferent to their victims? Because the pilots are *ours*. And those who are *ours* are always more real, more human, more deserving of affection and compassion. Could that be a major frailty of the human species?

Surely, it is nationalistic chauvinism (some will call it "patriotism"), the feeding trough of warmakers. How many generations in how many lands will go on feasting there?

On a simpler level, it was so difficult to look at those POW wives and children who had endured lonely months of waiting, wondering, praying, without saying, "We owe them something special." And we do. Who could begrudge these former POW's whatever favors are bestowed upon them?

But then you think of the 46,000 families whose young men made a bigger sacrifice than even the most bedraggled of the POW's. They gave their lives. Much of the pain has now gone out of the hearts of their loved ones, so we are not torn by their cries of anguish in the night—surely not cries whose poignancy is fed to the entire nation by CBS and NBC.

So no one talks about special bonuses and benefits for the relatives of those who died.

Almost incredibly, the administration surfaced a plan to reduce federal benefits for some 535,000 ex-GI's who lost limbs or were otherwise seriously disabled in the Vietnam war. These wounded ex-GI's have friends in Congress who rose up to protect their benefits, and the proposed changes were quickly withdrawn.

All but forgotten are those who sloshed through the jungles and paddies, dodging the bullets of Charlie one night and the curse of heroin the next, and got back to their homeland in one whole piece, reasonably of sane mind.

Does anyone really offer any gratitude to them?

Tens of thousands of them are jobless, and growing more bitter toward their homeland every day.

They are back in families where there is never enough to eat or wear—where a doctor is someone you see in a dire emergency, if you find one then.

These are the young men who curse when they see how easy it is to get a truce in the war on poverty.

These are the young men who feel hopelessly outraged by talk of cutting more social programs here at home to free money for the rehabilitation of the Vietnamese.

It would be so simple just to weep a little and rejoice a lot as our POWs come home. But it takes an occasion such as this to let us see ourselves in the reflection of our own tears.

Is what you see a people with their values all mixed up and confused?

FEBRUARY 22, 1973.

Mr. ROGER CHAPIN,
Executive Director,
Help Hospitalized Veterans,
San Diego, Calif.

DEAR MR. CHAPIN: Your appeal to the American people to "Help Hospitalized Veterans" is one more disgraceful episode in the Vietnamese disaster.

Not millions, but billions of dollars were spent to destroy a small nation and its people. The cost in men and material was extravagantly disregarded.

Your letter tells us about "the wounded veterans who must spend their days waiting and wondering what their future will hold". "Some are blind . . . some are crippled . . . some are disfigured beyond recognition. Most are bored and apprehensive because they have little to do but worry when . . . if ever . . . they will lead normal lives again".

Is this great nation so shameless, so without conscience that the "tax deductible" contributions from its citizens are needed? And is it so unable (or unwilling) to learn from the past that huge increases in armament, while making money for the industrialists involved, set the stage for the next round of broken, wounded, veterans who will have to face another grim and hopeless future?

Money for weapons—yes: for the victims of modern technology . . . alas, not much.

Unhappily yours,

MRS. LESTER NEUMAN.

ANNIVERSARY OF BYELORUSSIA INDEPENDENCE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. DERWINSKI. Mr. Speaker, as I have so often in the past, I, with special emphasis, direct the attention of the Members to Byelorussia's Independence Day.

First, may I direct the attention of the Members to a brief history of Byelorussia.

On March 25, 1917, Byelorussia, which had been part of the Russian empire, declared its independence. In 1919, it was conquered by the Communists who, in November 1917, had wrested power from the regime which had replaced that of the Romanoffs.

In 1945, Byelorussia was permitted to become a signatory member of the United Nations, of which she still is, but the Russian Soviet Government has denied the right of the Bielarussian people to rule themselves and establish direct diplomatic relations with other countries.

The Bielarussian people have been subjected to intensive Russianization by their Russian masters, who are the ruling class of the population in Byelorussia. In

international contacts, it is the policy of the Soviet Union to give the impression that the Bielarussians are the same as the Russians. As a result of the presence of the Russians in Bielarus, the Bielarussian people are deprived of the use of their language in government, scientific and cultural institutions and schools with the exception in some rural areas only where the Bielarussian language is still allowed.

Mr. Speaker, let us hope and pray that some day in the not too far distant future the people of Byelorussia will be able to celebrate instead of merely observe their independence day.

WHY NOT EXISTING RAIL LINES FOR TRANSIT?

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ZWACH. Mr. Speaker, some time ago the House refused to divert highway trust funds for mass transit, but the Senate, just the other day, approved such a transfer.

I think one of the main areas of contention here is just what form this mass transit will take.

At the annual convention of the Minnesota Newspaper Association, the Herman Roe Editorial Writing Award was given to Bob Bork, of the Robbinsdale Post Publications, for his excellent development of the mass transit problem.

Mr. Speaker, with your permission, and for the edification of my colleagues as they think about mass transit, I would like to insert Mr. Bork's editorial in the CONGRESSIONAL RECORD. He has a simple, very valid, and mostly overlooked solution to this problem. Best of all, it would not entail a huge outpouring of Federal funds to effectuate it. He suggests that we reactivate and reschedule the already existing rail lines that were our first mass transit systems. The tracks and the equipment are there. All we need is the will to adopt this system.

The article follows:

WHY NOT EXISTING RAIL LINES FOR TRANSIT?

Members of the Metropolitan Transit Commission, surrounded by a mass of computers, authorities and advisors, may be missing the obvious right in front of them as they search for means to transport people in this area in the near and far future.

Gentlemen, it's right out there now—all it needs is some traffic volume: the existing railroad lines which long ago spun a web around the Twin Cities.

The accompanying map shows various railroad lines in the west, northwest and north suburbs of Minneapolis. These lines are used almost 100 per cent for freight operations each day—varying from heavy traffic on some to little or none on others.

MTC members certainly are aware of this possibility, but a plan calling for use of existing rails to move people into downtown areas and home again (plus from suburb to suburb) doesn't have much support from the people who are making these transit decisions.

One member of the commission told these newspapers a few weeks ago that the plan would be difficult because of heavy freight traffic on the various rail lines around here.

If rails are used, the commission member said, it would have to be rails built right next to existing lines and used exclusively for transit!

We can't give freight volume figures for all railroads, but the Burlington Northern line running through Golden Valley, Robbinsdale, Crystal, Brooklyn Park, Osseo and points west has ONE freight train during daylight hours—and that rolls through here (right behind Post Publishing) about 3 p.m. each day.

Are we to believe that commuter trains can't take people into Minneapolis from this area in the morning and return them at night? Is it really necessary to build still another rail line next to these tracks if this means of transportation is selected?

And what's wrong with the system used in the Chicago area, where a number of railroads offer commuter service in bi-level cars, handled by "push-pull" locomotives that don't have to be turned around at the end of the line? Is it too ridiculous to vision the day when Osseo people can park their cars in a huge lot near the Osseo depot and ride commuter trains both ways to Minneapolis or even other suburbs? Or Crystal people doing the same thing with a station located where Bass Lake Road crosses the Burlington Northern tracks?

To start with, the equipment could be regular streamline coach cars now sitting idle since Amtrak took over operation of the nation's passenger trains. The yards are full of them. Diesel-electric power shouldn't offer much of a problem. Burlington Northern has at least a couple thousand diesels of various designs scattered throughout their vast system—and they scrap or trade hundreds of them periodically. During winter months, these diesels would have to be regular passenger types to provide steam heat, and they are around, because many of them are currently being used on freight runs.

This isn't the first time these newspapers have asked the MTC to further investigate the possibility of using existing rail lines for commuter service, and it probably won't be the last time. We are puzzled because the MTC staff hasn't given the public any valid reason why this plan isn't given more consideration.

They can talk busses all they want, with special lanes on freeways (nothing like that available around here), but how can you beat the speed commuter trains would offer? Start a train for Osseo and make passenger stops at Bass Lake Road in Crystal and 42nd Ave. N., in Robbinsdale—then non-stop into the downtown Burlington Northern depot.

On the west end, using Soo Line tracks, start a train in the vicinity of Winnetka Ave. No., in New Hope and make stops at Douglas Drive in Crystal, then France Ave. No., area in Brooklyn Center and Webber Parkway in North Minneapolis, then non-stop into the downtown depot.

As rail lines on the map show, there are many other possibilities also—including suburb to suburb travel, using the Minneapolis, Northfield & Southern tracks.

We think it deserves far more study than the Metropolitan Transit Commission has offered.

WHERE ARE CHEERS FOR NIXON?

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. BROWN of Ohio. Mr. Speaker, Mr. Philip W. Porter, one of the most distinguished veteran journalists in Ohio,

writing in the Chagrin Falls, Ohio, Herald Sun, has expressed himself on his own very pertinent rhetorical question, in a manner revealing a most commendable measure of mature judgment and perspective. For the RECORD, here is what Phil Porter had to say:

WHERE ARE CHEERS FOR NIXON?
(By Philip W. Porter)

The peace deal for Vietnam has been agreed upon for several weeks now. The cease-fire has been declared. The formal papers were signed with great ceremony. The machinery to bring our prisoners of war back is grinding away.

I've been reading columnists, listening to commentators, and poring over magazines, but nowhere have I discovered any big cheer for President Nixon, the man who brought it off.

For two weeks in December, when he ordered the heavy bombing and kept his trap shut about why, all these molders of public opinion were giving him hell. They couldn't understand how he could do this, or why. The why was pretty obvious to me it was to get the North Viets back to negotiations. They came back, and the bombing stopped. Then came the final deal.

Not having the war to complain about any more, critics started looking for loopholes in the deal, suggesting the peace not only could, but probably would, be broken. They were all poised for the big double-cross. It may come and I get the idea the critics may be unhappy if it doesn't.

There is something almost paranoid about the unwillingness of newspaper guys to applaud President Nixon. Well, I was a newspaper guy for 50 years, and I'd like to say a kind word for Nixon.

Nixon got the American troops out of Vietnam as he said he would. There were a half million of them when he became president. He got an agreement to return our POW's after the cease-fire. He got an agreement that gives South Vietnam a chance to survive. He didn't pull out and leave them helpless.

He put pressure on the Red Chinese and the Russians to cool their help to the enemy, didn't he? Everything he promised about the war he made good on, except he didn't quite get it done before election, or inauguration.

I don't expect the journalistic anvil chorus against Nixon to stop, though the war is a dead issue. The boys will find some further way to rack him up. And I think I know why. He does not go out of his way to announce the news to them in little bits and pieces. When he's ready, he makes big announcements. He has held stand-up press conferences in front of TV, and has fielded questions rather well. But he does not hold them often, so they can pot-shot him with questions. He does it his way, not their way.

The news media expressed great surprise when Nixon, immediately after election, announced he was going to shake out his cabinet. Why the great surprise? It was an obvious plan to make the presidency more effective.

Nixon is a loner. He doesn't go out of his way to butter up journalists. He doesn't have newspaper chums he confides in, as many other presidents in this century have had. Jack Kennedy did. Harry Truman did. Lyndon Johnson pretended he did. Nixon prefers to think out decisions alone. If he can think better by himself, at Camp David or Key Biscayne, why must he imprison himself in the White House amidst all the flunkies and telephones?

Nixon is a political pro, who has done well gauging public reactions. The critics are not going to change his ways at this late date.

Isn't it time to accept him as he is, and give credit when it is due?

OUR BALANCE OF TRADE DEFICIT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. HANNA. Mr. Speaker, for so long in the current debate over the U.S. balance of trade deficits, emphasis has been put almost solely on how the United States itself can benefit from pressuring certain of our trading partners into our definition of a more equitable trade posture. There are, however, many ways in which certain of these trading partners could reap substantial domestic benefits themselves from a readjustment of their trading policies.

Now, as we all know, much has been said during this debate over the trade policies being pursued by our Pacific partner, Japan. Suffice it to say that policies which have caused Japan's world trade surplus to climb from a 1965 balance of \$1,901,000 to a 1971 balance of \$7,787,000—in adjusted exchange rates—are long overdue for reevaluation or, to put it another way, such an imbalance can only lead one to conclude that Japan's policies of economic nationalism have reached a point of being incompatible not only with the international marketplace but also as regards its own domestic interests. I should note that we are not assuming a blameless posture in the current problems, for it has taken the United States, and Western Europe as well, far too long to acknowledge the emergence of Japan as a major partner in the international trade scene, an acknowledgement I have been urging since my early years as a Member of this body. Now, just as the rest of the world must accept Japan's new role in the international marketplace, so must Japan.

Given the substantial trade surplus with the world at large noted earlier, I believe Japan is shortchanging itself and its people by refusing—or at least evidencing a strong resistance—to liberalizing imports, the most immediate and meaningful response to such an imbalance. And here I believe we approach a very interesting factor in Japan's trade picture: Japan has endeavored via a massive capital reinvestment effort to rebuild itself in the last 25 years, a reinvestment effort that has shown remarkable success. One wonders, however, how long such a program can continue and remain productive and when it becomes counterproductive. I believe the inflation today in Japan could be dealt a severe and promising blow by a major liberalization of import restrictions. In addition, the standard of living, now held down artificially by such restrictions and inflation, could be raised drastically. The trade surplus has been, in effect and depending on your point of view, either exporting a potentially higher Japanese standard of living or restricting the importation of a higher standard of living present in many of Japan's trading partners, especially as reflected in our food production and levels of technological development in certain areas.

Japan is, therefore, effectively out of step with most of the world and must, for its own internal benefit as well as that of its trade relations, reassess its policies and get back in step.

OPEN DATING: THE KEY TO FRESH FOODS FOR CONSUMERS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ANNUNZIO. Mr. Speaker, in recent years, the American consumer has been introduced to a wide range of new food products, thanks to innovations in food processing and packaging. Foods are available in frozen, instant, ready-to-heat, and ready-to-serve varieties. Some manufactured foods contain preservatives designed to prolong their shelf life and palatability, while others are vigorously promoted, because they contain no such chemicals. Even basic, familiar foods are available in a multitude of forms. Consider, for example, the number of different brands and kinds of bread that are stocked in supermarkets and grocery stores across the country.

Shoppers must devote considerable energy to selecting, from this bewildering array, those foods that are of high quality and nutritional value, at a price they can afford. This careful shopping will be in vain, however, if the products chosen are not fresh when they are purchased, or if they spoil before they have been eaten.

Open dating is the practice of labeling the packages or containers of perishable or semiperishable foods with a date after which the food should not be sold. Open dating can be the key to fresh food for American consumers.

Pressure brought by housewives and other consumers on the major retail grocery chains has resulted in the availability of the open dating of some perishable foods—notably dairy products and bread—in many American cities. However, the "pull date," that is, the last date on which that product can be sold as fresh, is often printed in a code form. Most consumers are unable to decipher these codes. Sometimes food store managers themselves cannot determine from these letters and numbers whether or not the contents of a given container are still fresh and wholesome.

In order to assist consumers in purchasing perishable and semiperishable foods, I have cosponsored H.R. 1654, the Open Dating Perishable Food Act, which would require that meaningful pull dates be included in the labeling of all foods, except for fresh fruits and vegetables, that are likely to spoil, or experience significant loss of nutritional value, or significant loss of palatability, as they age.

The date, expressed by day, month, and year, using familiar letter abbreviations for the months, would be conspicuously stated in a uniform location on the labels of all such foods. No special

decoding information would be necessary. In addition, the labels would also be required to show the optimum temperature and humidity conditions for storage of the product by the consumer.

Pull dates would take into consideration the period during which a consumer can reasonably be expected to store that food. Thus, open dating, in combination with storage instructions, will insure that fresh, tasty foods, at their nutritional peak, will be available to American consumers.

Mr. Speaker, H.R. 1654 is worthy of close consideration by my colleagues, and I urge their support in the passage of this legislation.

SCHOOL OF THE OZARKS

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ICHORD. Mr. Speaker, in Missouri we take great pride in any advance in the field of education credited to the institutions of learning in our State. One school that has made rapid strides in a very few years is called the School of the Ozarks, founded as a boarding school for poor country youths back in 1906. Fifty years later it was converted to a junior college and in 1969 became a fully accredited liberal arts college.

It is an unusual school in that it gives a virtually free education in exchange for hard work by the students. In this process, School of the Ozarks not only educates young Missourians in the arts and sciences but in a wide variety of occupational and vocational subjects which will enable graduates to earn a living either with their brains or their muscles or both.

A report on the educational accomplishments of this college appeared on the front page of the Wall Street Journal, March 15, and I urge that this article be inserted at this point in the Record, not only because of personal pride that the Journal spotlight should fall on Missouri but because I think many of my colleagues would find this account of life at School of the Ozarks inspiring and enlightening.

The article follows:

HARD WORK U.: SCHOOL OF OZARKS MAKES THE STUDENTS DO THE CHORES
(By Richard Martin)

POINT LOOKOUT, Mo.—"Work is love made visible," says an old bronze plaque on the campus.

And they really seem to believe that here at the School of the Ozarks, one of the most unusual little liberal-arts colleges in the country.

Commitment to the good old-fashioned work ethic, in fact, runs so deep here that honest toil is an integral part of the curriculum. Students don't pay room, board or tuition here, they work their way through college doing everything from typing tests and mopping floors to driving bulldozers, butchering hogs and selling orchids—and those who shirk their assigned campus jobs flunk out.

The college is an educational anachronism in some respects: It's a bastion of short hair,

strict parietal rules and compulsory chapel twice a week; it's a place where the whole faculty teaches and good grades are important. But it's noteworthy in other ways, too: It's innovative and imaginative when it comes to finances and fund-raising; it's a pioneer at supplementing liberal-arts studies with practical vocational skills.

"The School of the Ozarks represents an idea whose time has come," says William W. Gordon, executive vice president of the Council for Financial Aid to Education Inc., a New York nonprofit organization set up to encourage contributions to higher education. "Integrating more occupational education with the liberal arts is an important new trend in higher education, and one that has been too long in coming."

TREMENDOUSLY IMPRESSED

On a recent visit to the school, "I sat in on some classes, and I was quite impressed," Mr. Gordon says. "The level of teaching isn't up to Stanford or Harvard or the University of Chicago, of course, but it is pretty good, and it's right up to date. I think they ought to throw off some of their parochialism and draw students from a wider area, but overall I'm tremendously impressed with the place."

School of the Ozarks, founded by a Presbyterian preacher in 1906, originally was a free boarding school where hillbilly youngsters came to learn to read and write and earned their keep by doing the chores and raising their own food. It evolved into a junior college by 1956, switched to a four-year curriculum in 1964 and became a fully accredited liberal-arts college in 1969.

But students still earn their keep, working four hours daily after classes during the 42-week school year and working full 40-hour weeks between trimesters during three of their 10 weeks off. That's a total of 960 hours a year. They earn credit, not cash, at a rate of \$1.60 an hour, which means they work off 28% of the \$5,374-a-year cost of housing and educating them.

Supervised by a small full-time staff, students still do most of the chores and produce their own meat and dairy products. They also build dormitories and classrooms and run a score of profit-making "campus industries," including an airport, farm, summer theater, candy kitchen, taxidermy shop and restaurant.

A TOURIST ATTRACTION

The school sits on a bluff above Lake Taneycomo in the scenic southwest corner of Missouri, and it's a minor tourist attraction. There's a big neon sign advertising the school on Highway 65, a miniature train to haul tourists around the 900-acre campus and a student-run gift shop selling fudge, fruitcakes, jams, candles, pottery, quilts and \$100 nativity sets produced by the campus industries.

About 80% of the 1,074 students still come from the Ozark hills along the Missouri-Arkansas border, mostly from hardscrabble farms and towns with names like Blue Eye, Oscar and Owls Bend. The bulk of the other 20% are from rural areas of adjacent states. Most were B students in high school. They are admitted largely on the basis of need, and about three out of four applicants are turned away. In a survey of this year's incoming freshmen, 91% said they chose the school because they couldn't afford to go anywhere else. Only 30% said their family income was over \$7,500, and just 17% said it was over \$9,000.

They look and act and talk pretty much like college students anywhere. They have the usual array of pictures and campus heroes like W. C. Fields and Gloria Steinem in their cluttered dormitory rooms, and they have the usual gripes about food, faculty and administration. A few chafe openly at some of the rules (no beards, "tasteful" attire, 11 p.m. weeknight curfew, and 1 a.m. weekends, no smoking except in the dorms and the stu-

dent union), but they abide by them. Students' cars are kept off campus in a fenced lot that's open on weekends and reluctantly unlocked weeknights for those with outside jobs.

I LIKE IT HERE

The isolation bothers some. A little cafe in a gas station across the highway from the main gate is the closest thing to an off-campus hangout. It's two miles to a bowling alley; six miles to a movie, dance hall or beer joint. The nearest city of any size is Springfield, 40 miles away. (But in nearby Branson, Alexander's drugstore still sells five-cent double-dip ice cream cones and 10-cent sundaes.) There isn't much to do on campus besides work and study. Except for occasional old movies, guest lecturers and cultural offerings like the Memphis State String Quartet and Jose Greco's troupe, the main diversions are swimming, handball, tennis and pool.

Nevertheless, most students seem content, "I like it here," says Mike Friend, a freshman business major. "I didn't want to graduate from college with a big debt hanging over my head." Betty Jo Biggs, a senior psychology major, calls it "a super neat place to go to school." She adds: "I'm even glad we've got a dress code when I go somewhere else and see all the freaky looking guys with long hair and beards and the girls wearing curlers."

"Students dislike the stigma of going to a school for poor kids, even if they are poor," says Maxine Trimble, associate dean of students. "I think most of them really do love the school. It isn't wall-to-wall Camelot, but it's a nice place. I don't think they're ungrateful for the opportunity to be here."

It's a good thing they aren't. "Ingratitude is one thing that absolutely outrages me," declares M. Graham Clark, the crusty, authoritarian, 64-year-old president of School of the Ozarks. He left a \$40,000 job as an Atlanta insurance executive in 1946 for a \$3,000 job as vice president of the school, and he has been here ever since.

He became president in 1952, and he gets most of the credit for transforming a seedy, second-rate high school into a burgeoning little college. He did it by traveling tirelessly to raise funds while running the school almost singlehandedly. He once crawled out from under a road grader he was repairing to greet a lawyer from a foundation. "That turned out to be worth about \$500,000 to us," recalls Mr. Clark. "He'd never seen a college president working before."

He's an effusive gladder and speech-maker, with a hill country joke or a Bible quotation for every occasion. He's also a tough administrator, who has two-way radios as well as telephones in his car and at his bedside to keep him in constant touch with every corner of the campus. The vice presidents call him "Godfather." ("Some guys around here won't even start a truck without an okay from him," says one.) "Sure I'm a dictator," draws Mr. Clark. "But I'm a benevolent one."

He's paid \$26,000 a year as president, less than some of the vice presidents make. "But I also have some wonderful fringe benefits, like free milk from our fine dairy and getting to travel all over the world to tell people about School of the Ozarks," he says.

Like many other private colleges and universities, the school is in deficit right now, borrowing from banks to pay current operating costs. The deficit was \$451,000 last year. The school has assets of \$25 million, though, including some 870 scattered acres of nearby farmlands, pastures and woods, and some common stocks that could be sold if the pinch gets too tight. "Right now we're better off holding those investments and borrowing at the prime rate," says Mr. Clark. "We obviously can't continue to operate this way indefinitely, but I'm convinced that God will provide."

He's also convinced that the Lord helps those who help themselves, judging from the

magnitude of the school's fund-raising activities—an unceasing and highly successful campaign of personal entreaties backed by blizzards of direct-mail appeals. Individual contributors' cash gifts, bequests and private trust funds brought the school \$2.4 million in cash last year, or two-thirds of its entire cash income. (Of the remaining \$1.2 million, the school's \$7.5 million endowment brought in \$293,000 cash, campus industries netted \$450,000, federal grants totaled \$270,000 and foundations gave \$82,000.)

Some 60,000 visitors last year trooped through the school's gift shop and museum or went to plays in the summer theater or heard concerts on the massive old Wuriltzer theater organ in the auditorium, and many of those visitors gave money to the school. "There's a 50-50 chance that anybody who visits this place will become a contributor," figures John P. Knox, Jr., vice president for development, "especially people who grew up during the Depression and had to claw their way up. They come here and immediately identify with what we're doing and see the merit of it."

School officials say they never turn down a gift. "We'll take anything from flowers to broken down jalopies," says Mr. Knox. A retired orchid raiser gave them four greenhouses full of rare orchid plants last year. A milling executive has just built a replica of an 1850 water mill that's selling stone-ground corn meal to visitors and to bakeries in Little Rock and Springfield. The sprawling, three-story museum overflows with relics, artifacts and collections of things ranging from apothecary jars to vaudeville props, all given by hundreds of individuals.

"We'll build a school of horticulture complex around the orchid greenhouses and sell blooms," says Mr. Knox. "The orchids will attract people, just as the mill and museum do. These things all draw people of varied interests and keep them coming back."

Mr. Clark's physician gave the school its first plane seven years ago when Mr. Clark was driving a car 72,000 miles a year "selling the gospel of the School of the Ozarks." That led to a dozen more planes and a small campus airport that pumps 100,000 gallons of gas a year, has 3,000 takeoffs and landings a month during tourist season and offers flying lessons, rentals, charters and air-taxi service.

Corporate donors send the school vitamins, toothbrushes, mouthwash, foodstuffs and pharmaceuticals. Used clothing from church groups and sample merchandise and seconds from shoe companies and apparel makers come into the campus thrift shop, which sold or gave away 22,000 items to students last year, including 1,568 pairs of J. C. Penney display shoes that sold for \$1 to \$3 and some shopworn wedding gowns from an Iowa store that went for \$3 each.

School officials are avid bargain hunters. "I've never seen anyone stretch dollars like they do; nothing is wasted," says Mr. Gordon of the Council for Financial Aid to Education. About 75% of the school's equipment, everything from lights and file cabinets to motor-scooters and cement mixers, comes from government surplus sales. One end of the campus is a junkyard of trucks, buses and heavy machinery being cannibalized to keep generators, dredges and other equipment running.

Students in the machine shop built the campus fire engine last year. Students in the construction shops, aided and supervised by 50 staff tradesmen, are building a \$1.1 million student union, a \$1 million science building, a \$135,000 horticulture building and a new museum wing. "It takes us longer, but we can pretty well count on a 25% saving on construction costs," says William D. Todd, vice president and dean of administration. He says the union will take two years to build, "twice as long as it would take an outside contractor."

"People who come here and see these things are impressed, and they're going to

remember that they can get more for their dollars here than they can by giving them somewhere else," says Mr. Knox, who worked out what may be the ultimate in money stretching in arranging financing for the new student union.

He took \$250,000 that alumni had raised for the \$1.1 million building and invested it in bonds paying 7% interest. The government will pay two-thirds of the 9% interest costs on the \$1.1 million bank loan under a Housing and Urban Development Department program. Income from a 500-seat public restaurant, a 12-unit motel and a bowling alley in the new union is expected to pay off the loan over a 20-year period, leaving the school with the alumni's original \$250,000 still intact.

Campus industries that can't at least come close to covering the costs of employing students don't last long. A cannery and a sawmill were closed years ago, and the furniture factory no longer makes furniture—it refinishes pieces for dormitories and offices and makes walnut gun racks, picture frames and footrests instead.

"We used to be a big maker of church pews and other furniture for churches," says Mel Walker, the manager. "But we finally swore off that business. Churches just aren't the world's best customers when it comes time to pay their bills."

The school is getting into the stained-glass business now. A banker who foreclosed on a stained-glass company in St. Joseph, Mo., "called me one day and asked if I'd like to have the inventory of glass and lead," President Clark explains. "He'd heard me talk somewhere, and he thought we could use it for a student industry." Pointing out a colorful grouping of stained-glass fish on a bookshelf in his office, he adds: "Some nut offered me \$200 for that thing the other day. Why it's nothing but a few pieces of glass, a little bit of lead and some good imagination. We could sell a lot of little things like that in our gift shop."

The school offers majors in 22 academic fields. An accreditation committee of the North Central Association of Colleges and Secondary Schools, in April 1971, found "a lack of academic excitement" here, but said: "The faculty is generally competent, in some cases outstanding." There are 30 faculty members who have PhDs; the other 37 have master's degrees.

Nearly all faculty members carry 12-hour teaching loads, heavier than loads on most campuses. Most teach all three trimesters a year. Salaries range from \$7,600 to \$18,300.

There's a fat file of applicants for faculty jobs. "We've got a whole student body here that's well motivated and willing to work hard; you don't find students like that in a lot of schools," says Bob Hendrickson, chairman of the six-man English department. "I worked all during junior high and high school growing up in Tulsa, and I worked 40 hours a week to get through college, so I feel I can understand these kids' feelings and relate well to them," adds Mr. Hendrickson.

David B. Oliver, 30-year-old chairman of the two-man sociology department and a specialist on problems of the aging, turned down recent job offers "for considerably more money" from two big state universities and an Ivy League school. "I can do my research here and still have the contact with students that I like," he says. "Of course, people also like it here because it's not only a good place to teach other kids, it's a good place to raise your own."

The academic program is gradually becoming more vocationally oriented. "I don't want to see us throw out the true liberal-arts program, but getting a job nowadays with only a liberal-arts education gets to be a problem," says Mr. Clark. "When a student leaves here we want him to feel confident that there's a job waiting for him out there."

He says he'd like to "offer a degree in aviation-airframe-and-power-plant mechanics, and I'd like to turn out real good computer programmers with degrees. Maybe we should even offer a degree in milling—not for a dusty man running a grinding machine, but for mill managers who would leave here knowing the business inside out."

Karl Jensen, a senior with a dual major in history and criminal justice, says his most meaningful learning experiences came not in the classrooms but on the jobs he held at the dairy, airport and fire department. He's chief of the 22-student fire company now, and he says: "I've learned to take responsibilities and have had the opportunities to take them that I just wouldn't have had anywhere else." He hopes to work his way through law school somewhere as a policeman or fireman.

About 12% of the students flunk out or drop out annually. "We get some whose parents or other relatives have pushed them into coming here, hoping that the school would do them some good, maybe straighten them out; they usually don't last long," says Howell Keeter, the associate dean who supervises the work program. The "junior blues" cause some attrition, too, says Wayne Huddleston, vice president for academic affairs. "That's when a kid running a crane or bulldozer realizes that with the skill he already has he can leave and make more money than he can by staying here and getting a degree."

Nearly 70% of the school's graduates in the past have become teachers, mostly in nearby rural districts. A smattering go into engineering, accounting, medicine and law. The rest go into business.

This year's campus recruiting schedule includes American Telephone & Telegraph's long-lines division, Brunswick, General Electric, S. S. Kresge, Southwestern Bell and Zenith in addition to a clutch of federal agencies and some local employers from Springfield. The school's graduates, "are probably the most industrious students I have come across," says Fred Bumgarner, a Southwestern Bell recruiter who has hired several in the past. "They rank with almost any we see in any other schools in Missouri."

Fred M. Morrow, superintendent of schools in Popular Bluff, Mo., which has 300 teachers in 14 schools, says he has hired "six or seven" School of the Ozarks grads over the past few years. "They are hard workers who have learned a real sense of responsibility. We're very pleased with them," he says. "I wish my own kids would have had a chance to go there."

THE FOLLY OF DERECOGNIZING TAIWAN

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. CRANE. Mr. Speaker, the current discussion about normalizing the relations between the United States and Communist China seems, unfortunately, not to be taking into consideration our responsibility, both moral and legal, to the Government of the Republic of China on Taiwan.

Discussing the current trend in diplomacy, the New York Daily News noted in its editorial of February 23, 1973, that—

U.S.-Taiwan ties seem to loosen every time Americans and Red Chinese representatives exchange handclaps and blow kisses at each other. Let's not rush this courtship if it means jilting a steadfast friend and ally. Nothing we could obtain from Red China

would be worth the dishonor the U.S. would suffer if it sold the free Chinese into Communist slavery.

It seems clear that if America's commitment is not valid in Taiwan, it is not valid anywhere. If the people of the Republic of China cannot depend upon the treaty commitments of the United States, neither can our allies in Europe, in the Middle East, or in any other part of the world.

In a thoughtful and important letter to the New York Times, Prof. Frank Trager pointed out that—

It is one thing to recognize Peking . . . it is quite another to sever relations with Taipei, a long time ally and friendly power.

Addressing Senator HENRY JACKSON, of Washington, who has called for U.S. diplomatic recognition of Communist China, Professor Trager asks:

What has the Republic of China—Nationalist China—done to deserve the severance treatment he now proposes? There is no evidence to support his view.

The fact is, notes Professor Trager—The Nationalist Chinese Government on Taiwan and the fifteen million people there have done no wrong except refusing to be ruled by the Communist Chinese party. We, as Americans, must not in full conscience, "derecognize" it just because Peking insists that this is the price we pay.

American honor demands that we respect the legal and moral commitments we have made to the people and the Government of the Republic of China. It is impossible that national interest and national honor would dictate radically different courses of action. In the long run, the two must be the same.

I wish to share Professor Trager's letter to the New York Times of February 18, 1973, with my colleagues, and insert it into the RECORD at this time.

The article follows:

ON THE FOLLY OF "DERECOGNIZING" TAIWAN
To the Editor:

On Feb. 5 The Times reported that Senator Henry M. Jackson called for U.S. diplomatic recognition of the People's Republic of China (Peking) and the severance of formal diplomatic ties with the Republic of China (Taipei), while somehow retaining our treaty commitments with it.

