



# Congressional Record

PROCEEDINGS AND DEBATES OF THE 93<sup>d</sup> CONGRESS, FIRST SESSION

## HOUSE OF REPRESENTATIVES—Tuesday, April 3, 1973

The House met at 12 o'clock noon.  
Rev. Richard Bloodworth, Shiloh Baptist Church, Chipley, Fla., offered the following prayer:

O God, our refuge and strength, in the name of Thy Son we pray. Thank you for making ours the greatest and freest nation on earth. We know that it is a grand and sacred gift from a good God.

Direct our President and his advisers. Reach down and touch the life of every Member of Congress, giving them wise purpose and unity in their deliberations.

Teach us how to recognize the obligations which we have to our country, which so thoroughly appreciates individuals and their worth.

While there remains in the world a constant struggle between good and evil, keep us wise in that which is good and innocent in that which is evil.

O God, our guide, lead the way. Amen.

### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 975) entitled "An act to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGOVERN, Mr. ALLEN, Mr. HUMPHREY, Mr. DOLE, and Mr. BELLMON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1021. An act to amend section 301 of the Federal Meat Inspection Act, as amended, and section 5 of the Poultry Products Inspection Act, as amended, so as to increase from 50 to 80 percent the amount that may be paid as the Federal Government's share of the costs of any cooperative meat or poultry inspection program carried out by any State under such sections, and for other purposes; and

S. 1235. An act to amend Public Law 90-553 authorizing an additional appropriation for an International Center for Foreign Chanceries.

RICHARD GLYNDELL BLOODWORTH

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am very pleased to state to my colleagues in the House that Richard Glyndell Bloodworth, who has just delivered our opening prayer, is a resident of Chipley, Fla., in my district, and is pastor of the Shiloh Baptist Church there. He is a graduate of Stetson University and attended University of Florida and the New Orleans Baptist Theological Seminary. He has held a number of pastorates and important leadership responsibilities among the Baptist churches and organizations in western Florida. He is presently a member of the State Board of Missions of the Florida Baptist Convention, and he was named "Man of the Year" in Walton County, Fla., in 1968. He is married and he and Mrs. Bloodworth have five children.

I know that my colleagues are glad to join me in a warm welcome to this able and distinguished church leader.

### PERMISSION FOR THE SPEAKER TO DECLARE A RECESS AT ANY TIME TODAY

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the Speaker of the House may have permission to declare a recess at any time during the day.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, did the gentleman say "at any time during the day"?

Mr. O'NEILL. We will be waiting for the veto to come over from the Senate. There is only one 15-minute special order, so at that time, when that is completed, we will ask for a recess subject to the call of the Chair. Do I make myself clear to the gentleman?

Mr. GROSS. So we are prepared, under these circumstances, to wait out the other body and their election in the matter?

Mr. O'NEILL. The other body notified us it anticipates this legislation shall be over here at 2:30 if it prevails. If it does not prevail, there will be no further legislation.

Mr. GROSS. That is what I was trying to ascertain. Will we be in recess all afternoon or, let us say, 2:30 or perhaps until 3 o'clock?

Mr. O'NEILL. Let us say the Senate set the vote for 2 o'clock on that and

said that they will send it forthwith to the House.

Mr. GROSS. So we can reasonably expect that it will be before us then?

Mr. O'NEILL. That it will be before us at 2:30.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object, if by any chance the other body should sustain, then we would simply reconvene and have our special orders after that?

The SPEAKER. The Chair will state, if there are special orders, we will hear them prior to that.

Mr. GERALD R. FORD. I see. In other words, we are going to finish the special orders and then recess?

The SPEAKER. Yes.

Mr. O'NEILL. There is only one request for 15 minutes. It has been my belief the Speaker is going to recognize that gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

### PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

### RETIREMENT OF WILLIAM P. COCHRANE, ASSISTANT PARLIAMENTARIAN

(Mr. ALBERT asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, it is with deep regret that I note and advise the House of the retirement, effective last Saturday, March 31, of one of our most loyal and able House employees, the Assistant Parliamentarian, William P. Cochrane.

All Members of the House will miss Bil's familiar figure at the rostrum, where

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he has given many, many years of valuable and dedicated service to the House as Lew Deschler's right hand. All of us who have had occasion to call upon him for advice or assistance or guidance—and I have probably done this more than most Members in this Chamber—will be particularly aware of his absence.

Throughout his career in the House on the staff of the Parliamentarian, I have been consistently impressed by Bil's devotion and loyalty—not to any political party, because the Parliamentarian and his assistants serve no party—but to this House and to each of its Members. He has served Lew Deschler and three Speakers—Sam Rayburn, John McCormack, and myself—with great ability, perseverance, and unswerving loyalty. Bil has often said that his ambition has been solely to be Lew Deschler's most able, most efficient, and most loyal assistant. He can be proud in his retirement of the manner in which he has accomplished these goals.

All of us who know Bil know that he is not just a fine Parliamentarian and servant of the House; he is a fine, honorable, considerate, gentle, virtuous, decent human being, and a friend of all who know him.

This House is the richer because Bil Cochrane has served in it. The lives of those who worked with him daily are fuller because of the opportunity to associate with him. We are sad because he leaves us, but glad because he and his lovely wife, Peggy, can look forward together to many years of pleasant and happy retirement. As he embarks on this new phase of his life, I want to wish him Godspeed and express to him my personal deep thanks and appreciation for his service to the House and to me.

Mr. Speaker, I insert at this point a letter from Lew Deschler to Bil Cochrane:

WASHINGTON, D.C.,  
March 30, 1973.

MR. WILLIAM P. COCHRANE,  
Assistant Parliamentarian,  
House of Representatives,  
Washington, D.C.