There is no present Senator whom I respect more than "Scoop" Jackson. For years I have directed my graduate students in National Security Affairs to his well-researched and most laudable efforts in behalf of the defense and security of our country. His Feb. 5 statement is so contrary to his general stance on foreign policy issues that it should not go unnoticed and unquestioned.

It is one thing to recognize Peking, a quondam (?) hostile power; it is quite another to sever relations with Taipei, a long-time ally and friendly power. Should, for example, the U.S. sever its relations with West Germany or South Korea or South Vietnam, in order respectively to recognize East Germany or North Korea or North Vietnam? The question is rhetorical. It is improbable that any responsible American would recommend such policy—certainly not Senator Jackson—though many Americans at this time would probably accept a policy calling for recognition of the three Communist governments. The resulting situation, if such recognition came to pass, would be one in which the U.S. acquired formal diplomatic ties with each of two governments inhabiting

different parts of the one traditional geographic entity.

Thus, it is appropriate to ask Senator Jackson: What has the Republic of China—Nationalist China—done to deserve the severance treatment he now proposes? There is no evidence to support his view. Misguided opportunism alone would justify it.

The Nationalist Chinese Government on Taiwan and the fifteen million people there have done no wrong except refusing to be ruled by the Communist Chinese party. We, as Americans, must not, in full conscience, "derecognize" it just because Peking insists that this be the price we pay.

President Nixon, wisely thus far, has refused to pay that price. In his second inaugural address, he reiterated that "we shall respect our treaty commitments." In this regard, I am puzzled by Senator Jackson's contention that somehow we can sever full diplomatic relations with Taipei while continuing to fulfill treaty commitments to defend its government and people. The mutual Defense Treaty of 1954 was concluded between the United States and the Republic of China. If we no longer recognize that government, how can anyone legitimately argue that a treaty we signed with it could remain in force?

FRANK N. TRAGER.

OBSERVANCE OF THE ANNIVERSARY OF EMANCIPATION DAY IN PUERTO RICO

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ROONEY of New York. Mr. Speaker, today the people of Puerto Rico observe the anniversary of their Emancipation Day—the day marking the freeing of the slaves by the Spanish. It is well and fitting that we join with the citizens of the Commonwealth and Puerto Ricans everywhere in celebrating this day.

Puerto Rico and her people have been important to the development of our country both as a territory and then later as a commonwealth. It was just 21 years ago that Puerto Rico achieved her unique status as a Commonwealth and I am proud. Mr. Speaker, to have played a part in that achievement.

With a sincere deep pride I remember the courtesy of our late beloved Speaker Sam Rayburn who permitted me to chair the proceedings on May 28, 1952, which gave Puerto Rico her autonomy and at the same time permitted her to enjoy the position of an associated State in our federal system. The gavel that was used on that historic occasion was autographed, dated, and presented to me by Speaker Rayburn. I, in turn, presented it in 1970 to Gov. Luis A. Ferre of Puerto Rico.

There followed that act of Congress a program, still not completed, of improving the welfare and livelihood of the people of Puerto Rico. It has not been an easy task. But it was a task that the people of the island turned to with a vigor unmatched in the history of Latin America.

The same touch of genius and strength of purpose that has produced a better way of life in Puerto Rico today had its

just awakening in the rebellion against the most heinous of all human crimes—slavery. Puerto Rico produced men like Roman Baldorioty de Castro, Jose Julian Acosta, Ramon Emertario Batances, Segundo Ruiz Belvis, Julio L. de Vizcarondo—all were champions of the anti-slavery crusade, and through their efforts set the stage for freedom. Campaigning, arguing, manumitting their own slaves, organizing, and propagandizing, they forced the issue upon the Government of Spain, until at last freedom was accorded the slaves of Puerto Rico.

In the struggle for independence and democracy, every victorious step along the way is vital to the democratic cause. Triumph in Puerto Rico was greeted with cheers by free men everywhere. The spirit engendered by this development ignited the hopes of people persecuted by tyranny in every depotism on earth.

It is with a sense of great satisfaction that we hail the occasion of Puerto Rican Emancipation Day. For as free men in the Western World we know the value and the merits of liberty, and dread the cause of slavery and oppression.

TAX CREDIT OR TREASURY PAYMENT FOR PROPERTY TAXES PAID BY ELDERLY POOR INTRODUCED

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. FINDLEY. Mr. Speaker, 18 Members of Congress are joining me today in reintroducing H.R. 11640, a bill to allow a credit against Federal income taxes or a payment from the U.S. Treasury for State and local real property taxes or an equivalent portion of rent paid on their residences by individuals who have attained age 65. A list of the cosponsors follows my remarks. Each believes that it is time to do something about—to use the President's phrase—"the crushing burden of property taxes for older Americans." The cosponsors are:

LIST OF COSPONSORS

James A. Burke (D-Mass.)
Shirley Chisholm (D-N.Y.)
John Conyers, Jr. (D-Mich.)
Robert F. Drinan (D-Mass.)
Joshua Ellberg (D-Pa.)
William J. Green (D-Pa.)
Lee H. Hamilton (D-Ind.)
James Harvey (R-Mich.)
Margaret M. Heckler (R-Mass.)
Paul N. McCloskey, Jr. (R-Calif.)
Bertram L. Podell (D-N.Y.)
Tom Rallsback (R-Ill.)
Donald W. Riegle, Jr. (D-Mich.)
Robert H. Steele (R-Conn.)
Charles Thone (R-Nebr.)
William F. Walsh (R-N.Y.)
Antonio Borja Won Pat (D-Guam.)
John W. Wydler (R-N.Y.)

Probably the one thing which most jeopardizes the security of old age, which most threatens the happiness of older Americans, is the property tax. The effect which it can have upon the elderly can be devastating.

The facts are that 70 percent of all

Americans over 65 own their homes. It is the accumulation of a life's work, containing the memories, both happy and sad, of marriage, children, and all the things that make up life.

Yet, spiraling property taxes are forcing many to sell their homes and move into small, cramped, unfamiliar quarters, or to liquidate precious retirement assets which should be used sparingly only to provide for the necessities of old age. Those who live in apartments feel the burden just as painfully in the form of rent increases.

In the last 5 years alone, property taxes have shot up by 40 percent. Those over 65 generally live on greatly reduced incomes which are either fixed or declining. Income taxes take their changed economic status into account, but ever-increasing property taxes do not. As the President told the White House Conference on Aging:

Because of property taxes, the same home which has been a symbol of their independence often becomes the cause of their impoverishment.

This bill we are introducing today provides older Americans of low income a \$300 Federal income tax credit, or a payment from the U.S. Treasury if they pay no income taxes, to offset State and local property taxes they must pay on their homes.

Those over 65 whose annual income is under \$6,500 would be eligible, whether they own their own house or not. If they rent, the portion of rent which covers taxes will be computed. If their Federal income tax is \$300 or less, they will be eligible for a payment from the U.S. Treasury instead of a tax credit to make up the difference. The maximum tax credit or payment will be \$300.

This tax break for the elderly will not be inexpensive, but we can be sure that the money will be going to those who most need it. It is estimated that three quarters of the cost to the Treasury will be in the form of direct payments to those elderly whose income is so low that they pay no income taxes at all. This should surprise no one, since a congressional committee has estimated that 1 out of every 4 older Americans lives on an income of less than \$2,000 per year.

These are the people who desperately need help. These are the ones who will not be helped at all by other proposals for property tax reform. President Nixon has wisely recommended a complete overhaul of our property taxes and of our whole system of financing public education, but such an overhaul will undoubtedly be too little and too late to help the elderly who are now being crushed by property taxes. Only this week the Supreme Court upheld the constitutionality of property taxes. Whatever reform is finally adopted—whether it be revenue sharing, "piggybacking," a national sales tax, or some other—no one suggests that already high property taxes will decline. Yet it is today's high property taxes which are forcing too many Americans to sell their homes and spend their last years in poverty.

President Nixon told the Aging Conference:

These remedies will involve large sums of money. But we are prepared, however, to make the hard decisions we are going to have to make to provide property tax relief.

The Members who cosponsor this bill today are similarly prepared to make those hard decisions.

I hope that at an early date hearings will be scheduled on this bill, and that when older Americans file their 1973 tax returns, they can look forward to a Federal tax credit or payment for the property taxes they must pay.

VA HOSPITALS IN MILES CITY AND HELENA, MONT., DOING AN EXCELLENT JOB

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. SHOUP. Mr. Speaker, the newspapers have been filled with criticism of our Veterans' Administration hospitals during the past 2 weeks, stemming mostly from a study made by the Nader group.

I have been concerned about the reports that appeared in the news media, and I am pleased today to submit articles from the Billings Gazette, the Miles City Star and the Independent Record of Helena, detailing the fine care given to Montana veterans by the two Veterans' Administration hospitals in Montana.

I think it is good for my colleagues to see both sides of the story, and to appreciate the fact that the VA hospitals in Miles City and Helena are doing excellent jobs caring for Montana veterans.

The articles follow:

[From the Billings (Mont.) Gazette, Mar. 10, 1973]

STATE VA HOSPITAL DEFENDED

(By Oscar Chaffee)

MILES CITY.—Criticism leveled by congressional investigators at some veterans hospitals do not apply to the Veterans Administration hospital at Miles City, James C. Hickey, director, said Friday.

Hickey said the Miles City hospital has no waiting list and has not had one for a long time.

All eligible veterans needing hospitalization are admitted immediately at Miles City, Hickey said. He added that some "non-emergent" cases—those not requiring immediate hospitalization—may be scheduled for later when the patient load is not heavy, but none must wait more than 15 days. "If a delay of more than 15 days is experienced, a bed must be located in another hospital for any service-connected ailment," he said.

Hickey also denied the charge of "cramped quarters" in the general criticism of VA hospitals. "Our space (at Miles City) is adequate and will be even better when a new intensive-care-unit/coronary-care-unit is completed this summer," he said.

Another criticism was that hospital patients seldom see a nurse. Hickey said that at Miles City "nursing care is excellent and no patient is neglected. The nursing staff is adequate in numbers and of highest quality. We get no complaints about nursing care or the food."

He pointed out that the nursing staff at Miles City has been increased from 19 nurses

in fiscal 1970 to 29 in fiscal 1973. In addition, the number of licensed practical nurses and nursing assistants was increased from 17 to 23. At one time, the ratio of nursing employees to patients was one employee to 1.9 patients, and now is one to 1.5.

The overall staff at Miles City has been increased from 123 to 154 in the last three years, and now is in the ratio of 1.9 to 1 patient. The optimum ratio is considered to be 2 to 1, Hickey said.

In the last year, Hickey added, a 20-bed nursing home has been opened in connection with the Miles City hospital. Nursing home patients must first be hospitalized, then transferred to the nursing home if that type care is designated.

Hickey pointed to increasing use of the Miles City hospital, with admissions increasing from 1,316 in fiscal 1970 to 1,534 in fiscal 1972. In 1970, a total of 1,382 patients were treated, compared to 1,605 in 1972, and so far this year the number treated is about 100 above that of the same period a year ago.

In addition, the hospital increased the number of outpatient visits in 1972 to 2,477, compared to 2,110 in 1970, he said.

About half of all Miles City VA hospital admissions come from the Billings area, Hickey said.

[From the Miles City (Mont.) Star, Mar. 9, 1973]

ADMINISTRATOR HICKEY SAYS NATION'S VA HOSPITAL WOES NOT REFLECTED AT MILES CITY UNIT

(By Bob Kaze)

"We don't know what exists in other parts of the country but we do know what is the case at the Miles City VA," James C. Hickey, Director of the Miles City Veterans Administration Hospital, had the above to say concerning recent criticism of the V. A. Hospital system as he showed this reporter around the 96 hospital beds and 20 nursing home bed facility and discussed the operations and future considerations for the hospital.

According to Hickey, he has heard few complaints about hospital service during his 16 months as administrator and there has been and is currently no waiting list of patients.

Hospital staffing has increased considerably in the past two years and currently is in very good condition. Hickey stated that there is currently one registered nurse to every 2.8 patients and one licensed practical nurse or nurse's aide to every 3.5 patients along with two surgeons, two internists and a Chief of Medical Staff working at the V.A. The doctor ceiling for the hospital is seven and recruitment efforts for two additional medical staff members is currently underway.

Admissions have increased to 1534 in 1972 as compared to 1316 for 1971 while the average length of stay has decreased from 19.5 days to 16.5 days in the same period of time. The V. A. also increased their turnover rate from 156.1 in '71 to 170.4 in '72 by treating 1605 in-patients and 2477 out-patients last year in comparison to 1382 and 2110 out-patients in 1971.

Hickey feels that there is little chance that the Miles City facility will be terminated in the foreseeable future. Improvements would indicate that the Miles City branch will be perpetuated in the V.A. Hospital system. Expected expanded coverage increases for added patients stemming from Eastern Montana coal and power development also indicate that the facility will be of even more value in the future.

Federal funding of the Miles City V.A. increased \$819,924 to \$2,387,299 in 1972 and this has enabled V.A. officials to start an extensive building and remodeling program. A coronary and intensive care unit is expected to be finished this summer and a nuclear care unit is in future plans for the hospital. The nuclear care unit would allow diagnosis

through the use of radio isotopes and Hickey expects to be able to share this unit with other health facilities in the area when it is completed.

Patients who are in need of specialized therapy or having rare diseases which the local hospital is unable to treat are transferred to other hospitals adequately equipped to deal with these problems. In addition to V.A. hospitals located in different cities within our area, the Miles City V.A. has access to university hospitals in Denver and Salt Lake City.

The most striking factor of the Miles City unit is its warmth and color which one generally does not expect to find in a hospital. Each floor contains a day room with color TVs and a lounge area decorated in a bright color scheme. Patients also have access to a canteen and recreational activities ranging from a library to a hobby shop. The patient's dining area looks more like a fine restaurant than an institutional dining area.

According to Hickey, hospital officials want to get away from the drab and cold hospital atmosphere and give the patient the best possible surroundings for a quick and complete recovery.

[From the Helena (Mont.) Independent Record, May 14, 1972]

VA HOSPITAL OFFERS WIDE RANGE OF SERVICES

The hospital at the VA Center provides all kinds of medically related services, ranging from surgery to dentistry to physical therapy.

Average hospital patient load is about 140 daily. A patient usually is hospitalized about 21 days except for a few with severe disabilities who need to stay longer.

Most patients are Montanans, but veterans from all states are accepted. World War II veterans comprise the largest group of patients, while Vietnam war veterans made up 15 to 20 percent of the total patient load. A total of 2,421 patients were treated at the hospital during the past fiscal year.

The hospital facility is for men and women veterans who suffer from service-connected disabilities or cannot afford a private hospital.

LARGE STAFF

Its staff includes 12 full-time physicians, dentists, 34 registered nurses, 34 nursing aides, 2 chaplains, 2 social workers, 2 pharmacists, 2 physical therapists, and all the other employees needed to keep the hospital in operation.

Dr. John R. McQuillan is chief of staff; Dr. J. Andrew Phelps, chief of surgery; Dr. William S. Hertwig, acting chief of medicine; Dr. O. J. Anderson, chief of pathology; Dr. Vilbald Jenko, acting chief of physical medicine; Dr. Edward Swoboda, chief of dentistry; Dr. John J. Mitschke, chief out-patient service; Helen L. Haegele, chief of nursing service, and Hilmer N. Hansen, chief pharmacist.

Helena Drs. L. H. Blattspieker, J. Kent Boughn and Donald L. Pederson serve as contract radiologists. Other medical specialists serve as consultants and visit the hospital regularly.

The hospital has two major operating rooms featuring the latest equipment. Wall-mounted devices show whether persons in the room are well-grounded against electrical discharge since explosions are a great hazard in an operating room.

This concern over safety carries over to bedside equipment and adds to the convenience of the patient. A two-way voice speaker system connects the patient directly to the nurses' station. Moreover, each bed has a pillow radio speaker, and television is available in the ward day rooms. Also available is a built-in system of centralized oxygen and vacuum air.

MANY OUTPATIENTS

The center's outpatient service handles treatment of about 6,200 persons annually. Home town physician outpatient treatment

for service-connected veterans is provided to 10,211 veterans annually.

The medical administration division is in charge of the paperwork and record keeping. Phillip C. Pedersen is chief of the division's 25 employees.

Nursing service is provided around the clock.

The center's dental clinic houses a modern facility with the capability of taking care of most dental problems. A recently purchased panorex X-ray machine that requires only one exposure for a full mouth, cutting down on radiation absorption.

William Hibrich heads the VA voluntary service, which has 135 volunteers who donate time to help patients. They also donate money—almost \$9,000 last year—for comfort items and canteen coupon books.

The hospital pharmacy filled more than 27,000 prescriptions last year. It has two full-time pharmacists and two clerical employees.

A clinical laboratory with hematology, serology, chemistry and bacteriology departments runs tests to help diagnose and treat patients ailments. Many of the tests are run on automated equipment, which yields more accurate results than manual methods.

BIG JOB FOR KITCHEN

Jane E. Schellenberger heads the dietetic service division, which serves more than 149,000 meals annually. A staff of 25, including two dietitians, serves nutritious and appetizing meals.

Two physical therapists and one assistant work in the physical medicine and rehabilitation service to help patients.

The radiological service provides radiographic and fluoroscopic services to the medical and surgical service. More than 5,400 radiology examinations were conducted last year.

Two social workers, headed by Marion E. Dick, provide social work service in the hospital and on an outpatient basis. Some 721 cases were handled last year.

A supply division keeps the center equipped with hundreds of necessary items. Maurice O. Fox heads a staff of 14 supply employees.

John F. Mahoney, personnel officer, is in charge of a four-employee staff to take care of the personnel needs of the center's 341 employees.

PHYSICAL DEPARTMENT

Thirty-five persons work in the engineering division to take care of running and maintaining the physical plant at the VA Center. A variety of trades and skills such as carpentry, refrigeration, pipefitting and painting are performed. Professional engineer Clifford G. LaMear is in charge of the program.

Two chaplains, Frank O. Vavrin and the Rev. Humphrey J. Courtney, conduct services, counsel patients and perform sacramental rites.

Center Director Charles C. Walter is responsible for management of the regional office, medical and dental programs. Acting Assistant Director James M. Larson assists in directing the regional office and medical administrative functions. Management Analysis Officer John D. Gravely serves in a staff function in the center director's office.

[From the Helena (Mont.) Independent Record, Feb. 13, 1972]

WALTER OF FORT HARRISON: A PEOPLE-ORIENTED MAN

When a people-oriented director joins a staff whose members are naturally compassionate and willing to add the personal touch in their case work the people served benefit.

Staff compassion fits well with Charles Walter's philosophy of directing the Ft. Harrison Veterans Administration Center. When he speaks of the doctor-patient rapport at the hospital it brings a smile of satisfaction to his face.

When Walter took charge of the "one-stop

center" last Sept. he returned to his home state after spending most of his 29 years in government service to the east.

And being a "one-stop center," not just a hospital, nor just a regional office, but both, Ft. Harrison gives the best service to the veteran.

Through the regional office a veteran can find whether he is eligible for compensation (basically given for a service connected disease or injury), a pension (for non-service connected disease or injury causing unemployment or loss of earning capacity), insurance, medical benefits . . .

The hospital provides medical care.

Walter's people-oriented philosophy has a foundation of "if we don't share, how can we serve and if we don't assist veterans in getting maximum benefits, how can they get them."

He gives plenty of credit of the staff compassion in case work to "this is Helena—this is Montana." It's importance "when you're working with or helping people, it's how you relate to them that determines the success in the job."

"Our concern with and for people is so important in providing them services they're entitled to by law," he continues.

Young Vietnam veterans often don't use the services they could, because most aren't aware of the variety of help available to them.

Walter says, "Our biggest concern is to encourage young veterans to call on us for help when in need."

There are only six Vietnam veterans in the hospital at this time but those treated in the hospital have a common trait according to Walter. They are eager-anxious to participate and accomplish something, and for that reason they are in-and-out of the hospital.

Because of that very eagerness they can find themselves center stage under Walter's administration.

There are 14 Vietnam veterans working now at the center. They can become members of the Youth Advisory Council for staff members 35 and under.

"The prime purpose of the council is to fully utilize young people, their ideas, concerns, to make their jobs interesting and to help in their development so they can start filtering into the system," Walter says, "because young people generally feel they are given menial tasks and have no part in management decisions."

If we place people-interested on the side line for a bit, statistics show Walter directs a center that has 328 employees, 242 in the hospital and 86 in the regional center.

The 160 bed hospital has an average daily use of 140 beds. There are priorities of admission but the admission-acceptance rate was 84.3 per cent in December, a very high and good rate according to Walter.

In December there were 5,666 out-patient visits to physicians throughout the state which were paid for through the center.

There are 11,536 compensation and pension cases handled through the center with a monthly payment of \$1,224,862.

The hospital has a current fiscal year budget of \$4,061,787, of which \$2,728,716 is earmarked for salaries.

There are numerous veteran benefit programs available through the center. Apprenticeship programs have 221 private firms and 14 government agencies participating. A veteran hired through the programs will have about 25 per cent of his salary paid by the government for up to a year.

But statistics don't provide the excellent service the center is becoming noted for, they're just indications of it; indications of the considerable time Walter and his staff spend informing veterans of the benefits they are entitled to; his numerous talks to service organizations about benefits and a staff working attitude not restricted by time boundaries of an 8-4:30 day.

A RESOLUTION FROM THE MISSOURI HOUSE OF REPRESENTATIVES

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. HUNGATE. Mr. Speaker, I call to the attention of my colleagues the following resolutions I have received from the Missouri House of Representatives, and urge their serious consideration:

RESOLUTION

Whereas, the 92nd Congress enacted Public Law 92-603 (H.R. 1), known as the Supplemental Security Income for Aged, Blind, and Disabled Program, and this program will become effective January 1, 1974, and will supersede the federal-state public assistance programs of the Federal Social Security Act and transfer the funding and administration of these programs to the Federal Social Security Administration; and

Whereas, this Act provides for monthly payments of \$130.00 for single persons with no other income and \$195.00 for married couples with no other income; and

Whereas, it appears this standard payment would drastically reduce the resources available for over one-half of the recipients of the programs, or approximately 66,000 persons, and will cause substantial loss of income and economic hardship to these needy citizens; and

Whereas, this Act prohibits the recipients from participation in the Food Stamp or Federal Food Distribution programs, which would create loss of additional resources;

Now, therefore, be it resolved, that the Missouri House of Representatives while concurring with the intent of federal funding of these programs, does express concern over their inadequacy in meeting the needs of our citizens who depend on these programs for subsistence; and

Be it further resolved, that the House of Representatives urges the Congress to immediately enact appropriate legislation to provide full federal funding of this Act in order to alleviate the apparent hardships and problems which may result from the implementation of this Act in its present form; and

Be it further resolved, that the House of Representatives herewith inform the Congress that current recipients of these benefits and the State of Missouri will be severely penalized unless changes are made before the announced effective date of the federal law; and

Be it further resolved, that the Chief Clerk of the House of Representatives be instructed to send suitably inscribed copies of this resolution to the Honorable Richard M. Nixon, President of the United States of America, to each Missouri member of the Congress of the United States of America, and to the Administrator, Social and Rehabilitation Service, Department of Health, Education and Welfare, 330 Independence Avenue, SW., Washington, D.C.

RESOLUTION

Whereas, the Department of Health, Education and Welfare has proposed new regulations that will affect the delivery of Social Services under the Social Security Act; and

Whereas, these regulations, if enacted, would seriously curtail, if not eliminate many of the services Missouri has been able to provide for low-income families, senior citizens, and child welfare programs; and

Whereas, some of these services are protective services to children and adults, including health related, employment, educational,

day care, family planning, foster care, and homemaker services; and

Whereas, the proposed regulations, if and when effective, will have the effect of discouraging the poor, both on and off public assistance rolls, from exerting further efforts to break the poverty cycle in which they are entrapped, and of encouraging or even requiring low-income parents who have now broken the poverty cycle to return to the status of welfare recipients for lack of financial ability to provide day care for children; and

Whereas, the Missouri Division of Welfare's capability to deliver these essential social services may well bid to have a disastrous impact on the urban centers of St. Louis, Kansas City, Springfield, St. Joseph and others;

Now therefore, be it resolved, that the House of Representatives of the 77th General Assembly of the State of Missouri hereby expresses its dismay and objection to the proposed new Social and Rehabilitation Service Regulations of the Department of Health, Education and Welfare on the delivery of Social Services in Missouri, AND petitions such modification of these regulations as will assure the continuance of all services currently offered to its low-income citizens; and

Be it further resolved, that this Resolution be adopted and that copies hereof be provided to Mr. Caspar W. Weinberger, Secretary of Health, Education and Welfare; to Mr. Phillip J. Rutledge, Acting Administrator, Social and Rehabilitation Service; to Mr. Robert Davis, Regional Commissioner, Social and Rehabilitation Service; to each of the Missouri members of the United States Senate and House of Representatives, thus conveying the conviction of the General Assembly that such proposed change, if permitted to stand, will result in serious harm and danger to the general well-being of the citizens of the sovereign State of Missouri.

MORE PHYSICIANS NEEDED

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. COLLIER. Mr. Speaker, while the number of graduates of our medical schools continues to increase, the United States is still short of physicians. Fortunately, the problem can be solved within the next few years through existing programs.

As I believe my colleagues share my concern about this matter, I invite their attention to an article that I am inserting at the conclusion of my remarks. The article, which appeared in the February 19 issue of U.S. News & World Report, is entitled, "Not Enough Doctors." It discussed the problem in detail and showed that it is not one that can be solved overnight.

Efforts are being made to find practical solutions. For example, a number of new medical schools have been established and medical courses have been shortened to 3 years by some institutions. Although many graduates of foreign medical schools will be admitted to practice in this country, this should not become a national policy because many of them studied to provide medical services in countries that are sorely in need of doctors also.

In order to counteract the serious maldistribution of physicians, the Federal and some State governments will help defray the cost of medical education if students agree to practice after graduation in areas that are in need of them.

The National Health Service Corps has assigned volunteer physicians to communities that need medical help. These include both rural areas and city slums.

The aforementioned article follows:

NOT ENOUGH DOCTORS: WHAT'S BEING DONE

The number of physicians in this country is growing rapidly—but not swiftly enough to meet needs.

Current authoritative studies show that the demand for doctors will keep outstripping the supply at least until 1980.

Even if the U.S. did have enough trained medical practitioners to provide every American with top-quality care, not everyone would be taken care of under present conditions.

One problem is that the supply of doctors is unevenly distributed.

While many cities have more than their numerical share of doctors, residents of both rural areas and city slums have access to far fewer physicians than they need. Even in many prosperous suburban communities, doctors are so swamped with work that they refuse to accept new patients.

Result: Emergency rooms and outpatient departments of hospitals—a large proportion of them heavily staffed by foreign-trained physicians—are being deluged by people who cannot get into a doctor's office.

One major reason for the tremendous upsurge in demand for physicians, say experts, is that more Americans today are covered by health insurance—either private or backed by the Government in the form of Medicare or Medicaid.

At the same time, health officials note, people are more aware of progress being made in treating disease, and expect the best medical care as their legal and moral right.

Dr. Kenneth M. Endicott, director of the Federal Government's Bureau of Health Manpower Education, describes the situation this way:

"We don't have enough doctors, and we don't have them where we need them. Even if all health services were organized for maximum efficiency—which they certainly are not today—they could deliver only minimal health care to every American."

Goal: 500 to 1. Government studies show that in 1970 there were about 323,000 doctors in active practice across the nation. Now the total is estimated at 346,000 doctors. Of these, 263,000 are doctors of medicine educated in this country or in Canada, where medical education standards are considered equivalent to those in the U.S. Also counted in the total are 14,000 U.S.-trained doctors of osteopathy and 69,000 M.D.'s who graduated from medical schools in foreign countries other than Canada.

The 346,000 total of doctors now available figures out to 1 physician for every 636 potential patients—some 69,000 doctors short of meeting the ratio of 1 doctor for every 500 patients which is widely regarded as desirable.

By comparison, the patient-doctor ratio is 420 to 1 in the Soviet Union, 900 to 1 in Japan and 750 to 1 in France. Medical-qualification requirements, however, vary by country.

Even more alarming to health authorities is the fact that the number of doctors most often called upon—general practitioners, internists and pediatricians—is declining in relation to the U.S. population.

In 1950 there were 75 such physicians for every 100,000 people. By 1971 there were fewer than 50 per 100,000.

"These doctors are our first line of defense

against disease," comments a leading medical authority.

NEW SCHOOLS

Physicians, educators and government officials are trying to ease the doctor shortage.

In the past year, five new medical schools graduated their first classes. Another eight schools enrolled their first students, who will be graduated in 1975 or 1976. Six more institutions are scheduled to begin training doctors this year.

Twenty U.S. medical schools have shortened their courses from four years to three, and the trend toward speeding up education of physicians is growing.

Government experts project that by 1980 American schools will be turning out about 16,000 doctors a year, compared with approximately 11,000 in 1973. Also by 1980, at least 4,000 graduates of foreign medical schools are expected to be admitted to practice in the United States annually, compared with an estimated 3,000 this year.

If those goals are met, the target of 1 physician for every 500 people will be within reach by the end of this decade.

But dispersing those doctors to the right places is another unsolved problem.

President Nixon has pointed out:

"Americans who live in remote rural areas or in urban poverty areas often have special difficulty obtaining adequate medical care."

The General Accounting Office—set up by Congress to keep a check on Government spending—said this is an official report: Rural counties with fewer than 10,000 residents average only 1 doctor for 2,000 people. Rural counties with 50,000 or more inhabitants average 1 physician per 1,000 potential patients.

A report from Ohio shows that 45 small towns, out of 500 surveyed, have lost their doctors in the past 10 years—usually through death or retirement. It is a part of a nationwide pattern, health-manpower authorities say.

Small communities, government agencies and private foundations have tried to replace these badly needed physicians but often without much success.

Many towns offer to build clinics or small hospitals if a doctor will establish a practice. The federal and some State governments agree to help pay education expenses of medical students who promise to practice after graduation in areas that need them.

The U.S. Department of Labor surveyed the shortage of physicians in small towns and concluded:

"The obstacles seem to be partly social—the lack of good educational cultural opportunities for physicians' families—and partly professional. Physicians in rural areas dislike their isolation from colleagues and sources of new professional information, and the fact that critically ill patients requiring hospitalization—among the most interesting cases professionally—must be turned over to others for lack of hospital facilities."

BIG-CITY PROBLEMS

While residents of sparsely populated sections of the U.S. have trouble finding a doctor, people living in many big city slums are no better off.

It is true that there are proportionally more physicians in metropolitan areas.

Some sections of New York City, for example, have about 1 doctor for every 300 people, or about twice the national average. But at the same time, as the decay of New York's inner-city ghettos spreads, more and more physicians are moving their practices to cleaner and safer neighborhoods.

The same process is reported in many other large cities.

Crime is one reason. Medical offices make tempting targets for thieves bent on obtaining money and narcotics. In some neighborhoods, physicians making house calls run a high risk of being robbed or seriously injured.

Other big-city doctors give up because of being forced to work in crowded clinics and ill-equipped hospitals situated in rundown neighborhoods.

Still another obstacle to practicing medicine in the inner city is a "cultural gap" believed to exist between some white doctors and their black or Spanish-speaking patients. Trust is regarded as essential to a good doctor-patient relationship, and some physicians report this rapport increasingly difficult to achieve in the bitter emotional climate of the ghetto.

In addition to all these handicaps, medical research shows people living in the inner city have more illness than residents of richer neighborhoods. Often poor patients cannot afford to have a disease treated in early stages, so physicians are faced with treating more advanced and serious cases than usual.

"Even the most dedicated doctor can get discouraged," says one physician who quit a ghetto practice after 15 years and moved to the suburbs.

The U. S. doctor shortage is reflected in the soaring numbers of people resorting to hospitals for outpatient care.

The American Hospital Association reports that in 1962 Americans made about 100 million outpatient visits to hospitals. By 1971 the volume had nearly doubled. Authorities estimate that about half of hospital outpatients are people who simply could not get in to see a doctor anywhere else.

And even hospitals don't have all the doctors they need. Latest reports show that, despite a record number of medical-school graduates, the nation's hospitals had vacancies for more than 10,000 physicians as interns or residents.

Foreign doctors. The situation would be even worse if it were not for the number of foreign medical-school graduates working in this country.

A Department of Labor survey discloses that in 1963 only about 1 doctor in 9 was trained abroad. Within seven years the proportion leaped to 1 in 5 and is still growing. In some metropolitan hospitals, 2 out of 3 doctors on duty at any given time are likely to be graduates of overseas medical schools.

In some State institutions, particularly those for the chronically ill or mentally disturbed, foreign-trained physicians may outnumber U.S. graduates by as much as 8 to 1.

Says a health official who ranks high in the Government: "I don't know what we'd do without foreign medical graduates—now or in the future."

Approximately 1 out of every 15 foreign-trained doctors in the U. S. is an American who could not attend a U. S. medical school. The rest are foreign-born. Authorities are concerned, however, that language and cultural differences between foreign-born doctors and American patients can lead to misunderstandings, conflicts and potentially dangerous errors.

Graduates of foreign medical institutions have trouble passing U. S. licensing examinations. In fact, less than half the foreign-trained doctors caring for patients in American health facilities today are licensed to practice medicine in the States where they work.

New programs. Several programs are under way or being considered to relieve the doctor shortage.

"Family practice"—the new term for general practice—has been made a certified medical specialty in a move to give it more prestige. At least 150 approved programs in universities and community hospitals are providing training for some 1,200 prospective family doctors. At least 50 more programs are being considered at leading institutions.

The National Health Service Corps, an arm of the U.S. Public Health Service, has assigned more than 400 volunteer physi-

cians, dentists, nurses and other health personnel to 144 communities in 39 States that needed medical help.

Some of the 400 are working in ghetto areas such as the South Bronx in New York City.

Others are caring for people in desolate rural sections such as Florida's migratory-worker camps. Still others practice medicine in such isolated places as the north woods of Maine.

More emphasis is being placed on developing group-practice arrangements where at least one doctor is on call at all times. President Nixon's Administration is backing this program as part of its proposed system of Health Maintenance Organizations.

The President's budget for fiscal year 1974 calls for 57 million dollars to train nurses, nurses aides, doctors assistants and other paramedical helpers who can do many of the routine tasks that now absorb much of a physician's time.

The medical profession and government agencies are concentrating more effort on preventive medicine—reasoning that it is simpler, safer and cheaper to keep people healthy than to treat them after they become ill.

But the full impact of all these moves to improve medical care in this country will not be felt overnight.

All signs indicate that, for several years to come, a good doctor will be hard to find.

WHO WILL ANSWER FOR MY FREEDOM?

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. FAUNTROY. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct a Voice of Democracy Contest. This year, nearly 500,000 secondary school students participated in the contest for the five national scholarships which are awarded as the top prizes. First prize is a \$10,000 scholarship, second prize is \$5,000, third prize is \$3,500, fourth prize is \$2,500, and the fifth prize is \$1,500. The winning contestant from each State is brought to the Nation's Capital for the final judging as guests of the VFW.

The finalist for the District of Columbia is Rachel Michelle Chase, who is a student at the Immaculate Conception Academy in downtown Washington. I am appending her speech in order that my colleagues may know what some of our students in this city think of this year's theme, "My Responsibility to Freedom." The freedom of speech, the freedom to vote, and the freedom to learn are among our most important freedoms in a free society; and I know that each of my colleagues will want to share this young person's speech with their constituents, because it represents, in a most articulate way, freedom and the responsibility that goes with it:

WHO WILL ANSWER FOR MY FREEDOM?

There's a current popular song—a favorite of young people with an interest in life. The refrain occurs after presenting many current problems for our consideration—

Who will answer?

Who will answer responsibly for my free-

dom? The question for me has only one answer—"I must Answer".

I must answer for the use I make of my freedom of speech.

My approach to life's problems must be positive. If I have an idea that will help improve any existing condition, I must use my freedom of speech and the courage of my convictions to express this idea of change. But even as I speak clearly and forcefully of my own ideas I must remain open to the ideas of others. This means that I must listen respectfully to another's opinion—even if it contradicts mine. . . . This is only respecting the freedom of speech another person possesses—and thus I safeguard my own.

I must answer for the use I make of my freedom to vote.

Whether voting at present in school for school officers or voting in the future for political candidates in my local community, I cannot be influenced by another's opinion as to whom he thinks should have the office but for the person I think is capable of doing the job. Besides considering the person—I must study the issues. Each school has its particular responsibilities. I must vote for the student who can best fulfill these responsibilities. So, also, in later life the particular issues in my local area—the areas of problems on the national and international level require that I as an individual have some knowledge of their solution before I vote. Even as I cast my vote, however, I must be wise enough to realize that my solutions are not the only answers to America's problems. And I must be open enough to consider new approaches to old problems.

I will answer for the use I make of my freedom to learn.

At present I must exercise my greatest freedom. My freedom to learn. I must realize that my chances for learning are unlimited. There are countless ways in which I can develop. I can learn by association with others. If I use my abilities, I shall be accepted by my school associates—I will communicate with students and faculty. The school can be my training ground for future life. It can fit me for many of my obligations as an American citizen. Procedures and techniques used in student government will carry over to my adult life. Cultural activities and various learning areas will enable me to make wise choices of my use of leisure time. Responsibility for learning and translating this learning into practical living is my great responsibility as a student. This is the greatest challenge that freedom offers me now.

Who will answer? Who must answer?

In the responsibility I assume for my limited freedoms now will come the answer to the future problems of America. Indirectly at present I am answering responsibly for avoiding future wars involving the United States, for safety on America's highways, and for the preservation of American resources. Ignorance and immorality are the very destruction of the American way of living. I am not a pawn to be moved by fate. By responsible choice I can fashion my freedom and America's future. In the name of God, and for the love of my country, I accept the challenge of my American freedoms.

THE 55TH ANNIVERSARY OF PROCLAMATION OF INDEPENDENCE OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ROSENTHAL. Mr. Speaker, to commemorate the 55th anniversary of

the day Byelorussia proclaimed her independence I have sent the following statement to the Byelorussian-American Association in my district in New York:

STATEMENT

Byelorussian-Americans are justly proud of a cultural homeland whose history as a nation dates back a thousand years.

I am pleased to join in memorializing March 25 as a tribute to a people of rich culture and proud heritage, who yearn to regain their lost freedom and reassert their independence. Men's bodies and land may be held captive, but never their souls, and the soul of Byelorussia breathes strong in the hearts of people like the Byelorussian-American Association. I salute you and your struggle for freedom.

HARMFUL EFFECTS OF ADMINISTRATION BUDGET CUTS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. HANNA. Mr. Speaker, I have spoken out recently against the administration's cutbacks in funding for worthwhile and successful programs authorized by Congress. I would like to bring to the attention of my colleagues another example of the irreparable harm such actions are having on the future well-being of our citizens.

Following is a letter I received from Jere E. Goyan, dean of the school of pharmacy, University of California, San Francisco. Dean Goyan comments on the programs and accomplishments of the school, and sets forth in detail the effects of President Nixon's budget cuts on the school's activities.

I urge my colleagues to read Dean Goyan's letter, and to join with me in efforts to continue adequate funding for successful and worthwhile programs like that of the school of pharmacy, University of California, San Francisco:

UNIVERSITY OF CALIFORNIA,

San Francisco, Calif., February 26, 1973.

Hon. RICHARD T. HANNA,

Congress of the United States, House of Representatives, House Office Building, Washington, D.C.

DEAR Mr. HANNA: On previous occasions, I have written to you relative to the need for Federal support of pharmacy education. In these communications, I have documented the evolving role of the pharmacist as the drug-therapy expert on the health-care team. In a booklet sent to you, last year, by the American Association of Colleges of Pharmacy entitled "Pharmacy Education Responds to Changing Health Care Needs," you probably noted the prominent role played by our school and the University of Southern California School of Pharmacy. We are proud of the fact that the three schools of pharmacy in California have led the nation in innovative new approaches to education. I am writing to you today because of the probability that the President's proposed budget for 1973 and 1974 will severely hamper, if not destroy, our programs. In order that you might understand the seriousness of our problem, I would like to outline the effect of the proposed budget on our school.

Today, we have a total operating budget of roughly \$2 million a year, \$1.2 million of which is supplied by the State of California and \$.8 million by the Federal Government through its several agencies. The President's budget proposes to cut our general research

support grant funds from \$90,000 per annum to \$30,000 per annum and then to nothing in 1974; to discontinue our training grant funds over the next three years; to drop pharmacy students from scholarship support; and to decrease our capitation funding from \$230,000 to \$100,000 in the 1973 budget and to \$0 in the 1974 budget. The total effect of this is to cut out \$400,000 per year of support to the School of Pharmacy, or roughly 20 per cent of our budget. This means that we will have to discover new ways of funding, or discontinue nine of our present faculty and several staff members. Of course, the faculty concerned will be the young clinical professors at the non-tenure level, many of whom are women or members of a minority group. It also appears that our innovative program in clinical pharmacy, about which we have informed you on several occasions in the past, will be badly hurt, if not destroyed.

At present, we have 83 professional students supported on scholarships which will be unavailable in the future if the President's budget becomes law. These students, of course, are those most deserving of financial help in the sense that they have very few, if any, family resources for putting them through college. This decision on the part of the Administration is likely to make a pharmacy education available primarily to those of means.

The loss of general research support funds will seriously damage several aspects of our research programs: the "seed" funds which we have used to support young investigators just beginning their research careers; the funds enable us to purchase new expensive analytical equipment necessary for identification and quantification of the minute amounts of drugs found in the blood; the funds allowing us to continue a worthy project during a short hiatus in funding; the funds making it possible to supplement some faculty salaries.

With regard to our graduate program, it will probably cause a decrease in the total number of graduate students on the basis that not all of them will be able to pay their own way. Thus, those students with insufficient funds to support themselves will be automatically excluded from a graduate education.

Certainly, each of us is aware of the importance of controlling Federal expenditures in the next few years. However, I find it difficult to accept the priority rating which the Administration seems to have given to health and most other social programs. It is my fond hope that Congress will be able to persuade the Administration that they should reorder their priorities and restore, at least, some of the funds presently scheduled for discontinuance.

Many thanks for your consideration.

Sincerely,

JERE E. GOYAN,
Dean.

UNCLE SAM: SPLIT PERSONALITY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. CONTE. Mr. Speaker, for years the United States has been paying farmers huge sums of money to let fertile cropland lie idle. At the same time the Federal Government has sponsored programs to drain wetlands and other valuable wildlife refuges so farmers can grow more crops.

This type of contradiction spotlights the bankruptcy of our present farm subsidy programs.

In the February-March 1973 issue of National Wildlife, a magazine published by the National Wildlife Federation, there is an excellent article that describes this ridiculous conflict of Federal policies. I commend this article to the attention of my colleagues:

UNCLE SAM: SPLIT PERSONALITY

(By Oliver Austin Houck)

When I first heard about the Starkweather project in North Dakota it didn't make sense. Uncle Sam preparing an ambush—for himself? I decided to go out and have a look.

On a windy summer morning I went up in a small plane over the big farms of the Starkweather watershed, large rectangles of golden grain dotted with green bordered prairie ponds—potholes they call them. Flying low I could see clusters of ducks on the water and white egrets in the reeds. We flew north and suddenly the potholes were gone. You could tell where they used to be by the drainage ditches, networks of gray canals running south.

"See down there" yelled my pilot over the roar of the engine. "That used to be a regular lake! A few years ago you couldn't fly very low because of the birds. They'd come up off it by the hundreds."

It was a grain field now with a big ditch straight out of the center. I didn't know how my pilot felt about it so I shouted that it must be easier flying now without all those birds. He gave me a funny look. "I miss those birds," he said.

If someone told you that Uncle Sam was going to spend nearly four million dollars to drain one of the last large waterfowl breeding grounds in the United States, you'd say "Well, it must be for a good reason."

It's called "prairie pothole" country, and it's the last we have. There used to be millions of potholes, little half-acre, one-acre, five-acre freshwater ponds, scattered all over the Dakotas, west to Montana, east to Minnesota and Wisconsin and down into Nebraska and Iowa. Great waterfowl migrations bred and formed there pond by pond. Tens . . . hundreds . . . thousands . . . and then millions of ducks, geese, grebe, and rail. Every fall they rose from these prairie wetlands, a family here, a flock there, until they covered the sky with a great rush of wings and were gone.

It doesn't happen much in our country anymore, except in North Dakota. We've dried up their breeding grounds, and the remaining birds must fly up to Canada to nest. The Starkweather region of North Dakota, with over 50,000 acres of prairie pothole wetlands, is the best breeding area we have left in the United States. And now we're going to dry it up.

If someone told you that a "good reason" to drain these wetlands was so farmers could produce more crops, you'd say, "Well, I guess we need the crops."

There are just ninety-one farm units to be benefitted by the Starkweather project. They all produce surplus grain crops, mainly wheat. The drainage project will help them grow more. In case you had forgotten about surpluses, there are the crops Congress has directed the U.S. Department of Agriculture to buy and store to support farm prices. So you, and your government, own hundreds of millions of bushels of corn and wheat.

But, hold your hat—these are the same crops we also pay farmers not to grow, at a cost of additional millions of dollars. In 1971 we paid farmers more than \$2.75 billion to idle 37 million acres of surplus cropland; in 1972, more than 62 million acres were idled. Despite the number of "set aside" acres, the government still has had to buy hundreds of millions of bushels of surplus grain. (Even though the U.S. is selling large quantities of grain to the U.S.S.R. and China, Federal subsidies will still be needed for surpluses.)

Projects like Starkweather aggravate this problem. The government pays people not to grow grain, it buys surpluses from what they do grow, and then turns around and finances projects to grow more. Using your money, of course.

If someone told you that another purpose of the Starkweather project was "flood control," you'd say, "Well, we've certainly got to stop those floods."

When you walk in water you are likely to get your feet wet. And when you plant crops where water gathers every spring, you are just as likely to get your seeds wet. It happens every spring; the snows melt and the April rains collect in the depressions, forming the great prairie wetlands. By fall most of the ponds are dry. But you plant crops in the spring, and you can plant more crops in the spring in Starkweather if you drain all of those potholes and move the water out. It's called "flood control."

What it really does is help make floods. The water used to settle on the land and percolate slowly through the surface. Now it is rushed out in large ditches. Where? Somewhere downstream, and someone at the other end of the ditch gets a lot more water now, every spring. But then that's his problem.

So he is almost compelled to get his own "flood control" project. Bigger ditches, to move the water on down. This leads, of course, to more "flood" water further on down, and naturally more ditches. And, eventually ditches won't do the job. It takes dams . . . more crops and houses in the flood plains . . . more "flood control" projects . . . pork barrel handouts by Congress and make-work for the Corps of Engineers . . . all the way down the muddy Missouri and the mighty Mississippi to New Orleans, now seven feet below river level.

It all starts way up north, with Starkweather and those lovely, rich, doomed prairie potholes waiting to be drained.

"You know," said Bob Scheer, president of the North Dakota Wildlife Federation, our affiliate, "Congress really passed this small watershed law to stop floods where they begin, to hold the water on the land. But instead we seem to be using the law to get the water off faster."

"I have a friend who farms on the edge of Starkweather," he continued. "One day I went over to visit and he'd just put in a new ditch. I said, 'Owen why did you do that?' and he said he had to because everybody else was doing it, and he'd end up with their water. And besides, the government was paying for it."

"I said, 'Owen, suppose there was a program to hold the water on the land and nobody built ditches to give it to you, and you didn't build ditches to give it to somebody else?'"

"Owen thought about that for a moment and then he shook his head. 'I never heard of a program like that,' he said."

If someone told you that Congress authorized the Starkweather project after carefully considering its impact, you'd say, "Well, I guess they took all these things into account."

Unfortunately, Congress doesn't review "small watershed" projects. Because they are so "small," Congress has delegated their authorization to a committee. In the case of Starkweather, it was a subcommittee. On July 14, 1970, with just three subcommittee members of one house of Congress present, the Department of Agriculture presented Starkweather along with one North Dakota Congressman and Gordon Berg, the chief local sponsor. No notice of the hearings was given, no opposing testimony was invited. The Congressman said it was a good project and Gordon Berg, who one year later was convicted of draining wetlands illegally and placed on Federal probation, said he thought it was a good project too.

That's the way it went with Starkweather, and that's the way it goes with most "small

watershed" projects. Except not all the sponsors are on Federal probation.

The "small watershed" aspect is even more interesting. Congress did not mean to abandon its authority over large water programs. It put a 250,000 acre ceiling on the "small watershed" projects which the Soil Conservation Service could undertake virtually on its own.

The hitch in Starkweather is that the natural Starkweather drainage area is about 518,000 acres. But you can't put an acre limit on ambition. So the solution was to cut up the area into two smaller projects which on paper would slip under the Congressional limit.

So there are now two separate proposals: Starkweather, 246,477 acres, and Edmore, 246,118 acres. They are in the same drainage basin, linked by a single channel and draining into the same big exit ditch.

You may have noted that these two projects add up to 492,595 acres, and there are about 518,000 acres overall. Since the additional acres could not be tacked on to either project without pushing it over the limit, here is a 26,000 acre "dead area" right in the middle, undeclared in either project. Administrative genius!

When someone tells you that Starkweather isn't really that big, and anyway it's the kind of project that's been popular for years in most Congressional districts, you finally rebel and say, "It just doesn't make sense—from any angle."

Starkweather is a natural basin. The water stays where it falls, or collects in natural kettles and ponds, shallow, freshwater wildlife incubators, the stuff of prairie life. Now we plan to pull the plug, rush the water out. And call it flood control.

These wetlands will be dried up, and plowed in the fall to get a jump on spring. The winter winds will whip up the exposed soil and dry snow into brownstorms. And we call this soil conservation.

These lands will grow more surplus for government granaries, and we will pay more money to set aside more acres. And we call it a farm program.

And when you want to see those great restless movements of waterfowl rising and wheeling in the morning light, you can go to Canada for the few that remain and you can say, "We used to see them in our country too, once upon a time. . . ."

The Federal Government spends millions of dollars every year to hold down crop production. It also spends millions to increase production of the same crops. Were it only money against money it would be the height of absurdity.

But compounding this foolish waste is the disturbing fact that in the process irreplaceable wildlife habitat is being lost all across the nation.

Less than a century ago there were approximately 10 million acres of prairie wetlands in the United States—prime habitat for ducks and geese. But 60 percent of these wetlands have now been drained, says the U.S. Bureau of Sport Fisheries and Wildlife. Half of this loss has been in the last twenty years. And the loss continues.

Consider, for example, Chicod Creek, a Soil Conservation Service drainage project in North Carolina. It will destroy 66 miles of river wetlands, to put 10,000 acres of new cropland into production. Yet, last year the Federal farm program paid farmers in this same county \$832,234 for not farming 30,490 acres.

There is also the Cache River project in Arkansas where the Corps of Engineers will spend \$54,000,000 draining 100,000 acres of prime southern hardwood swamp. That's \$540 an acre. Over 90 percent of the projected "benefits" will come from the production of more soybeans. Yet, Arkansas farmers have been paid soybeans subsidies two out of the last five years.

At the other end of our country is New Malones where a \$181 million impoundment built by the Corps of Engineers will combine with a \$1.5 billion Bureau of Reclamation irrigation system to put more of California's central valley into surplus crops. In 1971 taxpayers paid more than \$100,000,000 in crop price subsidies to California farmers—and millions more were paid to farmers there for not farming.

Our struggle to defeat ourselves continues to escalate. We ditch, drain, cut and plow under scarce wildlife habitat—and we increase crop surpluses which require increased subsidies. The cost in taxpayer's money is great. The cost to wildlife is its very existence.

HOMES: INDEPENDENCE— IMPOVERISHMENT

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. RAILSBACK. Mr. Speaker, senior citizens are the hardest hit by spiraling inflation and rising taxes. When they purchased their homes, taxes were lower, and their job incomes came in regularly. Now these same individuals must depend upon limited, fixed incomes, and property taxes place an extremely heavy burden upon them. As President Nixon said,

The same home which has been a symbol of their independence often becomes a cause of their impoverishment.

Since January of 1969, property taxes have risen nearly 40 percent. This is almost twice the rise in the overall cost of living. Although the typical family of four pays 3.4 percent of their income for real estate taxes, the senior citizen who owns his own home pays approximately 8.1 percent of his income for the same purpose. Even more distressing is the report of the Advisory Commission on Intergovernmental Relations which revealed that senior citizens living on less than \$2,000 annually pay nearly 16 percent of their income for this regressive tax. Approximately 1.3 million aged households—or 1 out of every 5 elderly homeowners—fall into this category.

Because so many senior citizens are financially paralyzed by the spiraling property taxes, some are forced to liquidate their assets in order to remain in their homes. Others are compelled to live in poverty. And still others are forced to give up their homes. This is particularly tragic, since their homes are probably their prime investment in life—and they are also the centers of memories of family life and all the other happy and sad events upon which one reflects. To be torn from such meaningful and familiar surroundings in one's later years is a real heartbreak.

Also, many low- and moderate-income renters are feeling the pinch of high property taxes. Landlords often shift some of their tax burdens on to renters in the form of rent increases. For example, the Evening Star just a few days ago ran a story about an elderly woman whose rent was increased by over 100 percent. Any increase in social security that this individual will receive will clearly be obliterated by such steep in-

creases. Unfortunately, there are numerous other senior citizens facing the same situation.

The President has pledged assistance to the elderly. Last October, in a radio broadcast from Camp David, he termed the imposition of property taxes upon senior citizens as a national disgrace and promised that correction would be a first order of business in our next Federal budget. In his State of the Economy address to the Congress, the President proclaimed,

I shall also submit recommendations for alleviating the crushing burdens which property taxes now create for older Americans.

For my own part, I have had a long-standing commitment to our senior citizens. In the 92d Congress, I was pleased to join Congressman PAUL FINDLEY in introducing legislation that will provide much-needed property tax relief to older Americans. Today, I am joining him in reintroducing the same language in the hope that the 93d Congress will take immediate and favorable action upon it.

Briefly stated, our legislation provides that individuals of a low income will receive a \$300 Federal income tax credit—or will receive a grant from the U.S. Treasury if they pay no income taxes—to offset State and local property taxes they pay on their homes. Anyone over 65 whose income is below \$6,500 would be eligible—whether they own their home or not. If they rent, that portion of the rent which covers taxes would be computed. The maximum tax credit or payment provided by the bill would be \$300.

Mr. Speaker, approximately 21 million Americans are over 65 years of age. We must do all we can to assure them they will not be forced to move into less desirable and unfamiliar quarters because they cannot afford the spiraling real estate taxes. The bill being introduced today goes a long way in that assurance, and I urge immediate enactment of this legislation.

FOR THE PRESERVATION OF MINERAL KING

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. WALDIE. Mr. Speaker, Mineral King is a scenic Alpine valley in central California with an unspoiled uniqueness that enthralls all who visit it and share its wonders. Mineral King is public land that is a national forest and a national game refuge, surrounded on three sides by the Sequoia National Park.

It is a symbol of the threat of man's encroachment on nature.

Mr. Speaker, for the above reasons and more, Mineral King must be spared. I am today introducing legislation that will include Mineral King and the Sequoia National Game Refuge as a part of the Sequoia National Park.

The purpose of this legislation, it should be pointed out, is to protect

Mineral King Valley, one of the most beautiful wilderness areas remaining in this part of the Sierra, from despoilment and development by the Disney Corp.

This action is long overdue, Mr. Speaker. The reason that Mineral King was originally left out of the park was that supposedly valuable mineral deposits were thought to be on the site. Mining is no longer a consideration in the debate over the development of Mineral King.

The only metal that is in the valley is "tourist's gold" that would be mined by the Disney Corp. if its planned development is authorized and if the Congress fails to take necessary action to preserve Mineral King.

Mineral King includes the headwaters of the east fork of the Kaweah River which flows through the park itself. To disrupt the river's flow or contaminate its waters with the waste and garbage of thousands of tourists is a very real blow at the ecology of the park itself.

The present development in the valley consists of cabins, some 60 of them, leased to users by the U.S. Forest Service. The cabins, a general store, post office, and a pack station, occupy some 10 percent of the game refuge area.

The other 90 percent is occupied by the animals of the forest who thrive in the wilderness of Mineral King.

What will the Disney development do to Mineral King?

In the place of 60 cabins, a store, and a pack station, the Disney Corp. will construct a multimillion-dollar Disneyland for summer and winter sports fans which they hope will draw a million people a year into this delicate valley.

Quite simply, Mineral King ought not suffer the consequences of development if there are adequate alternatives. I am convinced that those alternatives do exist. There are suitable ski slope sites at Slate Mountain and Sherman Peak, both in Sequoia National Forest. Both are within easy access of the Los Angeles metropolitan area and could be developed, without adverse environmental consequences, to take care of the additional skier demand that apparently is the prime basis of the Disney proposal to develop Mineral King Valley.

Additionally, the alternative would provide the additional employment in the San Joaquin Valley that would have been provided by a Mineral King development.

Mr. Speaker, it is my fervent hope that the Congress will see the wisdom of preserving Mineral King as it is today and will act quickly on the legislation I am hereby proposing.

IN EXPLANATION OF THE MAHON IMPOUNDMENT BILL, H.R. 5193

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. MAHON. Mr. Speaker, on March 6 I introduced into the House H.R. 5193, a bill providing for the reporting and review of impoundment actions. There has been a great deal of interest in the bill

because of the subject matter involved. I would like to make a few remarks in further explanation.

NO ATTEMPT TO RESOLVE CONSTITUTIONAL ISSUE

The introduction of this bill resulted from discussion I had with the House leadership and various staff people about the fact that Presidents do impound appropriated moneys, and that at present the Congress lacks a system for dealing with that fact. The sole purpose of the bill is to provide a standard procedure for Congress to review impoundment actions on an orderly basis and to take appropriate action. It does not concede that the President has any authority to impound funds beyond the authority provided in the antideficiency law, to which reference has been made.

The bill is in no way intended to resolve the constitutional issue of whether the President has the authority to impound appropriated funds. The constitutional issue is of momentous import and deserves the most careful attention of the Nation's best minds. But until it is resolved, the Congress must develop a procedure for dealing with the fact that Presidents do impound appropriated funds.

ANTIDEFICIENCY ACT

Congress has enacted legislation, presently in effect, which provides for the impoundment of funds by the President under certain special circumstances. The following language of the Anti-Deficiency Act was intended to describe such limited discretion:

(2) In apportioning any appropriation, reserves may be established to provide for contingencies, or to effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which such appropriation was made available. Whenever it is determined by an officer designated in subsection (d) of this section to make apportionments and re-apportionments that any amount so reserved will not be required to carry out the purposes of the appropriation concerned, he shall recommend the rescission of such amount in the manner provided in the Budget and Accounting Act, 1921, for estimates of appropriations.

A SYSTEM FOR EARLY REVIEW OF IMPOUNDMENTS

The problem is that the Congress has no accepted procedure to deal with the situation that arises when the Executive frustrates the intent of Congress through impoundment actions.

What is needed is a standard procedure that will permit Congress to review impoundment actions on an orderly basis and to express itself as effectively as possible when the Executive substitutes his judgment for the judgment of Congress. That is the purpose of the bill I introduced.

CONCURRENT RESOLUTION

A basic feature of my proposal is that action by both Houses of Congress on a concurrent resolution is necessary only when the Congress determines that the Executive has frustrated the intent of Congress by an impoundment action. I believe that the full weight of both Houses as an expression of congressional intent generally is more appropriate than

action by one House in policy disagreement with the Executive.

COMMITTEE REVIEW

My proposal provides for review of impoundment actions by the House and Senate Committees on Appropriations. It seems appropriate to have a single committee of Congress handle this function, thus tending to avoid the criticism that the Congress handles its fiscal business in a fragmented manner.

It has been suggested by some that the General Accounting Office could perform this review. But this is a job for Congress. Moreover, impoundment review would seem to be so politically sensitive that it could impair the effectiveness of an institution such as the GAO in performing its already substantial and essential services for the Congress.

NEGATIVE VERSUS AFFIRMATIVE ACTION

Another basic feature of H.R. 5193 is the provision for Congress to disapprove of impoundment actions which it considers unwise, rather than to approve of all those it determines necessary. This aspect of the bill is rooted in practicality. It assumes the necessity for committee review of impoundment reports submitted by the Executive so that only those involving policy questions will be called to the attention of the House. This provision merely allows for the fact that there are likely to be many cases of Executive impoundment for management purposes as anticipated by the Anti-Deficiency Acts, and that Congress should not waste its time and energy on these essentially routine administrative actions.

PROVISION FOR AMENDMENT

It is essential that a concurrent resolution concerning an impoundment message submitted by the President be subject to amendment. Providing only for a simple up or down vote on all the impoundments in a message unnecessarily gives to the Executive the advantage of strategically packaging such messages. My bill reserves to the Congress the exercise of judgment in packaging a disapproval resolution.

I believe that this exercise of judgment should also be extended to members generally and that amendments from the floor should be in order during consideration by the House and Senate. This specific provision was excluded from the text of H.R. 5193 as I introduced it. I simply want to confirm the support I gave this principle in my first press release on the bill. I would expect to recommend the necessary language change in my appearance before the Rules Committee.

For the benefit of Members and others there follows the text of the bill as introduced and a brief explanation of its principal features:

H.R. 5193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever the President impounds any funds authorized for a specific purpose or project, or approves the impounding of such funds by an officer or employee of the United States, he shall, within ten days thereafter, transmit to the House of Representatives and the Senate a special message specifying—

- (1) the amount of funds impounded,
- (2) the specific projects or governmental functions affected thereby, and
- (3) the reasons for the impounding of such funds.

(b) Each special message submitted pursuant to subsection (a) shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate; and each such message shall be printed as a document for each House.

SEC. 2. The President shall cease any impounding of funds set forth in a special message if within sixty calendar days of continuous session after the date on which the message is received by the Congress the specific impoundment shall have been disapproved by the Congress by passage of a concurrent resolution in accordance with the procedure set out in section 4 of this Act.

SEC. 3. For purposes of this Act, the impounding of funds includes—

- (1) withholding or delaying the expenditure or obligation of funds (whether by establishing reserves or otherwise) appropriated for projects or activities, and the termination of authorized projects or activities for which appropriations have been made, and
- (2) any other type of executive action which effectively precludes the obligation or expenditure of available funds or the creation of obligations by contract in advance of appropriations as specifically authorized by law.

SEC. 4. (a) The following subsections are enacted by the Congress—

- (1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by this section; and they shall supersede other rules only to the extent that they are inconsistent therewith; and
- (2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) (1) For purposes of this section and section 2 the term "resolution" means only a concurrent resolution which expresses the disapproval of the Congress of an impoundment of funds set forth in a special message transmitted by the President under the first section of this Act, and which is introduced and acted upon by both the House of Representatives and the Senate before the end of the first period of sixty calendar days of continuous session of the Congress after the date on which the President's message is received by the Congress. Where a special message specifies more than one impoundment of funds, the resolution may relate to any one or more of such impoundments; and the resolution with respect to any impoundment may express the disapproval of the Congress of any amount thereof and may set forth the basis on which the impoundment is disapproved.

(2) For purposes of this subsection and section 2, the continuity of a session shall be considered as broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the

computation of the sixty-day period referred to in paragraph (1).

(c) Any resolution introduced with respect to a special message shall be referred to the Committee on Appropriations of the House of Representatives or the Senate, as the case may be.

(d) (1) When the committee has reported a resolution with respect to a special message, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on the resolution shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(e) Motions to postpone, made with respect to the consideration of a resolution with respect to a special message, and motions to proceed to the consideration of other business shall be decided without debate.

(f) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to any resolution referred to in section 4 hereof shall be decided without debate.

OUTLINE OF PURPOSE AND PROVISIONS OF THE PROPOSED IMPOUNDMENT REVIEW BILL INTRODUCED BY GEORGE MAHON, OF TEXAS

I. PURPOSE

The sole purpose of the proposed bill is to provide a standard procedure for Congress to review impoundment actions on an orderly basis and to take appropriate action.

The purpose of the bill is not to resolve the constitutional issue of whether the President has the authority to impound funds which have been appropriated by Congress.

I believe that the Executive should have certain limited powers to reserve funds in the interest of good management and constructive economy in public expenditures, as provided for in the Anti-deficiency Act.

However, I agree with the Speaker that many of the recent impoundment actions by the Administration have overstepped the bounds of reasonableness. Such actions frustrate the intent of Congress by substituting the judgment of the Executive for the judgment of Congress.

II. SUMMARY OF THE PROVISIONS OF THE BILL

A. The bill requires the President to notify both Houses of Congress within 10 days of any impoundment, specifying the amount, the programs or functions affected, and the reasons for such impoundment.

B. Such messages from the President shall be referred to the Committee on Appropriations of the House and the Senate for consideration and recommendation of appropriate action.

C. The bill provides that the President is required to cease any impoundment if, within 60 days after receipt of the impoundment message, Congress disapproves a specific impoundment by passage of a concurrent resolution.

D. The concurrent resolution may relate to one or more impoundment actions if more than one is specified in the special message from the President. It may also express the disapproval of the Congress of the full amount of the impoundment or any part thereof, depending upon the circumstances.

E. Any Member may introduce a resolution

with respect to the President's special impoundment message, which shall be referred to the Committee on Appropriations of the House or the Senate as the case may be.

F. Concurrent resolutions reported by the Committee are made highly privileged in order to assure a timely and appropriate consideration and are made subject to floor amendment.

III. FISCAL BACKGROUND

A. There is an attempt being made to lay at the doorstep of Congress all of the responsibility for all our fiscal ills. This cannot be documented. Had Congress for the last 5 years given the Executive precisely what had been requested—no more, no less—the fiscal posture would be about the same.

B. Over the past five years, Congress has provided about what the Executive has requested in total spending authority, doing this through regular appropriation bills, and through so-called "backdoor spending" bills.

During that period, in appropriation bills handled by the Committee which I head, Congress has reduced appropriations below the requests by about \$30 billion. In fact, Congress, through its Appropriations Committees, has kept within the total requests for appropriations in each of the last twenty years.

During the past five years Congress has offset that reduction by adding about \$30 billion in bills which are not handled by the Appropriations Committee.

C. It is also true that Congress and the Executive have acted together since 1962 to reduce available revenues in calendar 1973 by about \$50 billion, assuming the economy would have acted as it has.

A SERVICE OF THANKSGIVING AND PRAYER FOR OUR PRISONERS OF WAR AND THOSE MISSING IN ACTION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, I wish to place in the RECORD the following prayer paying tribute to our prisoners of war and those missing in action, written by Mr. Richard G. Capen, Jr., of La Jolla, Calif., and presented to the First Presbyterian Church on March 11, 1973:

A SERVICE OF THANKSGIVING AND PRAYER FOR OUR PRISONERS OF WAR AND THOSE MISSING IN ACTION

Today, all America is bursting with pride, gratitude and thankfulness for the almost indescribable dedication and courage of our prisoners of war in Southeast Asia.

We respect them—not just for their service to country—but for their inspiring ability to survive, relying only on the most basic principles of our American way of life: Faith in God, Dedication to country, Devotion to family and Dependence upon each other.

How many times we have heard those phrases repeated by our returnees in recent weeks. And, how forcefully, their example has reminded each of us that the precepts upon which our nation was founded are as valid today as they were 200 years ago.

For too long a handful of destructive critics have gone unchallenged in their false contentions that such principles were no longer relevant to America.

These irresponsible purveyors of doom take on a pathetic tone when matched against the example of any ONE of our American prisoners of war.

This morning we offer special prayers and

thanksgiving to these brave men and their families. We do so with a certain humility, knowing something of their long suffering. We also do so with caution and concern, fully mindful that some 300 American captives have yet to be returned and more than 1300 have yet to be accounted for.

Our thoughts are also tempered by the sobering realization that these men have yet to describe the conditions of their captivity and will not do so until all prisoners have been released.

Only then can we truly appreciate the depth of the abiding faith which sustained them through prolonged periods of torture, isolation, lack of medical care and inadequate diets.

As we offer prayers for these men, let us reflect for a few moments on why it is that so much attention has been focused on this particular group of Americans. Why our prisoners of war? Why our missing men? After all, they represent less than one-tenth of one percent of all those who have served in Southeast Asia.

Certainly, our prayers and thanksgiving go to those Americans who have served and particularly to those who gave their lives or were wounded in Southeast Asia.

But there is an overpowering justification for special attention to our prisoners of war. After all, our dedication to human life and freedom is both clear and consistent with every value of American society.

During the long war in Vietnam, American prisoners of war were set apart, not by the United States, but by our adversaries. It was they, not us, who disregarded every minimum standard of humanity.

Deeply concerned by those intolerable prison camp conditions, Americans spoke out with one voice, demanding the humane treatment of our men who were completely at the mercy of their captors.

Our men deserved nothing less from us. Yes, we prayed, we spoke out, we negotiated, we launched rescue missions. In short, we assisted wherever possible so that we could face our men when they returned with a personal conviction that all had been done to obtain their humane treatment and eventual release.

Through this determination our prisoners of war became a national issue. Whatever success we achieved in their behalf is small indeed compared to their service in our behalf. Whether in combat or captivity, these men have served with courage and determination.

Faith in God. Dedication to country. Devotion to family. Dependence on each other.

What vigor our men have given to those beliefs today! What pride we can have for these men and our country. And, what better time for all Americans to pull together, raising the flag instead of burning it as one returnee has suggested.

The cynics and agitators may have difficulty understanding this dynamic patriotic phenomenon of recent weeks, but I can assure you that most Americans have no trouble understanding it at all.

"God Bless America" will never again be sung in our country with casualness or complacency for our returnees have brought new meaning to those powerful words.

Today, their accomplishments take on a new meaning at a time when America is seeking to heal the wounds of a long and divisive decade of the sixties.

I deeply respect our prisoners today, not just for surviving captivity, but more so for the example they have set for others to follow. Faith in God. Dedication to country. Devotion to family. Dependence on each other.

For some time Americans have needed a reaffirmation of those fundamental values. Our returning men, through their example, have provided that reaffirmation.

Captivity forced them to look inward for

strength to survive. Their record should force us likewise to look inward for our own strengths as we seek meaningful priorities in our own lives.

Irving Berlin wrote "God Bless America" in 1918, but the song was a flop. In 1938 he dusted the tune off for a Kate Smith show, and it became an instant hit.

Once again "God Bless America" has been dusted off, this time by our returning prisoners of war.

Yes, America has been blessed by God and blessed to have among us such men as these.

May all Americans go forward this day with a faith renewed sufficiently to sustain us as it sustained these brave men for so many, many months.

We can truly build our future in the image of God's will if we can restore our Faith in God, Dedication to country, Devotion to family and Dependence on each other.

In closing, may I share with you a contemporary prayer which sums up our confidence in today and hope for tomorrow. Its message is particularly appropriate as we honor those who were sustained by the memories of yesterday and the hopes of tomorrow. For those who have returned, tomorrow has at long last become today.

It's time!

Time to believe and hope again!

Make it spring in my wintered body,

Bring me out of hibernation,

See the sun, Lord, see that new sun,

Breaking its own record for smiling,

Feel its warmth and you smile, too,

And I'll smile with you.

Hey, look that new world stirring,

Cracking loose from the ice,

Surfacing in yellow, violet, and pure gold.

Listen to all those crazy birds,

Fantastic orchestra without a conductor!

I'm eager for the return of the robin,

Stretching to be surprised

By a dream or even a duty.

You're calling me out

Of my cold prison

Into your warming world,

And I'm hearing

And I'm coming out,

For it's time,

Time to believe and hope again!

May God bless these men and their families.

May God always bless our country.

And may God bless all of us who have benefited so much from the example of those whom we remember in our prayers today.

LONG ISLANDERS PROTEST HIGH FOOD PRICES

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. RONCALLO of New York. Mr. Speaker, last weekend, I met with a large delegation of women back in my district, together with Nassau County Commissioner of Consumer Affairs James E. Picken and Oyster Bay Town Councilman Tom Hogan. They told me what all of my colleagues undoubtedly know: that the cost of food, especially meat, has risen to an emergency level. They called upon Congress to form a committee to investigate this terrifying development and give them some protection against future

price rises. I promised that we would not let them down.

In fact, Congress was already at work. I was proud to tell my constituents that I was a cosponsor of legislation which would establish in the House a Select Committee on the Cost and Availability of Food to serve during the remainder of the 93d Congress. I should like to call the attention of the rest of my colleagues to House Resolutions 319, 320, and 321, cosponsored by 55 Members, which would provide us with the means to make a coordinated attack on this national emergency facing every family across the country. Also, we would demonstrate to the American people that Congress is indeed capable and willing to deal with this problem. I hope that this measure will receive prompt and favorable action.

Before I left that weekend meeting, Mr. Speaker, I was presented with the following petition signed by 553 residents of my district in just 2 hours which I include in the RECORD at their request:

PETITION

DEAR MR. RONCALLO: We, the undersigned, your constituents, would appreciate it if you would read the following statement into the *Congressional Record* as an expression of our views on the subject of the rising cost of food, especially meat.

"Almost 200 irate consumers met at City Hall, Glen Cove, Long Island, New York to join the grass roots movement to boycott meat the entire week of April 1-April 7.

"The American consumer is already the victim of high meat prices and the forecast is for a continuing rise in prices before they level off, according to high government officials. We are afraid.

"We call upon consumers across the nation to join in this grass roots consumer revolt—focusing on the high price of meat. And we call upon this Congress to act now by forming an investigative committee to look into high food prices and institute legislation to provide protection against future rising costs."

(533 signatures).

MOORHEAD SCORES PROPOSED NEW CRIMINAL CODE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, today, the administration has offered legislation to revise the criminal code of the United States.

One facet of this bill would establish criminal penalties for any person releasing a document which carries a classification stamp.

In attempting to make the mere release of information with a classification stamp attached a crime, this administration has taken a course of action directly contrary to logic and good sense. In hearings held before my subcommittee on foreign operations and Government information, experts testified to the vast amount of overclassification of Government documents. Government officials admitted that vast amounts of information which should be public was needlessly classified. The hearings disclosed

examples of the misuse of the classification stamp to hide bureaucratic blunders, waste and inefficiency and information which would merely embarrass high officials without jeopardizing the national interest.

Yet, rather than applying its efforts to punish the overclassifier who inhibits the public's right to know, this administration has recommended legislation which would make it a crime to merely disclose a document which happens to have a classification stamp on it even if the classification is an outrageous affront to commonsense. Not only will the release of such information be a crime punishable by imprisonment, but also, the alleged violator will be prohibited from raising as a defense that the information was improperly classified.

On March 8, 1972, the President issued an Executive order designed to curb this needless classification of information that should be available to the public. Yet, just about 1 year later, this same administration has given the stamp-happy classifiers a new lease on life when it recommended legislation designed to protect their often ludicrous mistakes by making it a crime to publicize these unsecret secrets.

REPRESENTATIVE THADDEUS DULSKI'S UNRELENTING EFFORTS TO IMPROVE POSTAL SERVICE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. KEMP. Mr. Speaker, all of my colleagues are, I believe, deeply aware of constituents' complaints about shortcomings in the U.S. Postal Service which is still afflicted with operating difficulties, 20 months after coming into existence.

This is not to say that I, for one, am not appreciative of the responsive service which my constituents in New York State's 38th Congressional District receive as a result of individual problems brought to my attention and forwarded to the congressional liaison office of the Postal Service.

But we all know that because of some basic problems, more understanding and remedial legislation will be required to fulfill the expectations engendered by the Postal Reorganization Act of 1970.

Most fortunately, for those we represent and we in Congress, the required understanding and wealth of background and information is personified in the chairman of the Committee on Post Office and Civil Service.

My distinguished colleague and good friend from western New York, Congressman THADDEUS J. DULSKI, continues to provide the leadership which will enable us to provide the level of postal service that contemporary times and the people of our country demand.

With these thoughts in view, Mr. Speaker, I include in the RECORD a copy of an article written by the very able Washington Correspondent Peter C. An-

draws, which appeared in the Sunday, March 18, edition of his newspaper, the Buffalo Courier-Express:

REPRESENTATIVE THAD DULSKI'S UNRELENTING EFFORTS TO IMPROVE POSTAL SERVICE

(By Peter C. Andrews)

WASHINGTON.—Rep. Thaddeus J. Dulski is not the kind of man to do it, but he could well go around Congress these days telling his colleagues "I told you so."

Both the Senate and the House Postal Committees are holding hearings investigating why there are so many complaints about the 20-month old U.S. Postal Service. Created as a semi-independent organization to improve the mail service, the result has been a noticeable slowing down of service and a deluge of complaints.

Dulski is chairman of the House Post Office and Civil Service Committees. As such he was the man who led a lot of the work that went into the creation of the new Postal Service.

But—and here is the key fact—although Dulski was the chairman of the committee and is generally given credit for his statesmanlike shepherding of the bill safely through to final passage, it was not his bill that finally was adopted and signed into law.

Under the bill—known as HR 4—the Postal Service would still have remained a part of the government and would have been more responsive to congressional control.

The administration, however, wanted the new organization to be completely independent of Congress. "Take politics out of the Post Office" was the slogan. By some shrewd political trading and the promising of substantial post office building projects in the home districts of key congressmen, the administration won the required votes on the postal committee to get the main body of its bill approved rather than Dulski's more limited proposals.

Now that the Postal Service is in existence and the old organizational machinery by which Dulski would have retained some political control over the Postal Service operations has been scrapped, Dulski may take some satisfaction there has been a change of heart of several of the congressmen who previously voted for the administration bill.

There have even been six bills introduced in Congress to take back the entire postal operation, on the assumption that the old system, bad as it was, was still better than the new system which is having such agonizing birth pains.

FAVORS MODIFICATION

Dulski feels, however, that it is now too late to take back the postal operation. He would like to, of course, but being realistic, he feels that the best approach is to modify and improve the existing legislation rather than to scrap it entirely.

One of the major complaints has been that the new Postal Service is unresponsive to the public needs and complaints by congressmen go largely unheeded or get only lip service. The creators of the new service sometimes feel they have created a monster over which they are virtually powerless.

The only remedy is new legislation. Under the rules they themselves passed, they are unable to do more than hold hearings into various phases of the operation. If these prove fruitful, then legislation can be drafted to correct whatever ills are discovered—providing that changing the legislation is the remedy to whatever is causing the complaints.

REFORM ACT OF 1970

Dulski has headed the investigation subcommittee of the Postal Committee and has taken back into his hands much of the power he previously lacked when the Postal Reorganization Act of 1970 was passed.

Two of his major subcommittees, the Postal Service and the Postal Facilities sub-

committees, are conducting joint hearings into the Postal Service operations now. Although Dulski is chairman of the full committee and chairman of his own subcommittee, he ranks low on the totem pole of the two subcommittees holding the hearing.

When and if legislation is developed to correct some of the faults of the Postal Service, Dulski will then come into his own when the measure comes before the full committee. Right now he is sitting somewhat on the sidelines, although he is attending the hearings and noting with interest what develops.

HOLDS THE POWER

He has considerably more power over subcommittee actions now than he did earlier. He may not have been able to get his HR4 bill passed two years ago, but he will have the power to see to it that some of its provisions be incorporated into whatever remedial legislation comes out of the hearings now.

In the meantime, he can—but doesn't—go around saying "I told you so."

GUN CONTROL

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, all of us will be happy to know that our respected colleague in the Senate, JOHN STENNIS, is recovering nicely from the gunshot wounds he received at the hands of thieves in front of his home not long ago. That outrageous assault brings up once again the troubling problem of gun control, a controversial problem on which there are many opinions. I would like to share with this body the view of Mr. Quinn Tamm, now the executive director of the International Association of Chiefs of Police and a former FBI executive, whose long career in law enforcement well qualifies him to speak on this subject. Mr. Tamm's speech was delivered recently at the Landon School in Bethesda, Md. The text follows:

GUN CONTROL: ISSUES AND ANSWERS

(An address by Quinn Tamm, executive director, International Association of Chiefs of Police, 11 Firstfield Road, Gaithersburg, Md.)

I would like to begin drawing an analogy between the exploding incidents of violence and the availability of the instruments necessary to carry them out.

The gun control opponents would like us to believe that no correlation exists between them.

Yet, in the light of some very startling facts, their arguments pale by comparison.

It is a fact that the United States, with two hundred million people, averages fifty times as many gun murders each year as England, Germany and Japan combined, with their total population of two hundred fourteen million.

It is a fact that all ten assassinations and assassination attempts on American Presidents or presidential candidates involved firearms.

And, with the exception of President Kennedy, they all involved handguns.

It is a fact that since the turn of the century more than eight hundred thousand Americans have been killed in this country by firearms—far more than have died at the hands of all our enemies in all our wars.

Last year alone, over half of the fourteen

thousand murders committed in the United States involved handguns.

It is a fact that handguns account for three-quarters of all firearms homicides and casualties, although they comprise only one-quarter of all the guns in the Nation.

Actually, no one knows how many guns there are in the United States.

There is no national clearinghouse for records of that type—which incidentally, gives us another insight into the laxity of present gun controls.

However, the best figures we have available show us there are thirty-five million rifles, thirty-one million shotguns and twenty-five million handguns—or nearly one firearm for every two men, women and children.

In the last decade, handgun sales alone have quadrupled.

Guns are imported into this country at the rate of one million per year.

Most of them are cheap, snub-nosed handguns designed for one purpose and one purpose only—a quick and lethal belly shot!

They have even earned the nickname of "belly gun" or "Saturday night special."

Let's focus on some of the current arguments that are being raised in opposition to recommended methods of controlling violence whenever it involves guns.

The problem of implementing effective disarmament measures to control violence stems from the fact that persons of differing opinions can look at the same basic facts and come to entirely contrary conclusions.

For instance, one issue that seems to surface over and over again each time Federal regulations are proposed is the one pertaining to the constitutional "right to bear arms" under the second amendment.

Here, there is only one possible answer.

Repeatedly, the United States Supreme Court and lower courts have interpreted the second amendment as a prohibition against Federal interference with the State militia—and not as a guarantee of an individual's right to bear arms.

In fact, the common law right to possess firearms was never regarded as an absolute privilege.

It was always subject to laws regulating that right in the same way that rights have always been regulated.

It has been said that your right to swing your fist stops where the other fellow's nose begins.

And, that is exactly why we need Federal regulations in this area.

The individual's right to bear arms infringes upon the public's right to life and liberty.

Taken to the extreme, the gun lobbyist could just as easily argue that government has no right to infringe upon the private ownership of sawed-off shotguns, machine guns, rockets, grenades, cannons or any other weapon of war.

Aren't these arms?

Another important issue seems to be that no study has ever shown a causal relationship between guns and crime.

We are told that even states having strict gun control laws—such as New York with its Sullivan law—have even higher crime rates than some states without controls.

I can't think of any statement that is more simplistic or evasive.

First of all, no one has ever argued that guns, in and of themselves, cause crime any more than any other inanimate object could cause crime.

The overwhelming fact is, however, that guns facilitate crime by their very presence. Firearms are the primary instrument of death and injury in American crime.

Two out of every three homicides are committed with guns.

Since 1963, the number of homicides involving firearms has increased forty-eight per cent, while the number of homicides

committed with other weapons has risen only ten per cent.

Two of every three armed robberies are committed with a gun, and the fatality rate for victims of firearms robberies is almost four times as great as for victims of other armed robberies.

That means that even if the number of violent attacks did not go down, the number of fatalities resulting from violent attacks would be substantially reduced if the attackers did not have guns.

Considering police deaths alone, a firearm was used in ninety-seven per cent of the police killings last year.

There were one hundred twelve police officers killed by criminal assaults that year. In the year before, there were one hundred twenty-five—the highest toll in our nation's history.

Policemen are armed.

They are trained in the skills of self-defense.

They are alert for trouble and the possibility of attack.

If you were out to kill a cop, which weapon would you use?

The handgun is the favorite criminal weapon for the most obvious of reasons.

It is light weight, cheap, easily concealed, fairly accurate and almost always deadly.

Because of their absolute nature, handguns are also the predominant weapon used in suicides.

And, I defy anyone to prove that suicides would be just as common if there were no guns around.

Another position that is always forwarded in defense of free access to firearms is that of home-protection.

Studies in Los Angeles and Detroit indicate that only about two per cent of home robberies and one per cent of home burglaries result in the firearms death or injury of the intruder at the hands of the householder.

Examination shows that in the great majority of the cases, the householder had no warning and thus no chance to arm himself with a gun.

Moreover, in considering the value of firearms for self-defense in the home, one must also take into account the risks associated with home possession of a gun.

A substantial number of the twenty-three thousand annual firearms accidents occur in the home.

Of the eight thousand annual firearms homicides, a large percentage occur in the home.

Also, the killing of a householder by intruding robbers and burglars account for no more than two per cent of all criminal homicides.

Such creatures rely on stealth and would no more want to be discovered by a householder than he would want to be discovered by a policeman.

From the standpoint of the individual householder, the self-defense firearm seems to be a dangerous investment.

The evidence is convincing, however, that the armed segment of our population is paying a heavy price in accidents and in the shooting of family members, friends and acquaintances for whatever deterrent effect their possession of self-defense firearms may be providing.

Less dangerous deterrents are available in the form of non-lethal weapons, alarms and other security devices and systems.

I personally believe the case for nationwide firearms regulations has been well established.

We have patiently waited through no less than six separate studies to determine that fact.

In 1965, the commission on law enforcement and the administration of justice studied the problem.

In 1966, the commission on the reform of federal criminal laws studied the problem.

In 1967, the commission on civil disorders studied the problem.

In 1968, the commission on causes and prevention of violence studied the problem.

In 1970, the commission on campus unrest studied the problem.

And, in 1971, the commission on criminal justice standards and goals did the same thing.

You would think that after all that studying, someone could come to the obvious conclusion.

One thing they did agree on was that contemporary America is a violent society.

From all their work, we got two pieces of legislation—the Omnibus Crime Control and Safe Streets Act of 1968 and the Organized Crime Control Act of 1970.

Neither one of them put a dent in the rising crime rate or the private ownership of firearms.

Don't misunderstand.

I'm not advocating regulations on long guns, shotguns or finely engineered handguns that have a legitimate sporting purpose.

These guns are very rarely used in crimes except when they're stolen.

The vast majority of gun owners does not misuse firearms.

Millions of Americans are hunters, target shooters and collectors who use their guns safely and responsibly and who, perhaps as much as many of their fellow citizens, deplore the criminal use of firearms.

I realize how keenly competitive gun owners feel about the national skeet and trapshooting matches and the firearms events of the olympic games.

The guns I have been speaking about have been declared by the national shooting sports fraternity to have no sporting purpose whatsoever.

In fact, public opinion polls have shown that the majority of U.S. citizens wants stronger gun controls.

A responsible gun owner should be no more inconvenienced by registering his firearm than he is by registering his car.

I would, however, advocate a flat ban on the manufacture and importation of the cheap, short-barreled belly gun.

Firearms, especially handguns, must be regulated in some way if violence in America is ever to be controlled.

Whatever the opposition may be, we as concerned Americans must be willing to take any steps necessary to halt the slaughter of fifteen thousand citizens every year, the wounding of eighty thousand others and the gunpoint robbery of two hundred twenty thousand more.

When one considers that an American citizen is killed or wounded every two minutes, it becomes painfully clear that some form of nationwide regulation is absolutely essential.

While more people are killed by firearms each year in the United States than in all of Europe—with four times our population—I, for one, strongly recommend massive effective Federal legislation to halt this flood of handguns into our society.

I realize the dangers of using statistics.

They are often misleading.

And, in their impersonal way, they tend to be meaningless when taken out of context with the very personal tragedies that are being described.

Their meaning is more apparent when you can put names to them—names like Lincoln, Garfield, McKinley, Kennedy, King, Wallace and Stennis.

I wonder—in the days and weeks to come—how many young doctors, lawyers, engineers, scientists and artists we will lose to the impersonal majesty of the gun.

I wonder how many of you may not be able to vote in the next election.

Thank you for listening.

ECONOMIC AND ENVIRONMENT IMPACT OF OFFSHORE OIL DRILLING

HON. SILVIO O. CONTE

OF MASSACHUSETTES

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. CONTE. Mr. Speaker, today the Sea Grant Project Office of the Massachusetts Institute of Technology published two studies of critical importance to the oil industry and to New England.

One study discussed the economic and environmental impact of offshore oil drilling in the area of Georges Bank, a large fishing ground east of Cape Cod. The other report discussed the environmental vulnerability of Machias Bay, Maine, to oil supertankers.

These studies raise a number of legitimate questions of importance to New Englanders that must be answered before further planning can proceed on offshore drilling or the construction of new refineries or oil superports.

To bring the scope of these studies to the attention of my colleagues, I submit for the RECORD a very brief recapitulation of their key points.

The first study is "The Georges Bank Petroleum Study" by the Offshore Oil Task Group of MIT. This study was sponsored by the National Sea Grant program, the New England Regional Commission, and the New England River Basins Commission through the MIT Sea Grant program.

The material follows:

THE GEORGES BANK PETROLEUM STUDY

Briefly, the key results on the economic side are:

(1) The single most important variable with respect to the cost to the region of its future oil consumption is the size of the payment made to the exporting nations for imported oil. Differentials in real regional income due to changes in this variable overwhelm all the other differentials investigated.

(2) The pressure on the Georges Bank does not depend on whether or not the import quota is in effect. At most, abolition of the import quota will decrease lease bids. However, even for the largest finds investigated, the region will be much better off without the import quota than with it.

(3) A Georges Bank oil discovery will have no effect on regional oil products prices. The value of an offshore oil find to the region depends largely on whether the federal government or the region receives lease and royalty payments. The value of an offshore gas find depends on who receives lease and royalty payments and whether or not gas prices are deregulated.

(4) Assuming exporting nations do not appropriate decreases in transport cost in the form of increased exporter payments, a deepwater terminal on the East Coast is considerably superior to present shallow water terminals from the point of view of regional income. However, under full employment, a deepwater, vessel-serviced refining complex within the region is only marginally superior to a deepwater extraregional refinery. The lowest cost refining option examined was regional refining employing pipeline distribution of products.

(5) An offshore find in itself will have little effect on regional employment. Regional refining can have considerable effect if either moderate underemployment or sharp unemployment obtains.

(6) The regional income impact of offshore

development on the Georges Bank fishery does not appear to be large. However, the impact on regional income of differences in nearshore spillage can be quite significant.

On the environmental side, we find:

(1) At peak production, a large offshore find could increase the amount of oil spilled within the region by as much as a factor of two. Such a find is likely to increase the incidence of large spills (>42,000 gallons) by more than a factor of two.

(2) An offshore find in itself will have little effect on nearshore spillage. Only a few percent of the Georges Bank spills will reach shore and those that do will be well-weathered. We were unable to identify any environmental effect associated with offshore oil production which appears likely to materially upset the Georges Bank ecosystem.

(3) Nearshore spillage was estimated to be increased by between 30% and 100% by the region's refining all its distillate products, depending on whether the regional refineries distributed their products by pipeline or vessels respectively. In general, we find the nearshore spill to be a more severe biological problem than the offshore. The key variable with respect to the biological impact of a spill appears to be concentrations of aromatic compounds dissolved in the water column.

(4) Systems for the containment and collection of nearshore spills merit careful consideration on the basis of present estimates of their cost and effectiveness versus the cost of nearshore spills.

(5) Planned discharges emanating from a refining complex large enough to process the bulk of the region's oil consumption will be quite significant, at least on a local basis. We have estimated the magnitude of these discharges but have not investigated their fate in detail. Considerably more work in this area is indicated.

The second study is "A Preliminary Assessment of the Environmental Vulnerability of Machias Bay, Maine, to Oil Supertankers" by Messrs. Stephen F. Moore, Robert L. Dwyer, and Arthur M. Katz. Project funds were provided by the Council for Environmental Quality, the National Oceanic and Atmospheric Administration, and the U.S. Department of Commerce. Highlights of this report are:

A PRELIMINARY ASSESSMENT OF THE ENVIRONMENTAL VULNERABILITY OF MACHIAS BAY, MAINE, TO OIL SUPERTANKERS

1. The environmental vulnerability of the Machias Bay region to oil supertankers is very high.

(An oil spill of 30,000 tons can be expected to occur as frequently as once in twenty-years.) If such a spill is released at the entrance to Machias Bay, extensive biological damage is virtually certain of occurring in Machias Bay. A spill further offshore would probably produce less intensive damage biologically, but would be distributed over a greater area. A 500 ton oil spill occurring on the average of once a year can also be expected.) Permanent localized damage is highly probable. Several miles (say 10-20 miles) of shoreline should be covered by each spill and the coastline in the immediate area of Machias Bay has a 10-50% probability of being hit by any large spill released offshore.

2. Chronic spillage does not contribute significantly to the environmental vulnerability of the Machias Bay region.

Oil spills occurring from day-to-day transshipment operations at the tanker berths are relatively insignificant environmentally. Concentrations of hydrocarbons would be reduced to 50 ppb within a few hours of release of the oil. Flushing would be rapid due to high tidal currents, preventing accumulation of hydrocarbons in the water columns. Some localized tainting of organisms around

Stone Island could result from these discharges.

3. Non-oil spill activities are also little threat environmentally.

Terminal construction and tanker operation are activities potentially leading to biological changes. However, no dredging is required for construction and proposed structures do not involve shifts in habitats. Currents in the area are typically of the order of 2-4 knots and tanker traffic is not expected to contribute to the scouring that occurs naturally. The effect of breakwaters on circulation and flushing is unknown because of lack of data on currents.

4. Oil spilled in Machias Bay can be expected to reach as far south as the New Hampshire coast and as far north as the northern end of the Bay of Fundy.

The combination of wind and coastal currents produces an oil drift pattern which transports most of the spilled oil parallel and onto the shore, rather than out to sea. Large spills would lead to many smaller spills as the oil slick dispersed, some of which have a high probability of being transported large distances up or down the coast.

5. The water soluble aromatic fractions of oil are the major cause of lethal and sub-lethal effects of oil on marine organisms.

Most marine organisms are affected, due to cellular level disruption, by aromatic compounds and concentrations in water of less than 50 ppm. The effect may range from immediate death to disruption of behavioral characteristics by concentrations as low as 10-100 ppb. Water soluble paraffin fractions may also be toxic, but at higher concentrations in water than would be obtained from an oil spill. All types of hydrocarbons may be incorporated into tissue by many organisms, which may lead to tainting and/or accumulation of polycyclic aromatic hydrocarbons in food chains.

6. Future research on the effects of oil on marine organisms should focus on sub-lethal effects, especially disruption of behavioral characteristics and accumulation in food chains.

Sub-lethal effects of oil on individual organisms may be as damaging to species populations in the long-term as direct lethal toxicity. Population survival depends upon maintenance of successful reproduction behavior. Low concentrations (10-100 ppb) of soluble aromatics may inhibit mating without killing the organisms outright, ultimately causing the population numbers to decrease. However, there has been little research reported on this important problem upon which definitive conclusions can be made.

7. Research efforts should also focus on development of mathematical models to investigate the success of dispersal and reproduction strategies for recovery of populations and communities subject to major environmental perturbations such as oil spills.

An important aspect of the ultimate effect of changes in environmental quality is the rate of recovery and ability to maintain an adequate population level following a major impact. One valuable approach to developing insights to this problem is the application of mathematical models. Numerous hypotheses and scenarios may be investigated which can indicate the potential success various organisms may have, as well as identify laboratory and field data needs.

LEGAL SERVICES PROGRAM

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, we have been exposed of late to a good deal of criticism of the legal serv-

ices program by spokesmen for the administration. Mr. Howard Phillips, Acting Director of the Office of Equal Opportunity, has seen fit to castigate the program for allegedly ignoring the needs of the poor and promoting class action suits for political purposes. Therefore, I am pleased to bring to the attention of the House the attached story by Jules Witcover of the Washington Post which sets forth a report on the legal services program made recently by the General Accounting Office. I think any fair reading of that report which was delivered to us yesterday will conclude that the allegations made against the program are to a large extent not true. I commend Mr. Witcover's story and the report to our colleagues:

[From the Washington Post, Mar. 21, 1973]
REPORT BY GAO COUNTERS CRITICS OF LEGAL SERVICES

(By Jules Witcover)

A General Accounting Office report on the controversial Legal Services program says anti-poverty lawyers are so busy meeting the poor's individual legal needs they are unable to spend enough time trying to reform laws unjust to the poor.

The observation, in a 62-page report to be made public today, runs directly counter to complaints by Howard J. Phillips, acting director of the Office of Economic Opportunity, that anti-poverty lawyers often neglect individual clients to push law reform cases.

Phillips' view has triggered widespread fears among Legal Services lawyers around the country that effective law reform will be a casualty in the creation of a new, independent Legal Services Corporation to be proposed shortly by President Nixon.

The GAO report was based on a study over several months last year of seven out of 256 Legal Services projects and a review of randomly selected evaluation reports of 19 others operating in February, 1971.

In addition to its observations on the inhibitions to more law reform work, it also says anti-poverty workers don't have enough time to do economic development work—helping the poor organize groups to improve their own lot through legal action.

In both cases, the report said, "these objectives had been limited partly because OEO had neither clearly defined program objectives and priorities nor provided the essential direction and guidance to program grantees on how to engage in activities directed toward law reform and economic development." OEO should require grantees to spell out what they intend to do in these areas, the report recommended.

In response, J. Laurence McCarty, acting director for Legal Services appointed by Phillips in February, said in comments included in the report that pressure on anti-poverty lawyers to do more law reform work, "even if it meant keeping individual clients waiting," has produced an "occupational schizophrenia" that has hurt the program.

McCarty, echoing Phillips' own position, said he is "not in principle opposed to class actions, suits against the government, test case litigation, legislative advocacy or any other kind of law reform."

But what he objects to, he said, "is the elevation of these tools to the status of ends, separated from the goal of service to individual clients and subordinated in turn to some transcendent goal such as 'social change.'"

The report took note of the view that law reform can bring about changes for the benefit of the poor far beyond the achievements of any individual client case. By challenging the constitutionality of welfare residence laws in 16 cases, it said in quoting a former Legal Services director, anti-poverty lawyers

"have increased the income of the poverty population by several million dollars."

Poor monitoring and accounting procedures in the Legal Services program, and the confidentiality of the attorney-client relationship, impeded the GAO investigation, the report says.

However, 138 clients interviewed "generally expressed satisfaction with the services they received," it says, and 18 judges interviewed about the anti-poverty lawyers found they had "generally provided competent legal representation for their clients."

The judges said the lawyers "generally were well prepared," although some judges said "they had had some problems" with some of them. They cited "courtroom disruptions, disrespectful behavior, falsification of documents, and attorneys who, in the opinion of one judge, were interested only in battling the establishment."

To this charge, McCarty said neither his office nor any regional office "have received any official complaints from the judges involved" nor of any action taken regarding them, but he promised "an informal investigation" and "corrective action" if warranted.

McCarty added his own observation that "it cannot be denied that a number of our lawyers have been guilty in the past of an anti-establishment militancy which has caused them to breach the line between professional and unprofessional behavior."

As long as he is in charge, McCarty wrote, "I will insist on adherence to the traditions of ordinary civility and on abstention of our lawyers from participation in hostile demonstrations and confrontations outside the courtroom."

The report also criticizes Legal Services projects for providing legal aid in some instances where income was above the minimum required for eligibility.

It cites one case in which a lawyer represented a church "after a woman requested legal assistance to obtain a refund of \$1,200 paid for church choir robes that she considered to be defective." The lawyer sought a refund and the case was still open at the time of GAO's review, the report says.

McCarty said he was "deeply concerned" about such cases and intended to standardize the definition of eligibility throughout Legal Services, with allowances for geographic variations in cost of living.

Rep. William A. Steiger (R-Wis.), ranking minority member of the House Equal Opportunities Subcommittee that has been holding hearings on the dismantling of OEO and the future of Legal Services, said last night that the GAO report "certainly buries the charge that Legal Services lawyers pay more attention to causes and test cases than they do to their individual clients."

The report's finding, he said, makes it difficult to understand "persistent rumors" that back-up law centers, to which anti-poverty lawyers may go for research and other legal assistance, may not be re-funded.

their return, but also can be a source of rededication to those of us in this country who did not have to endure the hardships and suffering they know only too well.

It perhaps comes as a surprise to many to see such visible manifestations of gratitude and patriotism; but to those Americans who hold an abiding faith in the future of this Nation and its people, the emotional return of our prisoners and their uninhibited thanksgiving had been a thing of beauty.

On March 11, 1973, my friend Richard G. Capen, Jr., vice president of Copley Press, Inc., addressed the congregation of the First Presbyterian Church of La Jolla, Calif., at a service of "Thanksgiving and Prayer for our Prisoners of War and those Missing in Action." He eloquently expresses the pride, gratitude, and thankfulness of the American people for the character of individual we have witnessed in our returning prisoners of war. I include Mr. Capen's remarks in the RECORD:

A SERVICE OF THANKSGIVING AND PRAYER FOR OUR PRISONERS OF WAR AND THOSE MISSING IN ACTION

Today, all America is bursting with pride, gratitude and thankfulness for the almost indescribable dedication and courage of our prisoners of war in Southeast Asia.

We respect them—not just for their service to country—but for their inspiring ability to survive, relying only on the most basic principles of our American way of life: Faith in God, Dedication to country, Devotion to family and Dependence upon each other.

How many times we have heard those phrases repeated by our returnees in recent weeks. And, how forcefully, their example has reminded each of us that the precepts upon which our nation was founded are as valid today as they were 200 years ago.

For too long a handful of destructive critics have gone unchallenged in their false contentions that such principles were no longer relevant to America.

These irresponsible purveyors of doom take on a pathetic tone when matched against the example of any one of our American prisoners of war.

This morning we offer special prayers and thanksgiving to these brave men and their families. We do so with a certain humility, knowing something of their long suffering. We also do so with caution and concern, fully mindful that some 300 American captives have yet to be returned and more than 1300 have yet to be accounted for.

Our thoughts are also tempered by the sobering realization that these men have yet to describe the conditions of their captivity and will not do so until all prisoners have been released.

Only then can we truly appreciate the depth of the abiding faith which sustained them through prolonged periods of torture, isolation, lack of medical care and inadequate diets.

As we offer prayers for these men, let us reflect for a few moments on why it is that so much attention has been focused on this particular group of Americans. Why our prisoners of war? Why our missing men? After all, they represent less than one-tenth of one percent of all those who have served in Southeast Asia.

Certainly, our prayers and thanksgiving go to those Americans who have served and particularly to those who gave their lives or were wounded in Southeast Asia.

But there is an overpowering justification for special attention to our prisoners of war. After all, our dedication to human life and

freedom is both clear and consistent with every value of American society.

During the long war in Vietnam, American prisoners of war were set apart, not by the United States, but by our adversaries. It was they, not us, who disregarded every minimum standard of humanity.

Deeply concerned by those intolerable prison camp conditions, Americans spoke out with one voice, demanding the humane treatment of our men who were completely at the mercy of their captors.

Our men deserved nothing less from us. Yes, we prayed, we spoke out, we launched rescue missions. In short, we assisted wherever possible so that we could face our men when they returned with a personal conviction that all had been done to obtain their humane treatment and eventual release.

Through this determination our prisoners of war became a national issue. Whatever success we achieved in their behalf is small indeed compared to their service in our behalf. Whether in combat or captivity, these men have served with courage and determination.

Faith in God. Dedication to country. Devotion to family. Dependence on each other.

What vigor our men have given to those beliefs today! What pride we can have for these men and our country. And, what better time for all Americans to pull together, raising the flag instead of burning it as one returnee has suggested.

The cynics and agitators may have difficulty understanding this dynamic patriotic phenomenon of recent weeks, but I can assure you that most Americans have no trouble understanding it at all.

"God Bless America" will never again be sung in our country with casualness or complacency for our returnees have brought new meaning to those powerful words.

Today, their accomplishments take on a new meaning at a time when America is seeking to heal the wounds of a long and divisive decade of the sixties.

I deeply respect our prisoners today, not just for surviving captivity, but more so for the example they have set for others to follow. Faith in God. Dedication to country. Devotion to family. Dependence on each other.

For some time Americans have needed a reaffirmation of those fundamental values. Our returning men, through their example, have provided that reaffirmation.

Captivity forced them to look inward for strength to survive. Their record should force us likewise to look inward for our own strengths as we seek meaningful priorities in our own lives.

Irving Berlin wrote "God Bless America" in 1918, but the song was a flop. In 1938 he dusted the tune off for a Kate Smith show, and it became an instant hit.

Once again "Good Bless America" has been dusted off, this time by our returning prisoners of war.

Yes, America has been blessed by God and blessed to have among us such men as these.

May all Americans go forward this day with a faith renewed sufficiently to sustain us as it sustained these brave men for so many, many months.

We can truly build our future in the image of God's will if we can restore our Faith in God, Dedication to country, Devotion to family and Dependence on each other.

In closing, may I share with you a contemporary prayer which sums up our confidence in today and hope for tomorrow. Its message is particularly appropriate as we honor those who were sustained by the memories of yesterday and the hopes of tomorrow. For those who have returned, tomorrow has at long last become today.

It's time!
Time to believe and hope again!
Make it spring in my wintered body,

THANKSGIVING FOR OUR POW'S-MIA'S

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. KEMP. Mr. Speaker, each of us has been moved, deeply moved, by the gratitude our prisoners of war have shown for their country, their Commander in Chief, and for the perseverance of the American people. Their courage and discipline is not only a source of admiration to all who have witnessed

Bring me out of hibernation,
See the sun, Lord, see that new sun,
Breaking its own record for smiling,
Feel its warmth and you smile, too,
And I'll smile with you.

Hey, look at that new world stirring,
Cracking loose from the ice,
Surfacing in yellow, violet, and pure gold.
Listen to all those crazy birds,
Fantastic orchestra without a conductor!
I'm eager for the return of the robin,
Stretching to be surprised
By a dream or even a duty.

You're calling me out
Of my cold prison
Into your warming world,
And I'm hearing
And I'm coming out,
For it's time,
Time to believe and hope again!

May God bless these men and their families.

May God always bless our country.
And may God bless all of us who have
benefited so much from the example of those
whom we remember in our prayers today.

LESS GOVERNMENT SPENDING MEANS LESS TAXES

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. COLLINS. Mr. Speaker, this morning I received one of those courageous letters that Congressmen always welcome. My friend, Joe Dealey, is president of the Dallas Morning News. He was writing and asking those of us in Congress to take a strong stand against expensive, expensive welfare. He was commenting on President Nixon's positive action in providing adjustments from escalating welfare programs so that the poor who were in real need could receive adequate provisions.

The reason I appreciated this letter so much is because I only receive two or three of these every week. Today my mail was loaded with letters in support of different special projects that are going to receive Government funding. It is only natural for people to strongly support a program where they receive benefits, and the Government provides the money.

Joe had just read an excellent editorial in the News that was written by Dick West. It would be a good thing for Americans if we had more editorial pages with the factual drive that West puts into the News editorials.

This editorial pointed out that the increased Government spending is going to lead to increased taxes. He cited a major labor leader advocating increased spending with the suggestion that it could be financed by heavier taxes from the rich. West's editorial pointed out that the rich are a small, small group. The income of all Americans earning more than \$100,000 per year is only 2 percent of the total income of all Americans. If the Government taxes all of their income—took every penny they earned—the total would be \$14 billion. West hit a key point in this statement. With Congress spending \$270 billion, it means that

the average man and woman are going to pay the tax on this increased spending.

Dealey pointed out that we all know that some hardships will result, but there will also be more equity because the needy cases can now be dealt with more fairly. Furthermore, agencies that spent 80 percent of their money on staff salaries will be abolished so that this money can go directly to welfare recipients.

In 1965, the U.S. Government was spending \$100 billion a year. By the time we reach 1975, we will be spending \$300 billion and this is with the country at peace and no Vietnam war. Three times the spending which is creating higher taxes, higher food costs, higher inflation, higher interest rates, higher crime activity, and more nervous breakdowns.

Sitting in Washington, I appreciate neighbors like Joe Dealey and Dick West of the Dallas Morning News who are interested in the good of America and thinking of the long-range future.

WOOD FIBER CRISIS

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, I am pleased that the distinguished gentleman from Oregon (Mr. WYATT) has taken this time to continue informing and alerting the Members of the House on the wood fiber crisis we are facing today.

A number of us commented in depth on this problem 2 days ago, but recognizing the complexity of the issues and their many interrelated facets, the gentleman from Oregon is correct in following up that discussion with a more specific focus on various aspects involved in lumber prices, home building costs and related issues.

I would like to note here today that part of the problem we face stems from the fact that there exists an extremely serious shortage of railroad boxcars that are needed to get manufactured forest products to the marketplace.

This is a continuing problem that has never been resolved and one which has expanded in recent weeks. At a time of very high homebuilding demand, it is important that we make certain that nothing interferes with making available the necessary materials to maintain housing production at the highest possible level.

Forest products represent a basic commodity to the housing construction industry and housing construction is a basic element of our American economy. This is universally recognized and yet neither the Congress nor the Interstate Commerce Commission has taken effective action that will assure a stable supply of boxcars.

This is an issue that must be considered and acted on by both Houses of Congress and the executive branch. Decent housing is not a luxury, it is a basic human need.

But, without the ability to get freight cars to manufacturing facilities to get wood fiber products to the consumer, we cannot fulfill this need.

Let us act now while we are alerted because of the seriousness of the problem, but let us not forget that the solution must be effective over the long range so that we do not forget the need when the short-term solution is achieved.

TIMBER PRICES AND THE ECONOMY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1973

Mr. JOHNSON of California. Mr. Speaker, several factors have occurred in the last 5 years which have contributed to a steadily increasing lumber shortage in the United States. One important factor is the current building boom brought about by the maturity of post-World War II children who are now buying their own homes. Another boost has been given to lumber prices by severe budget cuts and the strict interpretation of environmental restrictions governing road and trail development in remote Federal forestland. A third important factor, which has reduced the availability of domestic timber is the steadily increasing volume of timber exported to Japan.

A booming home building industry is a healthy thing which I certainly do not intend to discourage. Since 1969, when housing starts totaled 1.499 million, construction has steadily risen to 2.378 million starts projected for 1973. Unless prices for raw materials are kept within reasonable bounds, this steady upswing cannot be maintained.

In the face of rising demand for raw materials, the Forest Service has been hard pressed to meet a substantial portion of the demand. New environmental constraints and funding cuts in vital parts of their timber program has resulted in the volume of timber sold in fiscal 1970 of 11.667 billion board feet dwindling to 8.817 billion board feet in fiscal 1972.

To further illustrate the magnitude of Forest Service problems, an estimated 10 billion board feet of timber is annually lost in our National Forests due to disease, fire and natural attrition. At least 3 billion board feet of this amount could be salvaged if access was available through an adequate system of roads. Timber cannot be harvested if equipment cannot reach it; fires cannot be controlled without approaches for firefighters and their equipment. And following some natural catastrophe, reseedling is seriously hampered without access roads and adequate personnel to carry out planting chores.

Repeatedly members of this Congress have pointed out these problems and initiated remedial action. The administration responded by requesting a \$105 million cutback in forest development road

and trail authorization for fiscal 1974 and 1975. In addition, the budget last year included a request for \$21 million for reforestation of Federal forestland. This sum was impounded by OMB despite the growing lumber crisis. The Forest Service was non-the-less charged with the task of salvaging 300 million board feet of diseased and deteriorating timber but the \$2.5 million required to finance this sale was never provided. These problems disturb me greatly but I am equally concerned about the continuing rise in exports.

Log exports to Japan have steadily increased from 2.1 billion board feet in 1972. Their demand for timber appears insatiable because of their own booming economy. The Japanese general demand and supply council recently announced that the quantity of foreign logs and lumber to be imported during the first half of calendar year 1973 will total 4.441 billion board feet. This represents a 6-percent increase in log and lumber imports over the same period last year.

I am in full sympathy with Japan's need for timber but it seems foolish to export logs while we face high lumber prices and a timber shortage here at home. In California each year about 80 million board feet of timber is exported to Japan while California sawmills are idle some 20 percent of the time. With lumber prices at an alltime high in the United States, it is tragic that these sawmills cannot obtain the raw materials necessary to meet this demand. Profits are unnecessarily foregone and our unemployment situation remains unchanged. Since we have the raw materials in our forests, our sawmills are eager to increase production and our building industry is anxious to buy the end product, curtailment of log exports, for the present at least, is the best interest of all the American people.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 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?"

OSHA

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. STEIGER of Arizona. Mr. Speaker, I would like to share with my colleagues an editorial by Mark Shepard that appeared recently in the Buckeye Valley News. Mr. Shepard's comments confirm beyond any doubt that the long arm of the Federal bureaucracy has made its mark in Buckeye, Ariz.

The editorial follows:

MARK MY WORD

(By Mark Shepard)

Quite often nowadays new rules and regulations sail into law which seem to affect primarily businesses and industry. However, as more and more of these laws go into effect, the man on the street suddenly discovers that the laws are affecting him too—usually in the form of higher costs for the items he purchases.

As I mentioned in a previous editorial, the anti-pollution laws at first seemed to affect only businesses and industry, but when the costs for control equipment began being passed on to the customer, it came as a sudden shock. Soon car buyers found that several hundred dollars worth of pollution control equipment on their new autos raised the price of the machine by that same amount. They also got far less gas mileage and were saddled with higher maintenance costs.

When the power companies got hit with orders to control pollution at their plants, it was the ultimate consumer—you and I—who footed the bill. When people around airports complained about the noise problems, some cities had to buy up tracts of homes around the facility—at a cost to the taxpayers. In Paris a noise tax was recently implemented applying to aircraft. The passengers are paying for it.

So what I am saying is that when a new law is passed, and seemingly it looks good to you because you don't own or run the large industry which it directly affects, you had better look real close at that law because in the end it indeed is going to affect you—right in the pocketbook.

Thus it was quite interesting last week when a man from OSHA came out to the Buckeye Valley Chamber of Commerce and told about the relatively new program. OSHA is the Occupational Safety and Health Act which was passed by the Federal Government late in 1969. It sailed into law with little opposition.

The State of Arizona passed a similar law of its own in 1972. However although the law primarily affects businesses, both large and small, even many businessmen hardly know anything about it and a goodly number have never even heard about it.

Most people who are not in business for themselves, or who are not in management

positions, not only don't know of any such law as OSHA, they really don't care anything about learning about it either. That is simply because they wrongly feel that it won't affect them, or even if it does, it will bring only roses with no thorns attached.

OSHA, like all other government laws, is going to directly affect everyone sooner or later. And you should know more about it because in the long run it is going to cost you plenty.

The law was passed, like so many other laws, in an attempt to protect people from the hazards of life itself. The particular hazards targeted by OSHA were job injuries and the prevention thereof through laws mostly directed to the employer.

On the job injuries are indeed increasing each year. In Arizona last year 110,000 people were injured on the job. In 1958, there were 57,000 job related injuries in this state. In 1970 there were 2,500,000 injuries through the United States and 14,500 job related injuries in this state. In 1970 there were 2,500,000 injuries throughout the United States and 14,500 people were killed on the job.

So now you can see why the government stepped in the picture. The problem with the new law came about because, as usual, the government came on so strong with its decree that today many small businesses are being forced to shut down altogether because they cannot afford to comply with the law. Larger businesses are finding out that the so-called "safety" items required in their buildings are costing them thousands of dollars.

This might not even be too bad in some cases, but what really hurts is the fact that many of the laws are ridiculous. Another thing is that the laws are too much to even comprehend by most people. They are in many cases vague and unclear.

The Federal inspectors have had almost absolute power given to them. They can suddenly appear at the door of any business, walk in and inspect everything from machinery to wiring, fine you on the spot for violations (even if you have never received the jumbled copies of the rules), and demand such costly remodeling or installations that you are forced to shut the doors. No warning is given—direct fines on the spot are the rule.

The state inspectors are seemingly more liberal. Carl Easterling, the chief of OSHA in this state, told the Chamber that they allow time to meet their demands. He also claimed that their demands are not so rigid.

However, the state OSHA office is separate from the Federal OSHA office. And both are currently inspecting businesses.

He said that the Arizona OSHA laws have been submitted to the Feds for approval twice already and have been rejected both times apparently because they don't crack down hard enough. California drew up its regulations for OSHA—they sent 10 plans to Washington and the stack of paper containing regulations weighed two tons (2,000 lbs.) How can anyone comply with regulations that cumbersome?

If the Federal OSHA laws are upheld as they now stand, I would venture to say that nearly every business in Buckeye could be shut down overnight. The buildings are old and it would be simply too costly to bring them into compliance with the law.

There is even a risk in erecting a new building. Present building codes in this state do not take into consideration the rules of OSHA. Therefore, a new building could be constructed one day and OSHA could force the owner to remodel it the next. It is up to the owner of the buildings to meet the OSHA rules and regulations. Most people have never seen a copy of the complex, and in many cases understandable rules. When even the building codes of the state do not comply with the OSHA regulations, everyone is in deep trouble.

While the worker may think that the rules only govern the employer, there is a little talked about section which states that the worker himself can be fined if he does not comply with regulations. Workers who furnish their own tools and equipment are particularly vulnerable.

The object of OSHA is to make certain that the employer furnishes a safe place to work. That is admirable. However, like Federal tax returns, the OSHA regulations are already too complicated to comprehend. They are far too demanding. They allow no time to get things reasonably in shape. It is estimated that as many as 20,000 specific rules and regulations apply to any single work establishment.

Indeed there are many work-related accidents throughout the country, but there is no way which you can at all times protect man from himself. The government obviously feels that few men have even an ounce of brains—and fortunately there is quite a bit of evidence to back up this contention.

However, we return to the risks involved in living and the price we are willing to pay for protections which as often as not will not work.

Congressman Sam Steiger is now attempting to bring about some changes in the OSHA laws. He had better be successful or everyone is going to pay the price—which might hurt far more than a job-related injury.

There is some hope, however, already an OSHA rule specifying that a certain type of toilet seat be used in all business establishments has been thrown out. Now if most of the other mumbo-jumbo was flushed down with it, perhaps the best service to everyone would be performed.

STOP DRUGSTORE HOLDUPS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. NIX. Mr. Speaker, drugstore robberies are becoming an increasing problem in urban areas across the Nation. In many of these violent crimes, the objective is narcotics and other drugs. The most unfortunate aspect of such a holdup is, however, that the pharmacist or attendant is often attacked and beaten or even murdered.

It is no wonder the lights have gone out in many stores that used to be available to the public on a 24-hour-a-day basis. In my city of Philadelphia, the crime threat has brought about a complete blackout of the all-night drugstore. A person in need of emergency drug treatment faces either a long wait or a trip to an emergency medical center.

A prominent Philadelphia pharmacist, Arnold Snyder, who is chairman of the Save Our Stores Committee, writes me there has been a diminution of drugstores in our city from 1,400 to around 500. Mr. Snyder is rightfully concerned that we are close to facing a health and safety hazard in our city.

I feel confident that my colleagues, representing urban areas from Boston to San Francisco, share the concern of Mr. Snyder for more and more pharmacists, licensed to dispense lifesaving drugs to the public, are becoming the targets of addicts and narcotics pushers. Pres-

ent laws are apparently not sufficiently severe to combat this deteriorating situation.

As the danger increases, the druggists themselves become more alarmed. Just this morning, I received a resolution recently adopted by the Philadelphia Association of Retail Druggists. In the belief that this resolution reflects the sentiment of many druggists groups, I am inserting it in the RECORD at this point for the edification of my colleagues.

RESOLUTION

Whereas, The number of drugstore robberies and burglaries in Philadelphia has become a daily occurrence.

The number of drugstores closing in Philadelphia has decreased the number of such stores from 1400 to 525.

There have been seven pharmacists murdered during the course of their professional activities.

A critical shortage of pharmaceutical services may face the citizens of Philadelphia causing a health hazard.

The cause of such crimes of violence is directly related to federally controlled substances of the Federal Controlled Substances Act of 1970 (Public Law 91-513).

Now, therefore be it resolved, that the Philadelphia Association of Retail Druggists on behalf of the Pharmacists of the United States does hereby request the Congress of the United States to enact legislation amending the Controlled Substances Act to make it a Federal crime to commit or attempt to commit a robbery or a burglary or any other act of violence of a pharmacy registered with the Federal Bureau of Narcotics and Dangerous Drugs in the United States and its territories.

In addition, I want to bring to the attention of my fellow Members of Congress a bill which I introduced yesterday which will make it a Federal crime and provide a penalty for the robbery, or attempted robbery, of any narcotic drug from any pharmacy.

Mr. Speaker, I firmly believe the robbery of a drugstore should be made a Federal criminal offense on the basis that such establishments dispense dangerous prescription drugs regulated by the Bureau of Narcotics and Dangerous Drugs.

With the hope that many of my colleagues will join me in cosponsoring such a bill, or will want to introduce it for themselves, I am inserting a copy of that bill in the RECORD at this point.

H.R. 5976

A bill to provide a penalty for the robbery or attempted robbery of any narcotic drug from any pharmacy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 108 of title 18 of the United States Code is amended by inserting after section 2117 the following new section:

"§ 2118. Robbery of narcotic drugs from pharmacies

"(a) Whoever robs any pharmacy of any narcotic drug (as defined in section 102(16) of the Controlled Substances Act) shall be fined not more than \$5,000 or imprisoned for not more than twenty years or both.

"(b) Whoever, in committing or attempting to commit an offense described in subsection (a), assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or device, shall be fined not more than \$10,000 or imprisoned for not more than twenty-five years or both.

"(c) Whoever, in committing or attempt-

ing to commit any offense described in subsection (a), kills any person shall be imprisoned for not less than ten years."

SEC. 2. The chapter analysis of such title is amended by inserting immediately below the item relating to section 2117 the following:

"2118. Robbery of narcotic drugs from pharmacies."

JOHN F. DARGIN, JR., PROTECTOR
OF OLD GLORY

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to take this opportunity to commend to my colleagues' attention the admirable work being done by Mr. John F. Dargin, Jr., of Dorchester, Mass., who is the current judge advocate general of the Veterans of Foreign Wars.

Mr. Dargin has long displayed tremendous dedication and loyalty to the United States. His service to his country dates back to his time in the Air Force where he showed a quality of courage known to few men. Mr. Dargin has been involved in VFW affairs since 1949 and has performed a myriad of functions, all of them with a sense of dignity, responsibility and pride. His leadership qualities were soon recognized and eventually resulted in his election to the high office of judge advocate general at the national convention in Minneapolis last August.

John F. Dargin, Jr., has presented many cases before almost all levels of the State and Federal judicial system and each time has represented the interests of our veterans in an excellent manner. In honor and gratitude to this fine man, the George F. Bryan Post No. 613 VFW in Quincy, Mass., is holding a testimonial on March 31. Let me say, Mr. Speaker, that few men are as deserving of such an honor as Mr. Dargin. I salute John F. Dargin, Jr., and thank him for his wonderful service to the country he so loves and respects. I include for the RECORD the following composition by Mr. Dargin which glowingly expresses the reverence and patriotism he holds for the symbol of our great country, the U.S. flag:

IN DEFENSE OF THE FLAG

Massachusetts has long been regarded as the Cradle of Liberty, the heartland of true American patriotism. We are told that the first United States flag raised over a public school was in May 1812 over a log schoolhouse on Catamount Hill, Colrain, Massachusetts, and one of the first to raise the flag during the Civil War was the Fifth Street Grammar School of New Bedford, Massachusetts.

In 1899 the Massachusetts Legislature adopted the so-called flag desecration statute, intending thereby to protect the American flag from being dishonored. It took the decision of the U.S. Court of Appeals for the First Circuit on December 14, 1972 to strip it of all protection. The decision was recorded in a short squib on an inside page of one of the Boston newspapers, and on only one occasion. There was no outcry, no

expression of shock or outrage. Those are obsolete words in these days of ultra sophistication. Nothing is taboo. The people cannot be shocked any more. The loss of protection for the American flag doesn't seem like much of a loss when compared with all the other things we have lost in this country since President Kennedy was assassinated. However, we must admit that it means something.

We have grown so indifferent, so callous and snide, we are so intellectually cynical to everything that is happening around us that something has died inside all of us. In the course of extending and elucidating constitutional guarantees in every single instance, without regard to corresponding responsibilities, our last remaining measure of innocence and pride has been trampled into extinction. In this instance the Court ruled that wearing the American flag on the seat of one's pants is permissible, and the statute itself is void since it violates constitutional rights of free speech.

The case, as entered in the U.S. Court of Appeals for the First Circuit is No. 72-1204, and is captioned Valerie Goguen, Petitioner, Appellee v. Joseph Smith, Sheriff of Worcester County, Respondent Appellant. It is an "Appeal from the United States District Court for the District of Massachusetts."

The facts, briefly stated, are as follows:

The Appellee was sentenced to six months in the House of Correction after having been convicted by a jury in a Massachusetts Superior Court, in a trial de novo, after a prior conviction for the same offense in a Massachusetts District Court and imposition of a one year jail sentence, for "publicly treating contemptuously the flag of the United States", in violation of Mass. Gen. Laws Ch. 264, sec. 5. The pertinent section of M.G.L. Ch. 264, sec. 5 says "Whoever publicly mutilates, tramples upon, defaces or treats contemptuously the flag of the United States . . . shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not more than one year or both . . ."

The treatment found contemptuous consisted of appellee (Goguen) appearing in the business district of Leominster, displaying a small cloth American flag sewn to his blue jeans on the area covering his left buttock. When a police officer questioned appellee, persons with whom appellee was standing were amused. Appellee was arrested the day after this incident.

The Massachusetts Supreme Judicial Court affirmed the conviction in Comm. v. Goguen, 1972 Mass. Adv. Sheets 303, 279 N. E. 2d 666, finding the statute not vague as applied to appellee and neither a facial nor "as applied" restraint upon freedom of speech. Appellee then petitioned for a writ of habeas corpus in the U.S. District Court for the District of Massachusetts, which issued the writ after finding that the statute was both vague, in violation of the Fourteenth Amendment, and overboard, in violation of the First Amendment. See Goguen v. Smith 343 F. Supp. 161, (D. Mass. 1972). The Commonwealth of Massachusetts appealed. The United States Court of Appeals for the First Circuit upheld the findings of the United States District Court on all of the grounds stated except that the concurring opinion declined to deal with the "overbreadth" issue.

I find the decision to be contrary to the age-old belief in the sacredness of the American flag specifically, and all national flags generally. The flag at one time was the symbol of the greatness of the United States throughout the world and guaranteed safety and rights as free men of Americans traveling abroad. As in the days of the Roman Empire, all that a Roman travelling abroad needed to say to insure his safe conduct was "Civis sum Romanus", so too an American needed to only say "I am an American."

The flag flying from an embassy or consulate represented "home" to those far afield, whether in time of war or peace. It immediately excited a feeling of warmth and security to see it flying in the winds. Thousands of good men have died or suffered agonizing wounds beneath its proud colors, and from Yorktown to Iwo Jima, in Vietnam, and on the moon it has represented freedom to oppressed people, and the hope of a better life. However, in the eyes of the Court it is not that important.

I find it difficult to accept, but having seen the Governor of a once great state order the flag lowered to satisfy the demand of a howling mob, demonstrators for the enemy in time of war, it seems that the Fall of the Roman Empire is being reenacted here in Massachusetts. I do not blame the judges of this Court for their decision, for they are honorable men. The fault lies with the permissive philosophy of the Warren Court whose legacy to history will be chronicled in the decisions which contravene the very principles upon which the United States of America was founded.

The Declaration of Independence and the Preamble to the Constitution proudly call upon Almighty God for guidance, and for centuries the God-fearing American people taught their children to obey the Ten Commandments. Non-denominational prayer reading was a part of every child's life as he went through school, and none were any the worse for it. Entertainment was a family affair, but today's books, films, and even television programs are revolting with eroticism, all with the imprimature of the U.S. Supreme Court. Patriotic observances, and even the survival of our great country, are endangered by the Warren Court decisions. More has been accomplished by the Supreme Court of the United States under Chief Justice Warren to destroy the fabric of our free society in the name of the First Amendment than even Lenin could have hoped for when he predicted that the United States would be destroyed from within. The Warren Court has, indeed, become our Trojan Horse. The phoney "liberals" in our midst have clamored for releasing of the strictures on revolutionary elements in our society, all in the name of the First Amendment, and today crime is rampant in the streets, our courts retreating in disarray, our prisons are run by the convicts, religion is regarded as the "opiate of the people", and organized government is approaching bankruptcy.

Never has a candidate for the Presidency of the United States been so humiliated at the polls and his beliefs and cohorts so soundly rejected, than at our last national election. Our President was reelected by an all-time record margin, while other members of his party failed to win the confidence of the people for lesser offices. The message is clear. The voters are fed up with the trend toward nihilism, and those who denigrate at every opportunity the government of the United States and our free institutions. The American people are proud of the accomplishments which have been achieved at home and the world-wide respect abroad accorded our fighting men in the cause of freedom. We are strong and proud and will remain so, with the help and guidance of Almighty God.

The rationale of the Circuit Court is all too familiar. Although it was argued by the State that the statute proscribes only conduct affecting "the physical integrity of a flag", and that there was no vagueness in its application to one who sews a flag to the seat of his pants, the Court ruled otherwise. Despite the language of United States v. Raines 362 U. S. 17, 21 in which the Supreme Court said that "[one] to whom application of a statute is constitutional will not be heard to attack the statute on the ground that impliedly it might also be taken as applying to other persons or other situations

in which its application might be unconstitutional", and despite the assumption of the Court that the statute clearly covers appellee's conduct, nevertheless the Court said it still must determine whether a court may hear appellee's complaint that the statute is facially unconstitutional because *others would not know whether their proposed conduct would constitute contemptuous treatment* (emphasis supplied).

The Court then interpreted the sense of the doctrine with respect to vagueness in the following language: "... if the nature of a party's conduct is not so dissimilar from other behavior sought to be proscribed by a statute, such that an interpretation distinguishing his behavior from that of others would not provide more certain notice to potential offenders and would also seem unwarranted in the light of a legislative determination to cover all such activities, then a void-for-vagueness challenge allows a court to rule on the facial constitutionality of that statute." For this scintillating bit of legal legerdemain the reader is referred to S. Sedler, "Standing to Assert Constitutional Jus Tertii in the Supreme Court," 71 Yale L. J. 599, 608 (1962). How easy it is, then, to attack statutes enacted for the protection of society! That applies, even though the defendant admits that the ordinance (statute) was *not uncertain* as applied to his conduct and despite the fact that "citizens who desire to obey the statute will have no difficulty in understanding it." See Grayned v. City of Rockford, 408 U.S. 104; and Papachristou v. City of Jacksonville 405 U.S. 156; and Colten v. Commonwealth 467 S.W. 2d at 378. The Court readily admitted that the conduct punished in each of those cases was precisely the type of activity which the statute sought to punish.

However, the approach seems to be quite different in the case of statutes having an economic application, as in the case of U.S. v. National Dairy Products Corp. 372 U.S. 29, in which case a federal statute prohibiting sales at "unreasonably low prices" was attacked as void on its face. In that case the court stated that it would "consider the vagueness attack solely in relation to whether the statute sufficiently warned [the offenders]." Then, after examining the past applications of the act and the violators' conduct, the Court noted the difference between an economic regulation case like the one before it and First Amendment cases. It concluded that it was thus permitted to consider the warning provided by [the statute] not only in terms of the statute "on its face" but also in the light of the conduct to which it is applied. Thus the Robinson-Patman Act can be taken as not being void for vagueness as a constitutional law.

How convenient for the court to find vagueness in a statute intended to protect the American flag's physical integrity, although the conduct of the defendant was precisely the type intended to be covered by the law, while the imprecise language of the Robinson-Patman Act is not void for vagueness because it regulates commerce.

The Court answered this conundrum by stating that the U.S. District Court properly found that it is not clear "to what extent [the statute] prohibit[s] any public deviation from formal flag etiquette." See Goguen v. Smith, supra at 167. It then went on to enumerate the possibilities of deviation, any of which or none of which could be interpreted as "treats contemptuously." The test would apparently be judged by the reaction of people in Leominster's business district and "persons in Cambridge's Harvard Square." If the defendant had defecated on the flag in Harvard Square, instead of wearing a flag sewn to his jeans in Leominster business district, I wonder if the decision would have been any different.

The state argued that the statutory words spell out design, and describe conduct that

affects the physical integrity of a flag of the United States, that the desecration words, being aimed at protecting the physical integrity of the flag, are not speech-oriented. The Commonwealth argued that if the appellee is assumed to have been engaging in symbolic speech, it (Commonwealth) was furthering a substantial government interest, within its power, unrelated to suppression of expression, and no greater than essential to further that interest, thus meeting the requirement of *U.S. v. O'Brien* 391 U.S. 367, 376-77.

The Court responded by saying that any effort to enforce this law "would be the exact equivalent of an effort to carry out a statute which in terms merely penalized and punished all acts detrimental to the public interest when unjust and unreasonable in the estimation of court and jury", quoting *U.S. v. Cohen Grocery Co.* 255 U.S. 81. Noting its misgivings concerning the recent Supreme Court decisions that state juries in criminal trials may be formed of less than twelve persons, and that unanimity is not required for conviction, the court went on to say that "the danger is greater that personal views of morality or politics or other whimsical notions may infect jury verdicts in the guise of providing certainly to an utterly vague phrase like 'treats contemptuously'."

Thus, it appears that the Court feels a danger exists that some criminals may be convicted under the new jury system for such crimes as rape, arson, kidnapping, armed robbery and the like, who might not under the old jury system. The Court concluded this part of its decision by stating that because "treats contemptuously" gives no sufficient warning to prospective offenders as to the reach of the law, the statute is impermissibly vague.

It is apparent from decisions reached in the Chicago Seven contempt appeals, among others, that the Federal Appellate Courts have difficulty recognizing contemptuous behavior in any arena.

The very conclusion cited above is then contradicted by the language of the same court in the part of its decision entitled "The First Amendment and Overbreadth."

Whereas, the Court stated above that because "treats contemptuously" gives no sufficient warning to prospective offenders as to the reach of the law . . . the statute is impermissibly vague, it changed its course with respect to First Amendment treatment by saying that the statute is a double edged sword of Damocles not only menacing the exercise of constitutional freedoms, but also serving to obstruct any future adjudications with regard to unknown, innumerable other individuals who may, . . . forego asserting their rights under fear of criminal prosecution and punishment.

In addressing itself to the overbreadth challenge to the statute which involves itself with First Amendment rights the Court conceded that in the context of a federal habeas corpus proceeding a state criminal statute should not be ruled unconstitutional on its face as overbroad unless:

1. the area affected by it includes a large proportion of First Amendment activities;
2. it possesses the potential for a substantial number of impermissible applications; and
3. immediate and effective excision of the statute's impermissible applications is not foreseeable without continued interruptions of First Amendment freedoms.

The Court then ruled that its analysis of the Massachusetts statute before it under those standards requires a conclusion that it is unconstitutional as overbroad.

In terms of the tripartite test the conclusion reached appears to be oversimplified, to say the least. The statute applies only to those who "publicly mutilate, trample upon, deface or treats contemptuously the flag of the United States . . ." How can it be said that these acts include a large proportion of First Amendment activities? In what

respects does the statute possess the potential for a substantial number of impermissible applications? Lastly, if no First Amendment Freedoms are involved in such acts, how can it be said that any impermissible applications (if any may be found by the Court) might not be excised immediately and effectively from the statute?

The statute punishes only acts which constitute contemptuous treatment of the flag, and they are unprotected by the First Amendment. The Court found an answer to that by saying that the mere fact that the wording of the statute, under which the act is condemned, must be defined in words, the act is an expression of feeling and words, thus covered by the First Amendment. In *Joyce v. U.S.* 454 F. 2d 971 (D.C. Cir. 1971), certiorari was denied by the U.S. Supreme Court in 405 U.S. 969 (1972), a flag desecration statute case, the court held that the statute did not affect First Amendment rights more than marginally.

In *Street v. New York* 394 U.S. 576 (1969), another flag desecration case, four justices of the Supreme Court dissented from the majority opinion that such statute subjects individuals to punishment for feelings and words—clearly protected First Amendment activities—as well as acts, which are not automatically without protection. Of significance in this connection is the fact that in 1969 four out of the nine justices then sitting dissented from the majority decision. They sided with the principle enunciated in *Halter v. Nebraska*, 205 U.S. 34 (1907) that there is a valid state interest in punishing acts of desecration and disgrace to the flag.

The Court, however, is not satisfied with this principle, insisting upon the majority opinion in the *Street* case and then—as if to solidify the righteousness of its position—adopts the *Barnette* rationale. See *West Virginia Board of Education v. Barnette* 319 U.S. 624 (1943). The *Barnette* case had nothing to do with flag desecration, and is irrelevant insofar as the instant case is concerned, although an attempt is made to equate refusal to allow a child to salute the flag on religious grounds with the act of desecration.

To further complicate the rationale in this case we find Judge MacKinnon's language in *Joyce v. U.S.* (supra) quoted to the effect that the flag represents our national unity and independence, and that through our history as a nation the flag has been our symbol in many wars, foreign and domestic . . . It has signified our national presence on battlefields, airplanes, school houses and army forts . . . Wherever it flies it signifies the presence of the United States of America.

In this connection the Court magnanimously adds: "It is without doubt therefore that the flag has a meaning—a very special meaning—historically associated with support of our form of government and its majestic presence."

If it did not speak by itself as a symbol of the United States of America, we doubt that any state would have sought to protect its message from verbal or physical abuse."

The use of the word "symbol" is the key to the next approach in bringing our "act" within the First Amendment decisions. The word "symbol", it appears, stems from a Greek word meaning "token", but more important for the instant case a symbol may constitute "an act, sound or material object having cultural significance and the capacity to excite or objectify a response." So says the dictionary. This puts us on the threshold of incisive reasoning, as the Court then adds language credited to Law Review articles: "Such a primary symbol, likely to be recognized by all who see it, speaks when it is placed in odd positions, conjoined with symbols or words, or made the butt of grimaces, speech or gestures. We do not have to determine generally at what point that which is often called conduct becomes akin to pure speech." (emphasis supplied)

In developing this theory the Court cites numerous cases in which "conduct" is discussed but we find that in one case considered authoritative it was stated that "It is self-evident that most, if not all, conduct associated with the United States flag is symbolic speech. Such conduct is normally engaged in with the intent to express some idea. Further, such conduct is invariably successful in communicating the idea." (emphasis supplied) The Massachusetts Supreme Judicial Court, in the words of this Court, found such a message "inarticulate" in the instant case, although the Circuit Court opined that the statute reaches to a large degree conduct of which "the communicative content . . . was beyond dispute", thus falling under the heading of First Amendment activities.

Thus, the next stop becomes easier. We are a far cry from the "act" of wearing an American flag sewn on the backside of appellee's pants. The Court, "having determined that the Massachusetts law presents an 'actual and apparent danger' to symbolic speech which is more than strained and remote", then applied the requirements of *U.S. v. O'Brien* 391 U.S. 367 (1968) to determine whether the statute additionally possesses the potential for a substantial number of unconstitutional applications. [It is important here to note that in "O'Brien" speech and non-speech elements are combined in the same course of conduct. The instant case involves only the non-speech element].

In applying the *O'Brien* test, the Court stated that the Flag Desecration statute may be constitutionally applied only if:

1. it is within the constitutional power of the government;
2. if it furthers an important or substantial government interest;
3. if the governmental interest is unrelated to the suppression of free expression;
4. and if the incidental restriction on alleged First Amendment freedoms is no greater than is essential to the furtherance of that interest.

The Court concedes 1 and 2. However, in its discussion of the third element the Court extended a gratuitous insult to all American Legion members, living and dead, in its attempt to justify a finding that the statute is directly related to the suppression of free expression, although, on other grounds it conceded that the statute is sufficiently unrelated to the suppression of First Amendment rights so as to satisfy the third element of the test.

The crucial part of the Court's decision is found in its discussion of the statute with respect to the fourth element. While admitting that experience has demonstrated the propriety of imposing some restrictions on the exercise of the First Amendment rights where substantial government interests are at stake (which admittedly exist here), nevertheless the Court pontificates that the desecration statute "focuses upon a particular attitude or belief, the content rather than the form of expression of which provides the foundation for the offense." This, says the Court, is symbolic speech and "the medium is the message" and to suppress the medium is to censor the message, especially where it is being conveyed through a passive form of expression.

All of this for being arrested for wearing a small cloth American flag sewn to his blue jeans on the area covering his left buttock. I wonder if it would make any difference if it was a large cloth flag sewn over his entire backside. Obviously not.

The worst is yet to come. Not only does appellee Goguen get off scot free, but the Court ruled the entire statute unconstitutional. Henceforth, unless a new law is enacted which may overcome the objections of the court, the American flag in Massachusetts is to be considered just another rag

which may be publicly mutilated, trampled upon, defaced or treated contemptuously—and with the blessing of the United States Court of Appeals for the First Circuit.

It is difficult to believe that the people of Massachusetts and the country will accept this tragic end for a flag with such a proud history.

As matters stand now, the national flags of the U.S.S.R. and the Peoples Republic of China are protected from desecration under Massachusetts law, MGL Ch. 264, 57, subject to criminal penalties, while the flag of the United States of America is not protected at all.

EVERY NICKEL OF TRUST FUND NEEDED FOR HIGHWAY USES

HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. CLEVELAND. Mr. Speaker, because of the widespread interest in pending transportation legislation shared by Members of this body, I wish to call the attention of my colleagues to the assessment I have made on the basis of my more than 10 years on the Public Works Committee.

As I told Transportation Secretary Claude S. Brinegar during our colloquy earlier this week, highway-related demands on the user-supported trust fund—far exceeding anticipated revenues—will require the use of every nickel for highway purposes.

Unmet needs which have accumulated during 90-10 spending for the Interstate system include a great backlog in terms of improvements in primary and secondary highways—resurfacing, widening, and relocating—along with new construction and vitally needed highway safety measures.

Increase of the matching on the non-Interstate Federal aid system to 70-30 from 50-50 represents another legitimate demand on the trust fund and strengthens the case against diversion for urban rail rapid transit.

At the opening of the hearings, I submitted for the record a statement touching on these issues, and highlighting the potential drain on transportation resources resulting from runaway high-rise development in places like New York City.

Even a leading advocate of rapid-transit use of highway trust fund has stated that the World Trade Center in New York—half again as large as the Pentagon—threatens to create the “worst traffic jams in history.”

Elsewhere in fun city, a massive complex including 9,500 luxury apartments on platforms over the East River has been proposed.

Mr. Speaker, I see a real threat of such development taking place without controls and resulting in demands for costly expansion of transit facilities with the taxpayers and highway users elsewhere in the Nation called on to pick up the tab.

My statement to the Public Works Committee follows:

STATEMENT OF REPRESENTATIVE JAMES C. CLEVELAND OF NEW HAMPSHIRE, TRANSPORTATION SUBCOMMITTEE, HOUSE PUBLIC WORKS COMMITTEE, MARCH 19, 1973

Mr. Chairman, as we launch what I hope will be a thoroughgoing investigation into highway matters, I should like at the outset to suggest certain key points to keep in mind as we proceed.

The overriding issue is whether we will yield to pressures to divert funds from the highway trust fund for urban rail transit. In this connection, we will hear forceful arguments in favor of rapid transit, invoking considerations of balance, flexibility, fairness, state and local prerogatives, pollution, energy and the like.

But if the past is any guide, none of this rhetoric will justify invading the trust fund for two fundamental reasons.

1. The needs for highway-related improvements are so great, and anticipated user tax revenues so limited by comparison, that the trust fund will be overwhelmed by highway demands alone.

2. Whatever the need for transit, the case cannot be made for requiring those who contribute to the trust fund to foot the bill. I am not about to see the New Hampshire farmer help pay the commuting cost for the affluent New York suburbanite.

There is another complex of problems which I hope this committee will explore, because they relate directly to the staggering increase in transit demand to be anticipated if we once abandon the principle that the highway trust fund is for highways.

These problems stem from apparent failures of metropolitan areas to plan their own development in coordination with transportation improvements. This is a critical area and one to which I shall return at a later point in my statement. It involves the urban environment in the fullest sense. And I mean to see that the same considerations and concerns raised in connection with urban highways are raised as they apply to transit.

But first consider the highway-related demands on the trust fund. The Department of Transportation has estimated total requirements between 1970 and 1990 at approximately \$663 billion, including approximately \$600 billion for highway transportation. Mass transportation needs have been put at \$63 billion, of which \$50 billion is for rail and \$13 billion for bus transit.

At the same time, anticipated revenues from highway user taxes are put at \$135 billion for that period.

No less an advocate of urban mass transit than Sen. Harrison Williams of New Jersey took note of the trust fund's limitations during last year's debate on the issue. His statement, quoted again in this year's debate on the other side, is instructive:

“I understand and agree that the Highway Trust Fund is not large enough to include the extensive needs of all rail systems.

“This problem can only be dealt with by increasing the contract authority under the Urban Mass Transportation Act.”

It is worth recalling that also last year, Sen. Williams sponsored a measure to continue the contract authority under urban mass transit for three years at the rate of \$1 billion a year in general revenues, plus operating subsidies. But this was opposed by those who sought to pry open the trust fund. When a conference deadlock ensued, the gentleman from New Jersey made a statement directly relating to our deliberations here:

“This is a program,” he said, “which both the American Transit Association and the National League of Cities and Conference of Mayors—the groups which know America's transit needs at the grassroots level—considered the most important and essential transit program now before the Congress—transit's No. 1 priority legislative proposal.

“I therefore can only say that the Senate members of the conference who rejected this proposal in my judgment were sadly misguided. I would suggest soul searching on the question of whether the effort was to aid mass transit or to break up the trust fund.

“Sadly, it seems to me the majority of the Senate conferees chose the latter course.”

Just last week, a sponsor of an unsuccessful amendment to authorize a far greater diversion from the trust fund then enacted in the bill on the other side said: “Let us clear this highway trust fund off the highway and get America moving again.”

Doubtless we again will hear misinformed statements about the mythical huge surpluses in the trust fund, dangers of “paving over America” or chopping up the country with superhighways. Inherent in each is undue emphasis on the trust fund as the sources of interstate highways. This view ignores the need for upgrading existing highways—resurfacing, widening and relocating roadways, bus-related highway improvements and highway safety. As to this last, Howard Pyle, President of the National Safety Council, has said in response to questioning at our hearings that the trust fund should be preserved to protect the source of critically needed funds for highway safety. He estimated that unless something drastic was done, 600,000 Americans would die in highway mishaps in the coming decade.

A final point as to cost versus revenues. Our colleague, the Hon. Fred Schwengel, last year asked Theodore Kheel, Chairman of the Highway Action Coalition at our hearings last year how much New York needed:

Replied Kheel: “I could not give you a precise figure. I think there is no limit, really, on our true needs. We have neglected mass transportation so extensively in the postwar years that the needs that we have are frightening.”

They certainly are frightening to those of us fighting to preserve the funding for highways.

As to my second point, the equity of the highway user subsidizing the urban transit rider, New York's experience again is significant. The basic subway fare of a nickel was in effect from the late 1800's up until 1948, when it went to a dime. It was raised again to 15 cents in 1953, remaining at that level and only went to 20 cents in 1966, ten years after we launched the interstate system and the trust fund.

Attempts are made to justify this subsidy as aid to the poor. Yet the Tri-State Regional Planning Commission's regional profile, “Subway Riders and Manhattan Autos,” October, 1971, said:

“About 90 per cent of the subway riders are New Yorkers, and they have family incomes that are slightly above the average for New York City. The remaining subway trips are accounted for by middle and upper-income suburbanites.

Subways are not primarily the vehicle of the poor; rather, the poor of the Region simply do not, or cannot, travel extensively. Current riders can afford (in terms of money and time) to use the subway if the service is good.”

A recent column by Joseph Kraft in praise of Atlanta's mass transit development, showed that the New York phenomenon is not unique. “Obvious benefits from this project flow to the white community. Commuting from the suburbs to the downtown offices and stores and cultural centers will be vastly improved.”

And what of the poor and the black? “The benefits that flow to the low-income blacks are equally important. First and most important of all, there are low fares—right now, not a decade hence—on an expanded and improved bus service...”

“Among the 10 new bus routes there are three—one to an industrial park, a second

to a hospital cluster, and a third to a new shopping center—designed to bring blacks from the center city to jobs in the suburban ring." Buses, not subways.

Thus our urban transit systems, or one of our oldest and one of our newest, benefit the affluent. It is not fair to the highway users who pay their money into the trust fund with the understanding that the money is to build safer, more attractive and better roads, along with safety and highway-related transit facilities, to shoulder this cost.

Mr. Chairman, I strongly urge that this committee look into the entire matter of urban planning and development controls related to urban transit. This matter falls clearly within the jurisdiction of this committee for a number of reasons. First, we are being asked to divert funds from the trust fund to urban mass transit; the volume of this diversion ultimately will be determined by the degree of demand, which in turn stems from transit-generated development. Secondly, there are requirements for coordination of rapid transit with highways, the latter clearly within the province of this committee. Thirdly, there is doubtless a parallel between a metropolitan area's ability to coordinate overall development with highways and its coordination of development and transit.

My basic concern is that either of the two possibilities is likely to occur. 1. That development around subway facilities is allowed to become so dense as to render the facility obsolete, thereby generating demand for further costly improvements. 2. That development is allowed to take place in disregard of the need for transportation, again generating demand for costly improvements.

As we already know, the Urban Mass Transit Administration can make two-thirds capital grants provided certain planning requirements are met. It has been allowed to make 50 per cent grants pending compliance with planning requirements with the difference between the two figures—one sixth—held available for payment if the requirements are met within three years.

There are comprehensive planning requirements imposed in connection with the highway systems, and I understand that some 30 cities are not certified as meeting even the minimal requirements of establishing a planning process.

This suggests that a review of planning is in order.

There is evidence at hand that this planning and land-use control is not being performed. Here in Washington, for example, there have been complaints that the transit-related development at Friendship Heights is likely to create congestion and environmental disruption.

In New York City, the World Trade Center is expected to create a nightmare of congestion, according to a March 20, 1972, article in the Wall Street Journal entitled: "Critics Say World Trade Center Will Complicate Mass-Transit, Pedestrian Snarls in Manhattan."

According to the article, Mr. Theodore Kheel said of the Port Authority which is developing the Trade Center:

"This is going to be a great irony, that any agency created to solve our transportation problems winds up creating one of the worst traffic jams in history."

I see even greater irony in his attempts to use the trust fund to bail out New York. No wonder, again in his words, "there is no limit, really, on our true needs."

There is a parallel here, between uncontrolled development being used to justify public improvements, such as a flood plain development being used to justify dams which later become obsolete because of further development. Or dense development around airports, which later generate complaints about the noise.

So there is a fruitful field for investigation here.

Requirements for Environmental Impact Statements, which have been used to cripple so many urban highway projects, require:

"A statement of any environmental impacts which will result in any irreversible and irretrievable commitment of resources. This statement should include an analysis of the likelihood of adverse environmental impacts which will be caused by future developments generated by this proposed project," Exhibit L, Excerpts from External Operating Manual, UMTA, August, 1972.

Environmental impacts listed include effects on population growth and dispersal within the area, increases or decreases in the traffic or congestion levels on streets and highways, and division or disruption of established communities, such as "disrupting orderly, planned development."

Mr. Chairman, I have no wish to have the federal government dictate local patterns of development. What we have a right and a responsibility to endure is that local plans meet national policy objectives and that those locally formulated plans are followed.

So I urge exploration of this field with the thought that any funding of urban mass transit be accompanied with a more meaningful and explicit "impaction" statement.

And only when these questions are answered can a realistic determination be made as to the even partial justification for diversion of highway funds for mass transit.

I am confident that the real costs identified by such an injury will support the case that diversion is not justified.

Let us also recall that the objectives stated by UMTA include:

"Relief of traffic congestion. This objective seeks improvement in overall traffic movement and travel time in urban regions especially during peak hours of travel demand . . .

"Improving quality of urban environment. This objective requires achievement of land use patterns and environmental conditions that effectively contribute to the physical, economic and social well-being of urban communities. Land use patterns and transportation networks are to be developed with a view to minimizing the need for transportation facilities and their demands on urban space."

I submit, Mr. Chairman, that there is a grave question whether this is being met here in the Washington metropolitan area, and strong evidence to the effect that it is most decidedly not in New York City.

BYELORUSSIAN INDEPENDENCE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. PEYSER. Mr. Speaker, this Sunday will be the 55th anniversary of the proclamation of independence of the Byelorussian Democratic Republic.

On March 25, 1918, the people of Byelorussia proclaimed their national independence and their determination to govern themselves in a democratic manner. Their national independence, however, was short lived. Within a year, Soviet troops conquered the free State of Byelorussia.

Nevertheless, through this long period of Soviet domination the people of Byelorussia have maintained their culture and identity. They have continued to express their firm resolve to live in freedom and to govern themselves.

I think that we should pause today to

reaffirm our basic commitment to the principle of self-determination for all peoples. In Byelorussia today we can see the effects of a denial of that right.

I join my colleagues today in expressing the hope that the time will soon come when the Byelorussian people shall be able to exercise the right to determine their own form of government.

PUBLIC KNOWLEDGE AND BUSING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. RANGEL. Mr. Speaker, no public issue has been treated with as much emotionalism and distortion as the issue of schoolbusing. From the average housewife to the Members of Congress to the White House residents, very little, if any, knowledge and reason has been used in considering busing policy.

The U.S. Commission on Civil Rights has realized this and offered an interpretation of Opinion Research Corp.'s recent comprehensive poll on the public's attitude and information on the question of busing to achieve school desegregation. I now submit for your attention and the attention of my colleagues, excerpts from the Commission's interpretation entitled "Public Knowledge and Busing Opposition":

PUBLIC KNOWLEDGE AND BUSING OPPOSITION: AN INTERPRETATION OF A NEW NATIONAL SURVEY

A new national poll on school busing shows that the public has very little knowledge about the facts of existing busing plans. Those who know the most, this opinion survey indicates, are most inclined to support busing. The study also shows that a large fraction of the public is prepared to support limited amounts of busing when convinced that it is the only alternative to segregated education.

During the past two years a succession of public opinion polls and referendum votes have shown that most people favor school integration but oppose busing. A number of the questions about busing, however, have been incomplete or misleading. National polls have asked about busing as if it were an end in itself rather than a means to remedy constitutional segregation. A March 1972 national poll question assumed that the purpose of busing was to "achieve racial balance," although the courts have emphatically said that desegregation, not racial balance, is the goal. After noting both the contradictions in the existing data and the defects of the previous questions, the Civil Rights Commission decided to acquire and analyze the data collected in an in-depth national survey of busing information and attitudes conducted by Opinion Research Corporation in November and December, 1972.

Commentators often ignore the contradiction between the public expression of support for integration and the opposition to busing. They assume that the busing statements express the "real" opinions and the integration support is very largely hypocritical. Given the level of housing segregation in metropolitan areas and the size of the ghetto population, the fact is that there cannot be serious desegregation in many areas without transporting students.

The new survey was designed to explore much more precisely the contradictory opinions of the millions of Americans who support integration but often resist the only means to desegregation. Two-thirds of the people who say they support integration are also generally opposed to busing.

TABLE 1.—GENERAL ATTITUDES ON INTEGRATION AND BUSING¹

[In percent; N=2006]

	Support	Oppose	No opinion	Total
Integration as a national objective.....	67	22	11	100
General support for busing.....	21	70	9	100

¹ See appendix I for poll questions and basic results.

TABLE 2.—ATTITUDES OF INTEGRATION SUPPORTERS AND OPPONENTS ON GENERAL BUSING QUESTION (N=2006)

[In percent]

	Support busing	Oppose busing	No opinion	Total
Integration supporters.....	27	67	6	100
Integration opponents.....	9	87	4	100

This survey was designed to learn the extent to which public opposition to busing is monolithic and implacable and to study the relationship between accurate knowledge of the facts of existing busing requirements and attitudes on the issues.

The survey produced three basic findings:

- (1) The public seriously misunderstands the facts of the busing controversy.
- (2) Those who best understand the facts are more supportive of busing and much more opposed to Congressional action or a Constitutional amendment to forbid court-ordered busing.
- (3) Most people expressing an opinion are willing to support strictly limited busing when there is no other way to desegregate the schools.

This survey does not show public enthusiasm for busing, but merely that the public is poorly informed and that this misinformation is related to busing opposition. A review of the data also suggests that a large number of Americans do not realize that there is often no alternative to busing if desegregation is to be achieved.

Misinformation is not, of course, a total explanation of the intense public opposition to busing. Even with effective national and local leadership accurately communicating the facts of the situation, there would doubtless be substantial opposition. In some cases, no doubt, an underlying opposition to integration or attachment to an existing school tends to predispose people to accept and respond to false claims about busing.

The fact remains, nonetheless, that many millions of Americans are very seriously misinformed about vital issues affecting their children. The only reasonable hypothesis is that if they did know and understand the facts then their attitudes would become somewhat more favorable.

The survey shows that the basic slogans of busing opponents have been very largely accepted as facts by the American people. For example, most people who express an opinion believe that the courts have ordered busing even though they think there is evidence that it damages education, that busing is extremely expensive, and that children are being forcibly bused from suburban school districts into central city districts. Many also believe that busing is physically dangerous for children and that desegregation seriously damages the test scores of

white children. All of these beliefs are wrong.

THE POSITION OF THE COMMISSION

The Commission on Civil Rights believes that the findings of the national public opinion survey summarized in this report underline the urgent need of the public for more accurate information on one of the most important domestic issues in our society. Too often public officials, educational leaders, and members of the mass media have, unthinkingly, accepted the criticisms and passed on the slogans of busing opponents without troubling to examine the evidence. The result has been increased public tension, magnified public fears, and serious pressures on the government at all levels, as well as the schools, and the children who are trying to handle successfully a major transition in accord with the mandate of the Constitution as enunciated by the Supreme Court of the United States almost two decades ago.

The public is clearly confused. The people have been misled. They believe, for example, that the Constitution should not be amended to limit desegregation but that it is all right for Congress to restrict the courts' power to order busing.

The striking anomaly is that the American public simultaneously shows a commendable restraint about interfering with the constitutional provisions establishing the right to a non-segregated education but a willingness to see Congress restrict this right through legislation, without even following the procedures for amendment of the Constitution. It seems not to occur to many Americans that if it is a mistake to diminish the rights of citizens by amending the Constitution, it is an even more grievous error to attempt to deny constitutional rights by a simple act of Congress. It is noteworthy, however, that a majority of those citizens expressing an opinion who had a reasonable understanding of the facts of the busing dispute opposed Congressional action. Those who were moderately to well-informed opposed the Constitutional amendment by a better than 3 to 1 margin.

This survey clearly demonstrates the oversimplified character of earlier descriptions of public attitudes on busing. The figures show severe public confusion and misinformation. The study shows a close relationship between understanding the facts and more favorable response toward desegregation. The more people know, the less willing they are to restrict the Constitutional rights of black children.

The challenge to our public and private leadership at all levels to present the facts accurately is an extremely important one. If the people are accurately informed, we believe that they will oppose moves to restrict the right of ghetto children to attend better, desegregated schools and that they will accept the changes necessary to fulfill the national objective of integrated education.

Basic decisions on education are far too important to be decided on the basis of unfounded, emotion-laden slogans. The recent report of the Senate Select Committee on Equal Education Opportunity, often known as the Mondale Committee, summarizes the costs of public confusion:

"The focus of national debate on the misleading issues of 'massive busing' and 'racial balance' has contributed to deteriorating public confidence in the justice of constitutional requirements, and in the essential fairness of our judicial system."

When we decide the fate of desegregation in metropolitan areas in which most American children learn, we are making decisions which will deeply affect the pattern of American race relations and therefore the whole nature of our society. Before the people decide, they deserve the facts.

BLUE CROSS AND BLUE SHIELD INCREASED RATES

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. REID. Mr. Speaker, recently the New York State Insurance Department approved rate increases for Greater New York Blue Cross—also known as the Associated Hospital Service of New York—Greater New York Blue Shield—United Medical Service—and Greater Buffalo Blue Shield—Blue Shield of Western New York.

I want to take this opportunity to protest strongly these rate increases, which in my view are unwarranted, undeserved, and unnecessary.

They come, moreover, at a time when the costs of health services are so high that Americans can no longer afford to get sick. Senior citizens, in particular, are hard hit by these increased rates which come on top of notice from the administration that hospital costs under Medicare will be almost tripled for the average stay. And in the meanwhile, the pending administration budget requests would phase out other vital publicly funded health programs such as the regional medical program which provide health care to those in need.

Blue Cross rates, to be specific, will increase an average of 7.4 percent and affect 1.5 million community rated subscribers. It seems peculiar to me that a 7.4-percent increase should be need if health services costs are still supposedly under controls, limited to 2.5 percent for prices and 5.5 percent for wages, as under phase II.

I question not only the need for the increase, in light of the fact that just last May the Greater New York Blue Cross was granted a 14.8-percent increase, but especially the 5-percent additional overlap above and beyond the allowable increase in health services costs.

What becomes increasingly clear in analysing the facts of the case is that New York Blue Cross and Blue Shield have not proven the administrative, structural, or fiscal responsibility that should be required prior to the granting of any rate increase. Rather, in the case of Blue Shield, they managed to "lose" over \$15 million of their reserve funds while experimenting with a contract with New York City employees. Although the New York State Insurance Department found that such mismanagement warranted criticism and that a "serious question" had been raised as to the "suitability" of the chief executive officer, Dr. Leonard Raider, they issued only a small scolding in their report and virtually let the matter drop. If Dr. Raider's suitability was indeed a serious question, I am bewildered as to the department's failure to act on it in any way.

In addition, I would point out that the insurance carriers in question have used almost 15 percent of their premium income on purely administrative costs—a clearly excessive percentage indicating

again that the management is far from satisfactory.

I am taking the floor today, Mr. Speaker, because I want to bring these injustices—and most of all the alarming injustice of granting increased rates with no corresponding improvement in service—to the attention of my colleagues, especially those in New York State.

Until the United States recognizes the need for a system of national health insurance, I think it vital that private insurers such as Blue Cross and Blue Shield be strictly audited. Such a process is apparently necessary simply to protect the public—the customers of these carriers—who literally cannot afford the increased premiums being demanded of them.

It appears that in too many cases these carriers are forcing their subscribers to pay the blatant errors in management for which the carriers themselves are responsible. Dr. Raider's qualifications—or lack thereof—are swept under the table, \$15 million of Blue Shield's surplus is "lost," management and administration are weak at best, and the fact that costs of health services are still under mandatory controls and have been since the granting of the last, most recent rate hike, is ignored. Not only, therefore, is it shocking that Blue Cross and Blue Shield dared request such an increase, but equally it is shocking to me that the insurance department would grant it on the basis of such a cursory examination of the issues in question.

At a time when health costs are out of reach to many millions of Americans, I find this increase in rates unjust and unfair, let alone unwarranted. It is high time, in my view, to grant all Americans a right to decent health at a reasonable cost.

TRIBUTE TO WILLIAM BENTON

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mrs. GRASSO. Mr. Speaker, Bill Benton will be sorely missed. We mourn the passing of the gentle giant of our times whose undaunted courage in pursuit of justice and decency in an era of fear and silence will be a living memorial to mankind.

Bill Benton served Connecticut and the Nation with honor and distinction that reflected his love of country and consideration for the rights of people. His now legendary achievements in the business community were matched by the superb accomplishment of a lifetime of public service as Senator from Connecticut, Ambassador to UNESCO, and champion of many causes that gave full expression to his concern for his fellow-man.

For those of us who worked with this remarkable man in pursuit of a better life for the people of our State and Nation—for those of us who had the opportunity to know at first hand the origi-

nality of his intellect and the depth of his concern—we bid Bill Benton farewell with sad hearts at our loss and grateful thanks for the privilege and pleasure of knowing him.

FEDERAL PROGRAMS NOT THE ANSWER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. DERWINSKI. Mr. Speaker, I fully support the principle of decentralization of government and have maintained that legitimate States' rights and home rule are the answers to many of the problems that have not been solved by the massive Federal bureaucracy. An excellent argument of this concept has been made in an editorial of March 7, 1973, in the San Diego Union which I insert into the RECORD:

CITIES MUST SHOULDER PROBLEMS

In his series of State of the Union messages, President Nixon saved some of the most bitter language for his description of the Housing and Urban Development programs that were supposed to save decaying central cities. Many of these programs have resulted in no more than "high-cost, no-result boondoggling," he said, especially housing programs which have turned the federal government into a "nationwide slumlord."

This lies behind the President's proposal to eliminate seven urban development programs and suspend four housing programs, replacing them with \$2.3 billion in special revenue sharing funds for cities. It would then be up to mayors and city councils to decide how best to apply these funds to save their cities—if federal money is indeed necessary to save them.

Resistance to this new approach has already surfaced in the form of a "National Ad Hoc Housing Coalition" made up of representatives of labor, the construction industry and social organizations. One of its weapons is the report of a congressional committee headed by Sen. William Proxmire, the Wisconsin Democrat. While the committee is arguing that federal housing programs should be continued, its report actually bears out the indictment voiced by Mr. Nixon.

It confirms that the programs are afflicted with runaway costs, are turning out housing units that are a building inspector's nightmare, and have sometimes left conditions in slum neighborhoods worse than they were before the federal bulldozer arrived. The committee, however, thinks the whole problem can be solved by leaving the programs intact with "improved management."

The best answer to that lies in the experience of former HUD Secretary George Romney, who spent four years trying to improve the management of programs inherited from the Johnson Administration. He finally concluded that the programs were so misguided in their concept and so subject to waste and abuse in their bureaucratic structure that the government should abandon them.

It is a travesty on the concept of urban renewal to dislocate the residents of a neighborhood and offer them shoddy housing at a price they cannot afford. Millions of dollars have shuffled through the hands of lenders

and builders, and the people in the slums are back where they began. Meanwhile, the American taxpayer has wound up as landlord of 90,000 houses and apartments either vacant or occupied by people who cannot or will not pay for them.

Mr. Nixon's proposals are not a penurious denial of funds for improvement of conditions in city slums. Between federal revenue sharing and the improving financial outlook for city governments as a whole, there are resources at hand to make genuine headway against urban blight. The President's program would simply put city officials in the driver's seat, and those with a real sense of responsibility for what is happening in their own cities will accept the offer.

KENTUCKY'S FOURTH DISTRICT ANSWERS QUESTIONNAIRES

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. SNYDER. Mr. Speaker, in February I sent out my annual questionnaire to the people I represent in the Fourth District of Kentucky. The response to this year's poll has been significantly heavier than in other years—and this is especially striking in view of the fact that the recent congressional redistricting in Kentucky reduced the population of our Fourth District by about 120,000 people.

Mr. Speaker, this questionnaire is one of the very best ways that the people I represent communicate with me here in Congress. I have now finished reading, tabulating, and compiling the answers to the questionnaire and I want to have them printed at this point in the RECORD so that my colleagues here can have the benefit of the views of the people of the Fourth District of Kentucky on some of the great issues facing our Nation today:

ANSWERS IN PERCENT

1. President Nixon has indicated he intends to make substantial cuts in government spending to avoid an income tax increase. Do you favor such reductions even if they affect your favorite Federal program? Yes, 85.6; No, 12.8; No opinion, 1.6.
2. Would you favor a Federal law or constitutional amendment reinstituting Capital Punishment for certain specified crimes? Yes, 91.1; No, 7.4; No opinion, 1.5.
3. Do you favor Federal legislation to strictly control strip mining? Yes, 82.6; No, 13.0; No opinion, 4.4.
4. Would you favor taking monies set aside for highway construction in the Highway Trust Fund for use in urban mass transit? Yes, 48.6; No, 49.1; No opinion, 2.3.
5. Would you favor a proposal to place more restrictions on the American Citizen's right to own a gun? Yes, 35.5; no, 62.5; no opinion, 2.
6. Much has been said about "the energy crisis." Do you think meeting America's future energy demand should be a top priority of the Congress? Yes, 79.5; no, 13.9; no opinion, 6.6.
7. Do you favor a constitutional amendment which would prohibit the busing of school children to achieve a racial balance? Yes, 90.1; no, 9.1; no opinion, 0.8.
8. Elementary and Secondary aid to education programs are due to expire in 1973. Do

you think Congress should continue spending for such programs on the Federal level? Yes, 53.4; no, 42.1; no opinion, 4.5.

9. Would you favor a system of Federally-controlled and funded "child development" and "day care" centers for pre-school American children? Yes, 14.6; no, 83.9; no opinion, 1.5.

10. Do you favor further cuts in America's contribution to the United Nations? Yes, 81.1; no, 16.1; no opinion 2.8.

Mr. Speaker, all of these results are very important. However, in light of recent events, I want to call special attention to a couple of them. On question No. 1, dealing with reduction of Federal expenditures, the people I represent overwhelmingly support the President's program of reducing excessive spending and waste in the Federal Government. By an even larger percentage—No. 2—the people would appear to be solidly behind the President's common-sense call for a reinstitution of capital punishment. These are only two of the responses, but they provide some idea about what kind of thinking the people down our way are doing.

I would urge my colleagues to study these views carefully. Thank you.

TRIBUTE TO ROBERT GAYDOS

HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. McKAY. Mr. Speaker, on April 29 of last year, an extraordinary act of mercy and compassion was performed in Utah. Robert Gaydos, a resident of Richmond, Utah, very probably saved the life of a young motorcyclist through his immediate and unselfish actions.

Mr. Speaker, I include a letter from the Red Cross explaining these actions, and commend Mr. Gaydos for his compassion. The letter follows:

THE AMERICAN NATIONAL RED CROSS,
Washington, D.C., March 1, 1973.

Hon. GUNN McKAY,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. McKAY: I wish to bring to your attention a noteworthy act of mercy undertaken by one of your constituents, Mr. Robert A. Gaydos, R.F.D. 61, Richmond, Utah 84333, who has been named to receive the Red Cross Certificate of Merit. This is the highest award given by the American Red Cross to a person who saves a life by using skills learned in a Red Cross first aid, small craft, or water safety course. The Certificate bears the signatures of the President of the United States, Honorary Chairman, and E. Roland Harriman, Chairman of the American National Red Cross. Presentation will be made through the Western Electric Company, Inc.

On April 29, 1972 Mr. Gaydos, who has been trained in Red Cross first aid, was observing a hillside through binoculars and saw a young man on a motorcycle hit a boulder and thrown from his vehicle. Mr. Gaydos, with a friend, immediately drove to the accident site and found that the 16-year-old boy had been severely injured. After sending for help, Mr. Gaydos gave first aid for bleed-

ing and treated for shock until an ambulance arrived. Although seriously injured, the victim survived. The attending physician stated that the immediate first aid given by Mr. Gaydos undoubtedly made it possible for the victim to survive until medical help was reached.

This action exemplifies the highest ideal of the concern of one human being for another who is in distress.

Sincerely,

GEORGE M. ELSEY.

THE 152D ANNIVERSARY OF THE INDEPENDENCE OF GREECE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ANNUNZIO. Mr. Speaker, March 25 marks the 152d anniversary of the day when the Greeks began a series of uprisings which led to their independence from Turkey. The struggle of Greece for independence lasted for many years until Turkish military power was broken by the destruction of their fleet at the hands of the British, the French, and the Russians.

Long before the final defeat of the oppressor and the official recognition by Turkey of Greek sovereignty in 1832, Greece had begun to plan ahead for its well-being as an independent nation. A national assembly met at Epidaurus on January 1, 1922, proclaimed independence and introduced a constitution drafted by Alexandros Mavrokordatos and Theodoros Negris.

During the long and bitter war of independence, the world was inspired by the indomitable resistance and heroic dedication of the Greek patriots. Our own John Adams remarked:

My old imagination is kindling into a kind of missionary enthusiasm for the cause of the Greeks.

It was during the siege of Missolonghi that the famous British poet Lord Byron lost his life in defense of Greek liberty.

During the next century, the Greeks devoted their efforts to establishing a stable government and to promoting economic stability and social progress. When they were threatened anew with the opening of World War II, again they showed their fierce devotion to freedom and independence. On October 28, 1940, Greece rejected the Fascist ultimatum to surrender. "Okhi"—"No"—was the Greek reply, and this famous response is remembered annually in the Okhi Day holiday which celebrates the Greek determination to remain free.

The end of World War II brought no respite to the Greeks. Their country was devastated, and they faced a new threat within their borders in the form of armed Communist bands seeking to overthrow the government. However, once more they showed courageous determination to preserve their liberty at all costs. The struggle against the Communist threat was aided substantially by America's

pledge to assist the Greek people in their fight against the communist rebels.

America's pledge became popularly known as the Truman doctrine for it came in the form of an announcement on March 12, 1947 by former President Harry S. Truman. At that time, Truman noted—

The valor of Greece . . . convinces me that the Greek people are equal to the task.

In 1949, America's faith was rewarded, for hostilities came to an end and the Greek struggle against the communist forces were successfully concluded.

The idea of democracy, born in ancient Greece over 2,000 years ago, has prevailed and has inspired other nations in their struggle against oppression. In fact, possibly no other people since their beginnings have given more to the world in the fields of thought and beauty and practicality than the Greeks. Modern philosophy was born of the reasoning and logic of Socrates, Plato, and Aristotle. Medicine is indebted to Galen and Hippocrates, mathematics to Euclid and Archimedes, law to Nestorius, the arts to Aeschylus, Sophocles, and Euripides, and politicians emulate Demosthenes.

It is thus a pleasure to extend greetings to Americans of Greek descent in the 11th Congressional District, which I take pride in representing, as well as those in Chicago and across our Nation on the occasion of their Independence Day and to recall a century and a half of genuine friendship between the people of America and the people of Greece.

DAVID GIMBEL: NEW YORK'S 13TH CONGRESSIONAL DISTRICT'S SUPERCOURAGEOUS MAN

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. PODELL. Mr. Speaker, while many of us face tragedy at some point in our lives there are few who need greater courage and sensitivity than the parents of retarded children. For them the commonplace is often poignant; normal expectations of watching their children grow, love, marry, and bear children of their own can never be fulfilled.

For some their strength is so firm that what are simple pleasures for most become great joys and minor accomplishments of life become great triumphs, but the pain and the dreaming of might-have-beens and better time are never completely absent.

David Gimbel, himself the father of a retarded daughter, has written a poem which expresses well both the strength and the heartbreak found in this existence and I would like to share it with my colleagues and friends.

Mr. Gimbel's poem follows:

LAST NIGHT I DREAMED, DEAR GOD

(By David Gimbel)

Last night I dreamed, dear God, that my daughter became a bride,

And the boy she fell in love with was standing at her side.
 It was the month of June with the heavenly scent of flowers.
 'Twas a mother's dream fulfilled for the next few wonderful hours.
 In my dream I could plainly see as the guests all took their places,
 While smiles of love, so filled with hope, adorned the couple's faces.
 The music of the wedding march burst forth with peels of joy,
 And soon they were to take their vows, my darling and her boy.
 At last the happy moment came, my heart was filled with pride
 As the boy just slipped the ring upon the finger of his bride.
 But suddenly the spell was broken and I awakened with a scream,
 For I began to realize that this was all a dream.
 My dream bride is retarded in the very flower of life,
 And never will she be a mother or a wife.
 Oh, those darkened, tragic moments that fill a parent's heart with pain
 Have always remained a mystery that one cannot explain.
 My face is wet with tears, dear God, for dreams all fade away,
 So this broken-hearted mother must live from day to day,
 With love and hope that storms will pass and skies will turn to blue,
 And that sometime in the future my dreams may all come true.

TOWARD A FAIR AND EFFICIENT FEDERAL SERVICE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. ASHBROOK. Mr. Speaker, for a number of years I have been interested in the personnel problem in the executive branch and especially at the Department of State, inserting from time to time information in the CONGRESSIONAL RECORD which merits public attention. Not only is it vital to keep unsuitable applicants from Federal employ, but a fair and efficient Federal service demands that loyal and qualified Government workers should not be made the target of unfair treatment when protesting abuses in Government.

For many years now governmental abuses of all types have been the special target of Clark Mollenhoff, the Pulitzer Prize-winning investigative reporter of the Des Moines Register, formerly an aide to the Nixon administration and presently Washington Bureau Chief of the Register. Mr. Mollenhoff in the past has clobbered both Republican and Democrat administrations when he believed existing abuses merited firm treatment.

Today's Washington Post and New York Times carried an account of Mr. Mollenhoff's appearance at a Civil Service Commission hearing in the case of A. Ernest Fitzgerald, who found himself without a job after protesting a cost overrun on a Government contract. Although

not sufficiently familiar with the details of the Fitzgerald case to make a judgment, I believe the facts should be brought to light in the interest of fair play. This evidently is precisely what Mr. Mollenhoff sought to achieve in appearing before the Commission yesterday.

I am familiar, however, with personnel problems at the State Department and, here again, as in the Fitzgerald case, Mr. Mollenhoff has labored long and hard to make public some of the abuses in that Department. His column of March 17 in the Register is but the latest example of his efforts in this area. It is indeed unfortunate that the reporting of an able and forthright newsman, expertly qualified in Federal affairs, is not available in some Washington area newspaper. Only an improvement toward a fair and efficient Federal service could be the result of such an addition.

I insert at this point the three items mentioned above:

[From the New York Times, Mar. 22, 1973]

CURE SOUGHT ON MOLLENHOFF TESTIMONY

(By Anthony Riple)

WASHINGTON, March 21.—Air Force lawyers are attempting to extend the doctrine of "privileged" communications to cover a former White House aide who has become a central figure in the Civil Service Commission hearings on the layoff of A. Ernest Fitzgerald.

In a legal brief filed with Herman D. Stalman, Chief of the appeals examining office of the commission, Air Force lawyers seek to block any mention of White House dealings if the examiner allows Clark R. Mollenhoff to testify.

Mr. Mollenhoff served as special counsel to the President from August, 1969, to July, 1970. Mr. Fitzgerald's lawyers, William K. Sollee and John Bodner Jr., want to call him as a witness.

Mr. Fitzgerald is a former management analyst with the Air Force who was let go in an "economy" move after he disclosed huge cost overruns on the C-5A airplane contract. Mr. Fitzgerald is fighting to regain his old job at the Civil Service Commission hearing.

"CONFIDENTIALITY" ARGUED

In a 13-page memorandum signed by Thomas W. Nelson, administrative assistant to the Secretary of the Air Force and presented by Lieut. Col. Claude Teagarden, the Air Force made clear it was not invoking "executive privilege" but instead "confidentiality of advisory communications."

The issue of privilege has become a much debated point in a series of clashes this year between the White House and Congress.

The Air Force argues that it is not seeking executive privilege, which relates to the separation of powers between the President and Congress, but, instead, "the well-established governmental, privilege to decline to produce materials relating to internal deliberations, opinions or recommendations essential to the decisional or policy-making functions of the executive branch."

The Air Force argues that Mr. Mollenhoff should not be allowed to testify anyway since he attended some of the hearings as a newspaper reporter. Mr. Mollenhoff is Washington bureau chief for the Des Moines (Iowa) Register and Tribune.

LAWYERS SEEK APPEARANCE

Mr. Fitzgerald's lawyers argue that they are developing evidence as the case goes along and could not predict they would eventually call Mr. Mollenhoff. Now they have to call him, they said, after three other witnesses they requested refused to testify on

possible White House involvements in the layoff of Mr. Fitzgerald.

They also argue that the power to call a witness who may have heard previous testimony lies with Mr. Stalman.

Mr. Mollenhoff was at the hearing room this morning in a noisy, animated and unscheduled appearance.

He called the proceedings a "kangaroo court" and said that he was ready to testify. "Every effort is being made to keep the facts from being put on the line," he said.

Mr. Stalman said that he was interrupting the hearing.

"If the truth is an interference, then I am interfering," Mr. Mollenhoff said.

"If you don't stop your interruptions, I'll have to ask you to leave the room," Mr. Stalman said.

Mr. Mollenhoff left a short time later.

"It appeared to be a hearing that was avoiding the truth," he said later. "It is the most peculiar effort to extend executive privilege to someone who doesn't want it."

The hearing has lasted 18 days—12 of them in public sessions—over the last two years.

Mr. Fitzgerald contends that he was not let go in an economy move but dismissed because he had made the cost overruns public.

Mr. Stalman said that he would rule in the next few days on whether Mr. Mollenhoff can testify.

[From the Washington Post, Mar. 22, 1973]

FITZGERALD FIRING HEARING STIRS MOLLENHOFF OUTBURST

(By Lawrence Feinberg)

Clark R. Mollenhoff, a former aide to President Nixon who later returned to being a reporter, interrupted a Civil Service Commission hearing yesterday with charges that it was a "kangaroo court" trying to "bar the truth" about the firing of Pentagon management analyst A. Ernest Fitzgerald.

Despite requests by the hearing examiner that he be quiet, Mollenhoff stood up several times in the audience of the hearing room, and demanded that he be allowed to testify.

When the examiner, Herman D. Stalman, threatened to ask him to leave, Mollenhoff declared loudly:

"I'm only trying to get the truth on the record."

Then he picked up a thick briefcase and strode out the door, trailed by a wire service reporter.

Fitzgerald is seeking reinstatement to the job he lost with the Air Force after telling Congress about a \$2 billion cost overrun on the C-5A airplane.

Mollenhoff, a long-time member of the Washington bureau of The Des Moines Register and Tribune, served as a special counsel to Mr. Nixon in 1969 and 1970. He summoned Air Force officials to his White House office in November, 1969, after Fitzgerald was dropped from his job.

Last week lawyers for Fitzgerald made public several recent letters from Mollenhoff to Mr. Nixon and White House Counsel John Dean III.

The letters said Fitzgerald had been "brutally mistreated." Mollenhoff said in interviews that he wrote them as part of an unsuccessful effort to persuade Mr. Nixon to have Fitzgerald rehired.

Two weeks ago, lawyers for Fitzgerald asked that Mollenhoff be allowed to testify at the Civil Service Commission hearing. Air Force lawyers objected.

At the beginning of yesterday's hearing, Stalman announced that he had not yet decided whether to allow Mollenhoff to testify, because he had just received legal briefs on the matter.

In its memo, the Air Force contended that since Mollenhoff had been at several previous hearings, his appearance as a witness would violate the normal judicial rule against testimony by persons who have heard others testify.

The memo added that Mollenhoff also should not be allowed to testify about what he learned as a White House staffer because of "the confidentiality of advisory conversations involving the White House staff."

It cited a string of legal decisions to support its position, and said this "executive privilege" is needed to encourage "full and frank discussion . . . within the executive branch."

Yesterday Fitzgerald's lawyer, John C. Bodner Jr., said Mollenhoff would tell all he knew about Fitzgerald's firing "without invoking executive privilege." Then, despite Stalman's announcement that he had not yet decided whether to allow Mollenhoff's testimony, the lawyer called on him to speak.

Mollenhoff, heavy-set and 6 foot 4, rose in the front row of the audience and declared, "This is a kangaroo court. Every effort is being made to prevent the facts being put on the line."

The soft-spoken Stalman reprimanded Bodner and Mollenhoff for "this public interference" with Civil Service hearings, which, until a court ruling obtained by Fitzgerald, had always been closed.

"If the truth is an interference," Mollenhoff responded loudly, "then I'm interfering."

After Mollenhoff left the room, Air Force Col. James D. Pewitt, the only witness of the day, refused to say whether he met with Mollenhoff about the Fitzgerald case in the White House. He said his refusal was based on executive privilege.

Several weeks ago, at an earlier session of the hearing, Air Force Secretary Robert C. Seamans Jr. said he decided to abolish Fitzgerald's job as part of a staff reorganization because Fitzgerald had completed the work he was hired to do.

Fitzgerald contends that he was dismissed because of his disclosure about the C-5A.

[From the Des Moines Register, Mar. 17, 1973]

COMPLAINTS ON NOMINEE NOT PROBED— SENATORS INDIFFERENT TO CHARGES

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Senate Foreign Relations Committee has virtually ignored "the most serious charges" against Deputy Undersecretary of State William P. Macomber in giving tentative approval to his nomination as an ambassador.

The serious charges include condoning perjury, falsification of records, arbitrary treatment of Foreign Service officers and personal misrepresentations of the facts to the Secretary of State and members of Congress.

The charges have been leveled by top officers of the American Federation of Government Employees (AFGE), the largest federal employe union, in and by present and former Foreign Service officers.

Macomber has been in charge of personnel administration at the State Department the last four years.

The Senate Foreign Relations Committee has not even questioned Macomber under oath on the charges made or reiterated earlier this week and Chairman J. William Fulbright (Dem., Ark.) says it "would be an exercise in futility, because the committee members don't really care."

"I suppose I could have the staff investigate the charges and could call Macomber in for questioning, but I'm tired of being a one-man opposition to the Nixon administration nominations and policies," Fulbright said.

Instead of the committee members being upset about the charges against Macomber made by AFGE and Foreign Service officers, Fulbright said, "Macomber comes in here with the best sponsors possible—Senator (Mike) Mansfield, the majority leader, and Senator (George) Aiken (Rep., Vt.), the senior Republican member of the committee."

"BIG RECEPTION"

"Senator Aiken is even planning a big reception for Macomber to celebrate his confirmation."

AFGE President Clyde M. Webber said he cannot understand why the Foreign Relations Committee paid so little attention to the charges against Macomber. He noted that various Foreign Service officers have given testimony setting out the evidence of perjury in various hearings, of wide-scale falsification of records and of misrepresentations and allegations on Macomber's indirect and direct involvement.

Xavier M. Vela, president of Local 1534 of AFGE, Bruce N. Gregory, president of the AFGE Foreign Affairs Council, and Bernard Wiesman, president of the local that has jurisdiction in the U.S. Information Agency, are the "responsible officers" who signed a bill of particulars against Macomber, Webber said.

"To our knowledge, although a number of grievance determinations have established instances of improper if not illegal actions by managers or supervisors, none of those persons responsible has been reprimanded or otherwise held accountable," the bill of particulars stated.

"Our concern, one that we hope the Senate shares, is that just as employees are subject to disciplinary actions and poor performance ratings, management he held accountable for its mistakes," the statement said.

The more specific charges have been made by Mrs. Charles W. Thomas, widow of a Foreign Service officer who committed suicide after being "selected out" on the basis of erroneous filing of records, and by former Foreign Service officer John Hemenway.

Hemenway has accused Macomber of condoning perjury and rigging the procedures against him, as well as permitting false documents to be circulated to misrepresent his case.

Mrs. Thomas alleged perjury, condoning perjury, falsifying documents and misrepresentation to Congress.

OTHER CASES

John Harter, a Foreign Service officer and economist, charged that Macomber personally intervened in his case and caused him to be illegally selected out. The hearing he obtained over Macomber's objections resulted in his reinstatement and a promotion.

Harter provided documents to the committee that he said establish and corroborate Macomber's illegal and improper role. However, the committee staff reviewed them only casually and indicated to Harter that they would not be included in the printed record but would be "on file with the committee." He also charged that Macomber made misrepresentations to the secretary of state and to Congress on his case.

Allison Palmer, a female Foreign Service officer, alleged sex discrimination prevented her from being promoted. She charged that Macomber, who was the equal opportunities officer for the State Department, conspired against her to permit removal of documents from her file that would have clearly established discrimination.

Miss Palmer is currently involved in litigation charging that Macomber was personally responsible for attempting to destroy her career.

Carl Marcy, chief of staff of the Foreign Relations Committee, said he is aware of the

serious nature of the charges leveled against Macomber and is aware various Foreign Service officers have submitted documentation they contend substantiates their charges.

Marcy said he is also aware that the protest against Macomber's nomination by the AFGE is unprecedented, but "I only do what the committee tells me to do and none of my 17 bosses has indicated that they want Macomber called and questioned under oath."

Marcy acknowledged that "Bill Macomber is a good friend of mine, but I would direct an investigation if that is what the committee wants."

MANSFIELD GONE

Majority Leader Mansfield, who delivered what Fulbright called "practically an eulogy on Mr. Macomber," was out of the city Friday and unavailable for explanation of his views on the charges against Macomber.

Senator Aiken said that he didn't know "exactly what the charges against Macomber are" and he hadn't read the communications from the AFGE.

"All I know is that some of these same complaints about Mr. Macomber have been kicking around for months and years and are old hat as far as I'm concerned," Aiken said.

He said he didn't know whether Macomber had been questioned in detail on the specific charges raised by Hemenway, Thomas, Harter and Palmer, but added: "I listened to the charges by Hemenway and the others, and the staff didn't point anything out in particular. In that committee we rely heavily upon the staff to call our attention to what's important."

Senator Gale McGee (Dem., Wyo.) said he knew the AFGE to be a responsible organization and viewed the charges "to be serious, if true."

"We've been over all of this many times and never resolved anything as to who was responsible for the wrongdoing," McGee said. "We've questioned Macomber on some of this and the staff has talked to him about it."

"I got the impression that the staff didn't think much of the charges and that it was all pretty vague," McGee said.

Senator Hugh Scott (Rep., Pa.), the Senate Republican leader and a member of the committee, said he was "only vaguely familiar" with the AFGE charges and testimony of Foreign Service officers.

"LITTLE TO SAY"

"We on the minority side have little to say about how things run in that committee and we wait for the chairman to direct the staff to investigate," Scott said. "I don't know the merits of the case and if I did it wouldn't make any difference because the majority party rules."

AFGE President Webber said that he plans to write another shorter, more pungent letter setting out the case against Macomber that will be delivered to all of the members of the Foreign Relations Committee "and perhaps to all members of the Senate."

HEALTH CARE, WHILE NOT IDEAL, IS STILL THE BEST

HON. JAMES H. (JIMMY) QUILLEN OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. QUILLEN. Mr. Speaker, in view of the recent attention that has been directed toward our Nation's veterans hos-

pitals, I would like to share an article that appeared in the February 28 edition of the Johnson City Press Chronicle about the fine VA hospital in my congressional district in Tennessee, and Director Russell's comments before the Johnson City Rotary Club:

HEALTH CARE, WHILE NOT IDEAL, IS STILL "THE BEST"

Health care in general, and in Veteran Administration hospitals in particular, was discussed at the Rotary Club yesterday by Robert Russell, director at Mountain Home. Russell said that health care in the United States, while far from ideal, is still the best in the world.

He spoke of rising costs in hospitals and said most of the increase has come from higher pay for employees, not doctors' fees. He said the American public demands "the best," and then is required to pay for it.

The speaker said that from 1960 to 1970, medical prices jumped almost twice as fast as other commodities. He said that the hospital business is one of the largest in America.

Russell said the Veterans Administration operates the largest chain of hospitals in the world. He reminded the club that there are 30 million living veterans in the United States today, and that the nation owes them all the health care they need.

He said that at Mountain Home, the average patient cost per day in the hospital is \$47.34. He noted the scale decreases for patients in nursing care for the elderly and in the domiciliary.

Russell said Mountain Home has an impact on the economy of this area, noting that \$10.5 million is paid in salaries alone, not counting items purchased such as food and medications.

During a question and answer period, Russell said he could conceive no finer association than that which would result from the joining of Mountain Home and East Tennessee State University in operation of a medical school here.

JERRY VOORHIS ON CONGRESSIONAL POWER

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. WALDIE. Mr. Speaker, over 25 years ago, in a relatively unknown district of southern California, the career of today's best known public figure began. In 1946, Richard M. Nixon defeated Jerry Voorhis for the congressional seat that Mr. Voorhis had held for 10 years. Since that time, we all know what happened to Mr. Nixon. But what about Jerry Voorhis? Although not in the public eye, Mr. Voorhis has remained active and interested in the affairs of his government.

I recently received a letter from Jerry which expressed his grave concern over the actions of his long ago opponent. The aggrandizement of power by the executive branch has been increasing too rapidly, especially since President Nixon

has been in office. He is also fearful that the fine institution in which he once served, the U.S. Congress, has lost, and may never regain the power expressly granted it by the Founding Fathers in the U.S. Constitution.

There is only one way that the Congress can ever maintain or regain the power it is rapidly losing. It cannot wait for the Supreme Court to take action. It cannot rely upon the people for action. And it certainly cannot let the executive branch determine its role. We must act on our own, and we must act now. If we want our power returned to the legislative branch of Government, we must cease our ambivalence and make a strong, concerted effort to make sure that President Nixon does not and cannot virtually repeal the laws enacted by Congress through his actions. We must make sure that President Nixon does not relegate Congress to, as Mr. Voorhis states, "virtual impotence."

In his letter, Jerry Voorhis mentions that the Members of Congress realize much of what he says. If only that were true. If only all of my colleagues recognized the ineffective power of this governmental institution, and would gather together to assure that Congress retains its rightful role. To my colleagues who are wavering, who are unsure of the stand they should take, and to the American people who are uncertain as to whom they should support in this challenge, I give you the words of a man who inadvertently started the political life of the President who is now attempting to drain our power away.

The letter follows:

CLAREMONT, CALIF.,

February 5, 1973.

DEAR CONGRESSMAN WALDIE: Please excuse the fact that this letter is mimeographed. I am sending it to many members and could not afford to do that in other form.

The American Revolution was fought to overcome the arbitrary actions of the British King. The Constitution was formed with a deliberate purpose of preventing the President from ever exercising power similar to that of a monarch against which the Revolution had been fought.

Our country stands today in imminent danger of subversion of our constitution form of government. The President is seeking in the most flagrant and arrogant fashion to relegate the Congress to a position of virtual impotence. He is concentrating all decision-making power in his own hands and those of his secretly operating White House staff which is immune even to Congressional inquiry. To quote Mr. Ehrlichman, a chief advisor to the President, "There shouldn't be a lot of leeway in following the President's policies. It should be like a corporation, where when the chief executive says jump, the staff only asks how high."

Congress is falsely accused by the President of being responsible for the deficits of recent years and of being a "spend-thrift." But in his address to the Democratic caucus, Senator Mansfield presented the fact that in the four years of Mr. Nixon's first term, the Congress appropriated some \$20 billion less than Mr. Nixon asked for, and that in the current year alone the Congress has cut some \$5 billion from Mr. Nixon's requested war appropriations.

Mr. Nixon's declaration, even as he signed

it into law, that he would pay no attention to the Mansfield Amendment for the fixing of a date for withdrawal of American troops from Vietnam, and thus violate the law of the U.S., was one instance. His recent impounding of more than half of the funds appropriated by Congress for cleaning the waters of America after that legislation had been passed by overwhelming majorities over his veto, is an equally flagrant instance. His virtual unilateral declaration of war against Cambodia is another one.

But we are now confronted, in the actions taken by Mr. Nixon during the Christmas holidays and in his budget proposals, with no less than a sweeping attempt, by arbitrary executive action to reverse and effectively repeal vast areas of laws enacted by the Congress. In practically every case the programs to be destroyed, if Mr. Nixon has his way, are those which benefit the average citizens and the poor citizens of this country.

The order to increase the rate of interest on rural electric loans to cooperatives will simply have the effect of compelling many of those cooperatives to sell out to the private power companies. The incredible cessation of the soil and water conservation programs and the curtailment of disaster loans to farmers as well as the heartless proposal to abolish the school milk program, constitute a threat to our natural resources, an attack on our farmers, and deprivation of our needy school children. Head Start is no longer to be funded. Medicare hospitalization is to cost the older people about twice what it formerly did. And all housing programs which might benefit lower income people, are to be discontinued. Even funds for the Mental Health Center program, one of the nation's greatest needs, are to be almost shut off if Congress permits Mr. Nixon to have his way.

It is no surprise that the Office of Economic Opportunity is to be dismantled. Or that what was once to be a war against poverty in the U.S., is to be turned into a war against the poor. With crime on an alarming increase among young people, the promising Juvenile Delinquent Prevention Program recently enacted by the Congress, is apparently not to be funded at all.

All this is proposed on the excuse that it is "necessary in order to prevent an increase in taxation" and on the further excuse that many of these programs have been "failures." The first excuse is utterly invalid in light of the fact that Mr. Nixon's budget calls for an increase of \$4 billion in the appropriations for war. This despite all the fanfare about the agreement signed in Moscow with the Soviet Union and the ending of the American participation in the war in Vietnam.

The second excuse is equally ridiculous. Head Start has not been a failure from a point of view of millions of little children. The Soil Conservation program has not been a failure but a program vital to our country's future. The Rural Electrification program has been one of the outstanding successes of recent years. Medicare can hardly be called a failure. The Juvenile Delinquency Prevention program has not even been allowed to start. There have been scandals in connection with some of the housing programs but this is not the fault of those programs but of their mal-administration. Had Mr. Nixon proposed the revival of the 202 program for low interest loans for senior citizens, and of 221 (d) (3) below market rate program for low cost housing to replace sections 235 and 236, his proposal might make some sense. But his administration had already virtually ended those two programs.

The obvious reason for this unbelievable attack by the president against all these programs and many more not mentioned in this

letter, is not that they have failed but that they were started by an administration other than Mr. Nixon's.

With respect to taxation the problem arises because of the multi-billion dollar reductions in corporation taxes upon which Mr. Nixon has insisted and some of which he unilaterally initiated. It arises because the refusal of the Nixon administration to support the closing of tax loop holes and the raising of funds from those best able to pay. It arises because of the still existing gross inequity represented by the heavy taxation of earned income and the relatively light taxation and unearned income.

The issue is not between a president who wants to save money and a congress which wants to spend it. Neither is the issue between a spending limit and no such limit. For congress can impose its own limit whenever such action seems necessary. The issue is between a president who wants to spend money for military extravagances and a congress that wants to spend it for social programs helpful to the American people. The still deeper issue is whether or not the position of the congress of the U.S. is to remain as the constitution provides it to be, whether the congress is to retain control of the nation's purse strings, and whether or not the executive is to be permitted to virtually repeal laws enacted by the congress. Unless the congress stands up and fights now for its very place in the American government, we shall, soon see our country ruled by a form of government which shall be nameless here, but which is a far cry from "government by and for the people."

The challenge laid down by the Nixon Administration to the effect that unless the congress obeys the president's will, he will freeze unlimited funds appropriated by the congress, constitutes "executive blackmail." The congress should meet this challenge headon, and I am confident the American people will support their direct representatives if they do so.

I fully realize that all I have written in this inexcusably long epistle is far better known by the members of congress than by me.

But as a deeply concerned citizen, who loves his country deeply, I could not live with myself if I did not speak out in defense of the American structure of government and of the congress in which I was once privileged to serve.

Sincerely,

JERRY VOORHIS,
Member of the House of Representatives, 1937-47.

SOCIAL SERVICES RULE REVERSAL

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, I wish to commend the administration on abandoning its proposed regulation to prohibit the use of private, charitable contributions as local matching money in obtaining Federal social services funds. This seed money from the private sector has proved to be a most valuable element in providing necessary social services for the needy and moreover has demonstrated the viability and advisability of forging a public-private partnership for worthwhile social ends.

I am also encouraged to other changes in the proposed social services regulations before they are finalized. I think we must be especially cautious in tightening up this program which had gotten out of hand so that we do not precipitate new social problems that will come back to haunt us. I particularly have in mind the potential elimination of day care centers now used by working mothers. If we force these mothers to seek more costly child care services elsewhere, they may well conclude that they are better off going on welfare; and the subsequent cost to the public will be manifold any savings which may accrue from the new regulations. When I supported the administration's family assistance plan in the last two Congresses, I was strongly committed to the concept of income supplements for the working poor as a means to keep them on the work rolls and off the welfare rolls. This same philosophy should guide us with respect to social services for the working poor, and central to this is the provision of day care services for working mothers. I hope the administration will give this matter special attention in its review and reconsideration of the proposed regulations. At this point I include an article from the March 15 New York Times, "More Funds Seen for Social Uses."

The article follows:

[From the New York Times, Mar. 15, 1973]

MORE FUNDS SEEN FOR SOCIAL USES

(By Marjorie Hunter)

WASHINGTON, March 14.—Responding to mounting protests, the Nixon Administration backed down at least part way today from earlier plans to trim Federal outlays for state and local social services.

The Administration's retreat was disclosed by Caspar W. Weinberger, the Secretary of Health, Education and Welfare, as he underwent questioning before a Senate subcommittee.

Mr. Weinberger said that the Administration had now decided to abandon a proposed rule that would have prohibited private, charitable contributions from being used in whole or in part as local matching money by states and localities applying for Federal funds for social services.

The Secretary also said that other proposed regulations—described by critics as both regressive and self-defeating—would be reviewed "sympathetically" during the weeks ahead before final action is taken.

The Administration's stand coincided with a move by bipartisan groups in both houses of Congress to nullify, through legislation introduced today, proposed H.E.W. regulations that they say would force thousands of working poor onto the already overcrowded welfare rolls.

JAVITS IS OPPOSED

Senator Jacob K. Javits, Republican of New York, one of the principal sponsors of the Senate bill, complained that the proposed regulations would seriously jeopardize New York's social services.

Describing the bill as "legislative guidance," Senator Javits noted that H.E.W. "has given notice there will be regulation changes. We, in turn, are giving notice we will nullify those regulations. Now, we're even."

Joining Senator Javits in cosponsoring the Senate bill were Senator Walter F. Mondale, Democrat of Minnesota, and some 40 other Senators of both parties. Identical legisla-

tion was offered in the House by Representative Ogden R. Reid, Democrat of Westchester, and a bipartisan coalition of 76 other Representatives.

Under present law, state and local social services—including day care, treatment of alcoholics, employment, foster care, family planning, health and legal aid—are provided under a funding formula of 75 per cent Federal and 25 per cent state or local.

THE PROPOSED REGULATIONS

Among the proposed regulations, announced a month ago, are rules designed to narrow the types of services that states and localities must offer; eliminate strict Federal requirements for licensing of day care facilities; prohibit states and localities from having donated space, equipment or other "in kind" services from being considered part of the 25 per cent local matching share; and virtually eliminate such social services as child day care for the working poor.

"These proposed regulations constitute impoundment by red tape," Senator Mondale said. "They could cost the states and cities at least \$1-billion."

Senator Javits, noting that "New York already took a great beating" when Congress imposed a \$2.5-billion ceiling last year on spending for social services, termed the new rules as "adding insult to injury."

Senator Javits pointed out that about half the families now receiving some form of social services aid in New York were not on the welfare rolls and that most of these persons would no longer be eligible for aid.

He said that thousands of working mothers, whose jobs are dependent on the availability of day care centers for their children, might have to quit their jobs and go on welfare.

Representative Reid said that under the proposed regulations, 30,000 of New York State's 66,000 older persons now receiving social services would become ineligible. He also said that the state would lose \$27-million of the \$32-million now received for foster care; and that more than a third of the 52,000 children now in day care programs would become ineligible.

LOWER FIGURE SOUGHT

While Congress imposed a \$2.5-billion ceiling on spending for social services, the Administration has asked for just \$1.8-billion for the fiscal year starting July 1.

Appearing before a Senate subcommittee on government operations, Mr. Weinberger was repeatedly asked today by Senator Edmund S. Muskie of Maine and Senator Lawton Chiles of Florida, both Democrats, why the Administration had sought only \$1.8-billion.

Mr. Weinberger replied that the lower figure was based on state estimates of the amounts they would seek and on "the expectation from the proposed regulations."

However, under further questioning, Mr. Weinberger said that if the states sought more than \$1.8-billion, their requests "will be honored" up to the ceiling of \$2.5-billion.

UKRAINIAN NATIONAL REPUBLIC

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. EILBERG. Mr. Speaker, prior to the takeover of the Ukraine by the

Soviet Union, the people had been subjected to the tyrannical rule of the Russian czars. When Nicholas II was overthrown in 1917, the Ukrainians felt the time had finally come to proclaim their independence. This occurred on January 22, 1918, and it is this date that commemorates the birth of the Ukrainian National Republic.

From the beginning the newly liberated nation was beset with problems, mostly ones of strengthening their government and bringing order to the war-ravaged land. The Soviet Government took this opportunity to attack the new and weak Ukrainian state and the newly freed peoples fell once more to foreign domination.

It was not until after the revolution of 1905 that the Ukrainians under Russia were able to express themselves more freely. From that date there were Ukrainian delegates in the first Duma, but the constant changes in the Russian electoral laws and the reaction that followed the failure of the 1905 Revolt steadily reduced the opportunities of the Ukrainians for political action. The outbreak of World War I sharply changed the situation. The Russian Government at once adopted an extreme anti-Ukrainian position, stopping all Ukrainian language publications and forbidding the opening of any purely Ukrainian relief societies.

Following the armistice with the central powers, Lenin officially recognized Ukraine as a completely sovereign and independent state on December 17, 1917. However, an ultimatum was soon delivered ordering the Ukrainians to stop all efforts to disarm Soviet regiments, and to return weapons to those units which had been disarmed. If this was not done in 48 hours, the Soviets threatened to declare war.

The Ukrainian Army was not able to withstand the resulting attack. Many of the older units were ill-equipped and a volunteer force of almost untrained students trying to defend the approaches to Kiev was cut to pieces at Kruty on January 22, 1918. The Bolsheviks entered the city and they at once began a reign of terror, massacring indiscriminately in the streets and holding mockeries of trials before an extraordinary committee of the Cheka. The Ukrainian Central Rada decided that under these circumstances it was best to make peace with the central powers and to send their own delegates to Brest-Litovsk, despite the protests of the British and French representatives in Kiev.

On February 7, the Germans, Austrians, and the delegates of the Rada signed the first of the treaties made at Brest-Litovsk. The central powers recognized the independence of the Ukrainian National Republic, in return the Ukrainians promised 1 million tons of grain to be sent to the central powers. By the end of April, the entire area had been cleared of the Bolsheviks and the country was beginning to recover from the initial Soviet Russian aggression. On

April 29 a constitution was adopted and Professor Hrushevsky was elected President of the Republic.

The country had been robbed and ruined by the Communist occupation. Despite the efforts of the Rada and its officials, they could not harvest grain fast enough to satisfy the German military, who had aided in clearing the country of the Communists. On April 28, a German detachment raided the Rada on various charges despite the protest of President Hrushevsky. Then on April 29, Skoropadsky called for the overthrow of the Rada. He proclaimed himself Hetman of the Ukrainian State and announced the introduction of a conservative regime. Then, following the collapse of the central powers on November 15, a Directory consisting of Vynnychenko, Petlyura, F. Shvets, A. Makarenko, and O. Andriyevsky started a revolt and marched on Kiev. By December 19, the Directory had entered Kiev and the Ukrainian National Republic was restored.

Meanwhile, in November of 1918, Stalin in Moscow, contrary to the armistice of Kiev, made the previous June, established a Ukrainian Soviet Government under Communist leaders. On November 17, a Revolutionary Military Soviet was set up in Kursk under Antonov, Stalin, and Zatonsky, to carry out this decision. In December a manifesto was issued by the Provisional Workers' and Peasants' Government of the Ukraine, claiming to be the Soviet Government of the Ukraine and threatening death to anyone obeying the laws and orders of the legal Ukrainian Government.

With the approach of the Communists, the Directory was forced to retire from Kiev on February 4 and began its wanderings to the northwest. Almost immediately, the forces of General Deniken, which had been advancing from the Black Sea with the support of the Western Entente Powers, forced the retirement of the Ukrainian Government and in turn were compelled to retreat and abandon Kiev to the Bolshevik troops.

Then after the Battle of Warsaw, while the Ukrainians were fighting in eastern Galicia, the two forces advanced again but hostilities were ended by the armistice of Riga on October 18, 1920. The Ukrainian Soviet Republic signed this treaty and no mention was made of the Ukrainian National Republic. The withdrawal of the forces of the Ukrainian National Republic across the Zbruch in November 1920 marked the close of a chapter in an epic struggle for national independence. It did not, however, bring tranquillity to the territory which fell under Red rule. Uprisings by the oppressed people of the Ukraine continued.

The Ukrainian people, who have suffered greatly from the aggression and genocidal policy of the Soviet Union, have in past centuries been neglected by the non-Russian world. Today the Ukrainian Soviet Socialist Republic of the U.S.S.R. is a charter member of the United Nations but is not allowed to enter

into direct relations with any of the free nations of the world. It still remains, in the opinion of the masters of the Kremlin, raw material to be remolded and shaped to fit their fancy without regard to the principles of democracy or the wishes of the people.

This state of events is unacceptable to lovers of liberty. Thus, while joining with our Ukrainian brothers in commemorating this melancholy anniversary of freedom so briefly enjoyed and so cruelly lost, let us resolve that the day will not be long in coming when the Ukraine will again truly be free.

HON. EMANUEL CELLER STRONGLY SUPPORTS AND ENCOURAGES THE ACTIVITIES OF THE NATIONAL ARTS AND HUMANITIES FOUNDATION

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. RODINO. Mr. Speaker, on March 15, the former dean and distinguished chairman of the House Judiciary Committee, the Honorable Emanuel Celler, appeared and testified before the House Select Subcommittee on Education to urge an extension and increase in the budget of the National Arts and Humanities Foundation.

The hearings centered on the importance of opera and music to the American cultural life, a viewpoint with which I deeply concur. It is a great privilege for me to share with you at this time the articulate, eloquent, and extremely moving testimony of one of our most respected friends:

TESTIMONY OF EMANUEL CELLER

I appear in favor of HR 3926—sponsored by your distinguished Chairman—Mr. Brademas and co-sponsored by an array of eminent members of the House—to extend the National Arts and Humanities Foundation for three years and at the same time increase its budget.

At the outset, let me say that it is a comfort to be back in these Congressional precincts and also to reflect on the keen awareness displayed by President Nixon in the enhancement of the arts and his recognition that support for the arts by government is essential to the national welfare.

In suiting action to words, the President has sought nearly to double the current budget for the arts to \$41.7 million. I would go further—as has been indicated—and authorize over 100 million spending level the next year, rising to 200 million by fiscal 1976.

I am vastly interested in music generally and in opera in particular. I am an old fiddle player and most of the members of my family were amateur musicians. My parents were opera devotees and I often accompanied them to the old Metropolitan Opera House. In a way, I was weaned on music and opera.

Music is the universal language—understood by all—regardless of creed, color or national origins. Disraeli, in a speech in the

House of Commons, once said that, as to the effect of music, "with a blast of trumpets, soldiers march off to fight and die; at the peal of an organ, thousands sink down to pray." Music lifts up the spirit and gives respite and triumph in darkest hours of the soul. It is the religion of emotions. It can make us laugh or cry. It can expel grief with mirth. It can blot out austerity, as it can mitigate anger. It can stimulate humor. It can simulate death. Workingmen sing as they work, as a child is quieted by a mother's song. David's harmony drove away the evil spirits around King Saul. Epictetus called a table without music a manger. The festivals of the Greeks and Romans were graced by music. Even horses, dogs and bears are often delighted with music. Thus—the secret of music is praised throughout history. Must we not nurture it in all its forms?

Today I make a pitch for the Opera form. In opera—a combination of text and music—we have a tale or story combined with music. In opera, we have the power to arouse emotions, create moods and mold atmosphere. It is theatre and music. Opera dates from the end of the 16th century. Monteverdi as early as 1607—in Venice—composed *ORPHEO*.

This is the earliest opera that still lives but is infrequently produced. Thereafter, opera flowered, engaging the talents of such celebrated composers as Rossini—Donizetti—Bellini and later Verdi—Mascagnini—Puccini; German composers such as Gluck, Wagner, von Weber, Mozart, Beethoven, Meyerbeer, Kurt Weill; French composers such as Gounod, Bizet, Massenet; Russians such as Glinka, Borodin, Rimsky-Korsakov, Tchaikovsky, Mussorgsky, and others; in England, Balfe and Britten; Smetana from Bohemia; the Americans, Virgil Thomson, Douglas Moore, Aaron Copland, Deems Taylor, Lukas Foss, George Gershwin, Carlo Minnotti—just to name a few. All these great masters have had their works produced at the Metropolitan Opera House or under its auspices and today are performed by the Metropolitan Ensemble in many American cities.

For four decades I have sat in the same seat at the Metropolitan Opera House in New York with members of my family beside me and was oft awe-struck by the magnificent voices of the greatest of singers—Caruso—Lily Pons—Ponselle—Swarthout—Stelzer—Nordica—London—Tucker—Merrill—Flagstad—Nilsson—Marian Anderson—Leontyne Price—Svanholm—Risë Stevens—Joan Sutherland—to name but a few of those who have the great gift of voice.

The production of opera is costly. The desire to hear opera on the part of the people of the U.S. has grown with the years. And during those years the upkeep and expenditure of maintaining the Opera House has greatly increased.

To many Americans and to members of Congress, the idea of government support for the arts—and particularly the Opera—may seem quite novel. Why not private contributions to cover these expenditures? Why don't those who derive the benefits foot the bills? But the arts have never been self-supporting, especially today, with such elevated costs. It is not a question of private support or government support. It is a question of both. The Metropolitan Opera House has reached out to all available sources and funds. It has searched out in all directions to tap reservoirs of money, but still it faces huge deficits, despite the retrenchment and the desire of the management to curtail upkeep. Incidentally, last year the Metropolitan's budget was \$22.1 million and only 2% thereof was defrayed by Federal, State and City support. Four and a half million was

raised by voluntary contributions from the private sector.

There is a new vitalizing interest in the arts, particularly among our young. This new interest is exemplified by poetry, ballet, drama, opera and chamber music as a means of expressing their innermost ideas and emotions. The Metropolitan Opera company has expanded its activities to meet these demands, particularly for the young but—strangely enough—although the number of the audience has materially increased, deficits increase. It is startling to know that every time the curtain goes up at the Metropolitan, the management loses sixteen thousand dollars!

The Metropolitan Opera, therefore, appeals for government help. The history of music in Europe and in South and Central America is a history that includes subventions to maintain Opera Houses by governments. In early times, opera companies in Europe were frequently under the aegis of some Prince or King. Even mad King Ludwig of Bavaria was the main support of Richard Wagner in producing his operas. Many opera companies in Europe receive as much as 90% of their total income from government sources. The government supports the Vienna State Opera, the Hamburg Opera, the Munich Opera, La Scala in Milan, the Royal Opera in Sweden, The Royal Opera House of London, Covent Garden—and many others. Almost any important city in Europe has its municipal Opera House supported by subventions from the local or national government. Governments pay almost two-thirds of the expenses of the opera house in Vienna—Hamburg—Munich and Stockholm.

In this connection, it is interesting to read that Martin Luther said, many years ago:

"Music must be supported by the King and the princess, for the maintenance of the arts is their duty—no less than the maintenance of the laws. Private citizens, however much they may love art, cannot afford to support it. He also said—"Music is one of the greatest gifts that God has given us; it is divine and therefore Satan is its enemy. For with its aid, many dire temptations are overcome and the devil does not stay where music is."

In Europe, Stadttheaters, Staatsopernhäuser, Landes-symphony orchestras, and Staatlichen Musikhochschulen—abound everywhere. It is a milieu where music, especially opera, is the concern of states, cities and government.

A European composer may write for more than 100 publically supported opera houses.

We subsidize agriculture, the merchant marine, the air craft industry, the defense complex, atomic plants. We pledged one billion dollars to protect investors against losses from Wall Street purchases. But we are niggardly when it comes to supporting art forms. We fail to heed the old admonition—"Man does not live by bread alone."

As the distinguished member from New Jersey, Frank Thompson, Jr. said in his excellent article published by Schirmer, Inc., called "Government and the Arts," . . . "The Soviet Union . . . while far from being the 'cradle of culture' its paid propagandists claim it to be, is far ahead of the United States in the financial support of the fine arts by government agencies." Walter Lippman recently called for an "American Renaissance to restore the intellectual greatness of the West."

My thrust is for the Metropolitan Opera but I want to emphasize that the Metropolitan Opera is no parochial affair. The importance of the Metropolitan Opera is nationwide. It has tremendous influence on composers all over the United States—if not the world. Its roster of singers contain many

American names. It encourages to the fullest extent American composers. A few years ago the opening performance of the season was Antony and Cleopatra—by the noted American composer, Samuel Barber.

Göeran Gentele, the predecessor of Schuyler Chapin who is here this morning, said that he, Gentele, planned to make ever greater use of American singers and other talent "because we cannot ask the American people to support a company that does not provide opportunities for its citizens." Mr. Chapin, I am sure, re-echoes that thought.

The Metropolitan Opera gives 300 performances a year in 6 American cities. It provides a season of Opera—free of charge—to the people of New York City—in the parks during the summer. Over 300,000 New Yorkers listen then. Over 200,000 students attend the performances of the Metropolitan Opera Studio, an adjunct of the Metropolitan.

We are a nation of aliens and their offspring. Our denizens of French, German, Italian, Spanish, Polish, Russian, Romanian, Hungarian etc. descent, are from lands where opera is routine. They are entitled to our artistic solicitude. They generally covet opera. The Metropolitan, in part, satisfies their opera craving, especially by the Metropolitan's weekly sponsored radio broadcasts of opera throughout the 50 states. The arias, and tales of opera are part of their folk lore. Of course, there are some who hate opera. Mark Twain loathed it. Just so, some have no patience with poetry or the ballet, but that does not mean we must neglect these art forms. Too many love them. "Indeed music nowadays, whether we like it or not, is interwoven with the texture of our lives from morning till night. Music resounds for, with and through everything; it is canned and broadcast, recorded and re-broadcast. . . . (Music) is a social art . . . a lavish dispenser of pleasure." So says a Dean of Columbia University, Jacques Barzun.

Its importance in our cultural life requires our keen attention. Opera, as an important part of the secret of music, requires our support—for the benefit of all the thousands of Americans, native born and alien born, for the Metropolitan. I repeat—it is not a New York product but a nation-wide program.

As further proof of the nation-wide importance of the Metropolitan, I emphasize its National Council's Regional Auditions program. The country is divided into 63 districts, the winner of auditions in each district to compete on a regional arrangement. There are national semifinals and finals. The winners get a contract of employment and are added to the Metropolitan's roster of principal singers.

The success of the Metropolitan Opera House has added great glory to the culture of the U.S. and has been doing this for 90 years. Its operating loss has grown in the last decade from about 1 million dollars to 4 million three hundred thousand per annum.

It desperately needs financial help. Surely you cannot fail this magnificent cultural institution.

SALUTE TO COURAGE

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. STUCKEY. Mr. Speaker, several weeks ago a very tragic aircraft accident

occurred in Atlanta. In an effort to avoid crashing in a heavily populated area, the pilots heroically maneuvered their plane so as to crash in a vacant pit. By so doing, they and their five passengers gave their lives in order that many others would be spared. In saluting their courage, I submit the following resolution passed by the Georgia State Senate honoring the two pilots for their valiant action:

A RESOLUTION

Whereas Mr. Ernest Selfors and David Phillips were distinguished pilots and a credit to their profession.

Whereas on the morning of February 26, 1973, on a routine flight over a heavily populated area of Metro Atlanta their aircraft encountered a total malfunction in both engines due to a freakish encounter with a flock of birds.

Whereas Mr. Selfors and Mr. Phillips spent the last seventy (70) seconds of their life wrestling their aircraft in a successful attempt to avoid crashing into any of a number of apartment complexes below them.

Whereas they gave their life for their fellowman and crashed their aircraft in a pit thus avoiding any injury to others due to their tragic misfortune. Therefore be it

Resolved, That the Georgia Senate expresses its sincere regrets at their passing and expresses its most sincere admiration and affection for their heroism and service to mankind above and beyond the call of duty.

BYELORUSSIAN INDEPENDENCE CITED

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 22, 1973

Mr. LANDGREBE. Mr. Speaker, it has been brought to my attention by Dr. Roger Horoshko, president of the Byelorussian-American Association, Inc., that a significant anniversary will be celebrated Sunday by those of Byelorussian descent.

On March 25, 1918, the Byelorussian people proclaimed their national independence. Unfortunately, the new Republic became one of the first victims of Bolshevik expansionism, and was replaced by the Byelorussian Soviet Socialist Republic, a puppet state controlled by Moscow.

During the past half-century, the Soviet regime has deliberately and persistently tried to erode Byelorussian traditions, culture, education, and even self-identity.

Nevertheless, Byelorussians and Americans of Byelorussian descent have strong convictions that their oppressed peoples will attain the freedom they have lost to Communist imperialism. Sunday, Americans of Byelorussian descent are observing the 55th anniversary of the Byelorussian independence.

March 25 is a symbol of a dynamic spiritual force for Byelorussian independence which unites all Byelorussians wherever they may be. The fight for

Byelorussian independence is also a fight for the emergence of all captive nations, which is a necessary prerequisite for the establishment of a lasting peace in the world.

I believe that all Americans should join those of Byelorussian descent in reflecting on the significance of this important anniversary.

ITT OFFERED CIA \$1 MILLION IN PLAN TO DEFEAT ALLENDE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, March 22, 1973

Mr. ANDERSON of California. Mr. Speaker, all of us in public life are familiar with the activities of "lobbyists" who represent special interests, and who attempt to influence public policy by educating, informing, pleading, praising, and threatening those of us who write the country's laws.

Good or bad, it is a fact of life that these organizations—whether they be Common Cause or the Highway Users Federation—exist and attempt to influence legislation.

But, Mr. Speaker, the actions taken by the big multinational corporation leaders to undermine and attempt to overthrow the legitimate governments of other nations must not be condoned.

When we read in the daily press that these corporate leaders are attempting to create chaos and revolution—not on the basis of the best interest of the United States, but, rather, in search of more and more profits—we should take action to repudiate and disavow this conduct.

Driven by self-interest and corporate profits, not only are they interfering in the domestic affairs of foreign nations, they are also using their connections to worm their way into key positions in our Government where they make important decisions affecting all of us—perhaps insuring their own corporation's prestige and influence and, at the same time, depreciating our Nation's position in the world.

President Kennedy's creed—

Ask not what your country can do for you:
Ask what you can do for your country—

Has been twisted by these big American corporate leaders to replace their old slogan "caveat emptor" with "corporation above country."

Mr. Speaker, the action described in this morning's paper makes me wonder how many of our young men who gave their lives in Indochina were sacrificed to placate the desires and interests of those who were not living by the Kennedy creed, but, instead, were seeking to maximize profits regardless of the cost in blood and national treasure.

Mr. Speaker, this is one of the reasons why in my bill, H.R. 258, I am asking for full financial disclosure of all in public service—appointed and elected—who earn over \$18,000 a year, so that we can determine whose interests they really serve.

At this point, I place in the RECORD the following article which appeared in today's Washington Post:

ITT OFFERED CIA \$1 MILLION IN PLAN TO DEFEAT ALLENDE

(By Laurence Stern)

The Central Intelligence Agency's former director, John A. McCone, said yesterday he transmitted to the nation's top two intelligence officials an International Telephone and Telegraph Corp. offer to help finance a U.S. government effort to block the election of Chilean President Salvador Allende in 1970.

McCone, a wealthy California businessman with high governmental connections, told Senate investigators he made the pitch personally to national security adviser Henry Kissinger and to then CIA Director Richard M. Helms, whom he described as a "close personal friend."

The Nixon administration, he said, did not act on the plan wherein ITT board chairman and chief operating officer Harold S. Geneen offered to contribute a sum "up to seven figures" to subsidize an anti-Allende political coalition in a run-off election.

McCone, a white-haired bespectacled man of 71 years and commanding demeanor, also told the Senate Foreign Relations Subcommittee on Multinational Corporations that Helms agreed, at his request, to put Geneen in contact with the CIA's chief of covert Western Hemisphere operations, William V. Broe.

"It would be a natural thing for me to do," McCone testified. "Having communicated (to Helms) the views of the staff of ITT, it was very likely that I did suggest his staff contact Mr. Geneen."

At the time, Geneen was fearful that Allende would confiscate, after the election, ITT's \$150-million Chilean telephone company subsidiary and other holdings. The ITT chairman and his subordinates conducted an intensive campaign in Chile and Washington aimed at preventing Allende from taking office, according to evidence that has been presented in the inquiry.

Helms testified to the subcommittee at length on the CIA's role in the ITT campaign during a closed session on March 5, just before his departure for a new post as Ambassador to Iran.

Broe also was interrogated by the subcommittee but the testimony of both men has been kept secret until terms of its release are worked out with the agency.

McCone revealed yesterday that he has continued to serve as a consultant to the CIA since resigning from the directorship in 1965. He is also a director of ITT and it was in this capacity that he paid visits to Helms and Kissinger.

McCone, who was appointed to the CIA by President Kennedy in 1961, said he asked Helms "whether the government intended to do anything that might encourage support of a candidate (against Allende) who stood for principle basic in this country."

"Mr. Helms told me that the matter was considered by an interdepartmental committee of senior representatives of the Defense and State departments as well as the CIA, and the decision was reached that nothing should be done."

McCone was referred to the government's top-secret National Security Council committee for covert intelligence operations, the so-called 40 committee, which operates under Kissinger's direct authority.

Helms did say, however, that CIA had enough budget flexibility for a "minimal effort" to play a role in the convoluted Chilean political picture.

Under the Geneen proposal the government, with ITT financial backing, would support a coalition of the conservative National Party, headed by Jorge Alessandri Rodriguez, and the Christian Democratic Party headed by Radomiro Tomic Romero against Allende, a Socialist. As outlined in ITT documents, the plan called for the election of Alessandri in the run-off. He would then resign and call for new elections. This would open the way for former President Eduardo Frei Montalva to run and perhaps defeat Allende in a two-way race.

This scheme, described in ITT documents as "The Alessandri Formula," was abandoned when Alessandri withdrew from the race, convinced that he did not have enough support in the Congress. Allende had previously won the popular vote but because of his narrow plurality had to contend in the run-off, which he won.

McCone testified that Geneen "told me he was prepared to put up as much as \$1 million in support of any government plan for the purpose of bringing about a coalition of opposition to Allende . . . to deprive Allende of his position. It would not be a plan generated by ITT or Mr. Geneen."

"I was asked if I supported it. I did, and I came to Washington several days later and told Mr. Helms of the availability of the funds and then met with Mr. Kissinger and told him the same thing. Mr. Kissinger thanked me very much and said I'd hear from him and assumed it was national policy not to do it."

During the interval between Chile's popular and run-off election, said McCone, "a number of people were trying to explore alternatives about what might be done. The Chilean military was discussing the Alessandri Plan. Mr. Broe had a shopping list and the staff of the CIA had a shopping list."

Geneen's offer of a large financial contribution to the government was made "constructively," McCone said, comparing it, in principle, to American economic aid programs for Greece and Turkey, the Marshall Plan and the Berlin Airlift.

"International Communism has said time and again that its objective is the destruction of the Free World, economically, politically and militarily . . . That is what Mr. Geneen was thinking of."

ITT is currently negotiating with the Soviet government for construction of telephone services, hotels and establishment of rental car concessions in Moscow and other Russian cities.

Sen. Clifford P. Case (R-N.J.) asked McCone if one possible use for the Geneen fund would be the bribery of members of the Chilean congress to oppose Allende. "There was no such discussion," McCone replied. "Nothing of that sort was discussed with me nor was in the discussions with Mr. Helms."

McCone acknowledged to the subcommittee that "a great many unfortunate things happened in ITT activities in Washington" during the Chilean episode. "When the whole thing surfaced, very radical changes were made in Washington. He said ITT memos on policy in Chile, which were disclosed by columnist Jack Anderson, "were never submitted to me."

The former CIA chief said, however, that he saw nothing wrong with a corporation

providing financial support to "a U.S. government plan" to intervene in the domestic politics of another country.

Senator Frank Church (D-Idaho) asked McCone how he would feel if the British Shell Corp. were to support an effort to defeat an American presidential candidate if a close election were thrown into the House of Representatives—a hypothetical case comparable to Chile's situation in 1970.

"I would be very distressed if anyone tried to influence the selection by Congress of a President," McCone replied. "I would be more distressed if I heard any corporation offered to support a political action on the part of a foreign government."

Church noted that the United States had provided Chile—prior to Allende's election—\$1.4 billion in economic aid during the 1960s "and the end result was the election of Mr. Allende."

THE HAZARDS OF MODERN FIBERS AND PLASTICS

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1973

Mr. STEELE. Mr. Speaker, I know that my colleagues in the House are deeply concerned with the problems of fire prevention and safety in this country. As you are well aware, I have introduced nine bills in this vital area which have been cosponsored by 65 fellow Members of Congress, and have received a great deal of support from firefighters nationwide.

To keep you abreast of recent developments in fire safety I would like to bring to your attention an article appearing in the March issue of *International Fire Fighter*. It appears that Dr. Dressler, of Harvard University, and his team of researchers are near a major break in the mystery surrounding death by smoke inhalation. Their research has shown that modern fibers and plastics produce colorless, odorless fumes when burned which cause a dramatic rise in the carbon dioxide level in the atmosphere. Not only do these fumes create a deadly atmosphere in less than a minute after ignition, but also make most smoke detector systems obsolete. Dr. Dressler's tests have also shown that the present method used by plastics manufacturers to determine flammability and burning rates of their products is invalid.

This article reinforces the reasons for toxicity standards or other regulations that would require labeling for a fabric, related material, or product that may be needed to protect the public against unreasonable risk of death or personal injury from toxic byproducts by burning of thermal degradation of the fabric, related material, or product.

My bill, H.R. 116, would provide the means, for not only safeguarding the public from the occurrence of fire, but also address itself to the clear and present dangers associated with the burning of today's highly toxic materials.

The article follows:

FIBERS, PLASTIC FUMES CAUSE SMOKE DEATHS

A short time ago, 50 Cambridge, Mass., fire fighters were felled while fighting a building fire. All the men subsequently recovered, but a Harvard University professor, Dr. Donald P. Dressler, wondered what gases were involved to render the men unconscious so quickly and apparently, without warning.

As a result, Dr. Dressler and a team of researchers obtained some unburned plastic samples from the Cambridge fire. Their experiments may result in a major break in the mystery surrounding death by smoke inhalation.

Evidence from fire tests with plastics and modern fibers shows that colorless, odorless fumes quickly displace oxygen and cause a dramatic rise in the carbon dioxide level of the atmosphere.

Thus a person is either killed or rendered unconscious in the early stages of a fire involving these materials. If he is knocked out, he soon succumbs to other lethal fumes that rapidly follow.

HIGH CO₂ LEVEL

Tests show that the Cambridge fire fighters were probably knocked out by a high level of CO₂, rather than by toxic gases.

Results of the research may have made most smoke detector systems obsolete.

"We know that this colorless, odorless gas permeates the atmosphere before smoke can be detected," said Dr. Dressler. "We need a device that will detect the gas. Plastics will have to be permeated with something which will permit immediate detection."

During the fire tests, the carbon dioxide level rises at varying speeds depending on the materials burned. Plastics and acrylics create a deadly atmosphere less than a minute after ignition.

Working on the project with Dr. Dressler are Dr. Anne Phillips, a burn specialist who is a member of the President's Commission on Fire Prevention and Control and Dr. Edna Butaney, a resident fellow in anesthesiology. Microbiologist William Skornik and technician Richard Sprenger round out the team working at Cambridge's Youville Hospital laboratories.

Their discovery pinpointing carbon dioxide as the fire villain was almost an accident. The focal point of their project was to determine human tolerance to smoke at different temperatures.

They hope to come up with a treatment for smoke inhalation, a scourge which kills 7,000 persons and hospitalizes 200,000 others in the United States annually.

The researchers are working under a two-year, \$43,656 grant from the National Institute of Health. They hope that some of the side benefits of their study may help another research team at Harvard which is trying to develop a smoke mask for fire fighters.

Dr. Dressler's tests have shown that the method used by plastics manufacturers to determine flammability and burning rates of their products is invalid. These are assessed in relation to the flammability and burn rates for oak flooring which, the researchers say, is a poor comparison.

Spun glass reinforced acrylic commonly used in home wall decorations, room dividers or as light diffusers, officially has a "slow burning rate."

But tests exposing it to the heat of an ordinary electric toaster indicate otherwise. Within one minute a 4 x 4-inch panel started to smoke, and rats exposed to the fumes showed signs of euphoria. After two minutes with light smoke barely visible, the rats were unconscious and seconds later they died even before heavy smoke started to pour from the panel.

Similar results were obtained with a quarter-inch green plastic panel, the type commonly used in airplane canopies and to diffuse light in shopping centers. This material, too, had a "slow burn rate."

In both cases the burn rate under laboratory tests proved very fast. In each instance there was a sudden drop in the oxygen level

of the room and a rapid rise in its carbon dioxide content.

Dr. Dressler explained that the carbon dioxide poisoned the rats' blood supply even before heavy smoke came into the chamber.

A heavy smoker or a person who is exposed to smoke constantly, such as a fire fighter, would have even less tolerance than the test animals, Dr. Dressler said.

The team still has 10 months left of its federal grant. If the study is funded to its conclusion, the results could have far-reaching effects in the building and construction industries.

And if it leads to a better understanding of what smoke inhalation does to humans—many lives will be saved.