DEAR BIL: It is with deep regret that I learned of your decision to retire this month—the news doubly regrettable because of our long and rewarding association. You will be long remembered for the astuteness, intelligence and thoughtful ability that you so consistently displayed. Fortunately for the House and myself, you have expertly trained the staff in my office who will, with me, miss you as the days and years go by.

Over the years, Bil, we have had some great experiences, many of which were more than trying of patience and energies, but through all those years your very capable assistance, loyalty and devotion to your job have been invaluable. They will be sorely missed by me and by the House itself, I am sure.

Your many friends here at the Capitol will also feel a great sense of loss at your retirement; your thoughtful and sound advice have been highly valued throughout the halls of Congress, and your kindness and generosity have become legendary.

I know that you will succeed in any of your post-retirement activities and I hope that the future holds health, happiness and the enjoyment of many good years for both you and Peggy.

Sincerely,

LEWIS DESCHLER,  
Parliamentarian.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the majority leader.

Mr. O'NEILL. Mr. Speaker, I rise on this special occasion to pay tribute to Bil Cochrane, our distinguished Assistant Parliamentarian for nearly two decades. To chronicle all the significant parliamentary decisions Bil has made hardly begin to detail the high marks of excellence he merits for an outstanding performance over the past 17 years.

I can remember when Bil first came here in 1955. Eager to learn everything about House procedures, enthusiastic about the task before him, Bil brought to his position as Assistant Parliamentarian a keen mind and a remembrance for House precedents unparalleled in this institution.

Conscientious devotion to his duties, hard work, and a willingness to share his knowledge with others have earned him the praise and gratitude, the respect and admiration of all Members and House employees alike. Whether he was presiding Parliamentarian over monumental legislative business, counseling Members on the correct procedure to instruct conferees, or ruling on a point of order against a nongermane amendment, Bil took his job seriously and performed each succeeding task with equal diligence and perspicacity.

His valuable contributions to the three Speakers who presided over the House during Bil's tenure as Assistant Parliamentarian are incalculable. And his undivided loyalty to the Parliamentarian, Lew Deschler, is well known to all Members in this Chamber. In fact many have often called Bil Lew's alter ego, so thoroughly and adroitly did he carry out the directives given to him by Lew.

Yes, Bil Cochrane has fulfilled his responsibilities as Assistant Parliamentarian with great dedication and resourcefulness.

So on this day we say to you, Bil Cochrane, that we will miss you in the House of Representatives. But we want to wish you the very best in your retirement. We are extremely proud of you Bil; we are indebted to the excellence that you brought to the parliamentary decisions governing this body; and we extend to you our sincere gratitude and appreciation for a job well done.

Mr. ALBERT. I yield to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am very honored and privileged to say with emphasis what I think all of us think of the outstanding job that Bil Cochrane did for the House for so many years. Although I never had the privilege of working with Bil as a Speaker of the House, I have for 8-plus years while Republican leader in the House had the wonderful opportunity of having the benefit of his sound judgment, his great knowledge, and his conscientious effort. One could always go to Bil, present a problem, and get a straight answer to the best of his ability in the interpretation of the House rules. His decisions were objective; his spirit of cooperation was superb.

Bil Cochrane will be badly missed by all of us on both sides of the aisle.

Mr. Speaker, I join the Speaker and the distinguished majority leader in wishing Bil and his family many happy, healthy, and successful years of retirement.

Mr. ALBERT. I thank the distinguished gentleman.

I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, it is a pleasure in a sense to join with the distinguished Speaker of the House in sharing this tribute to Bil Cochrane, but there is a sadness to know that he will not be with us.

It has been my privilege to work very closely with him as Mr. Lewis Deschler's principal assistant over many years and in many different ways. Also I have shared with him another particular pleasure, which I hope he will be able to pursue more frequently and with more time. We both love to fish, and we both fish on the Chesapeake Bay. I hope that Bil will take advantage of his retirement, well earned and well deserved, to spend a lot of time fishing on the bay.

I wish him and his family the very best. He has earned his retirement, and I hope he enjoys his fishing.

Mr. ALBERT. I thank the gentleman from Missouri.

I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Speaker, last Friday William P. Cochrane ended a distinguished Federal career by retiring from the position of Assistant Parliamentarian of the House he has held since 1955.

"Bil" was a friend and constituent of mine for many years. He was well known and admired throughout northern Virginia for his unselfish devotion of time and energy to such charitable and civic endeavors as the Catholic Charities of Northern Virginia, the Great Falls Volunteer Fire Department and the Great Falls Citizens Association. All who knew him were impressed by his intense desire to work for the benefit of his community, his State and his Nation.

His conscientiousness in the discharge of his duties for this body has been equaled by few and surpassed by none. Efficiency, dependability and productivity have been constant characteristics of his work in the House. We will miss his excellent service and his friendly smile.

I am confident that I express not only my own but the appreciation of all the Members of the House over many years, in saying "thank you" to William P. Cochrane for many, many jobs well done. I know all our colleagues join me in wishing all the happiness that life affords in the years to come.

Mr. ALBERT. I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, I join with everyone in the expressions of tribute to the abilities of Bil Cochrane. He has been of immeasurable help to the House in its operation since I have known him here in the last 16 years.

I express a certain amount of regret because I had looked forward to his continuing for a long time in his service to the House. I will miss his kindness. I will miss his friendship. Most of all I will



miss, I think, as all of us will, his sense of humor because in presiding over the House all of us who have had the opportunity know that when he was there he had a smile and a joke that made the business of our service here that much easier and that much happier.

I hope his retirement will be a happy one. I hope that the minor health problem that seems to be contributing to his retirement will be quickly remedied and we will have him back here to continue his great career.

Mr. ALBERT. I thank the gentleman.

I yield now to the distinguished minority whip and dean of the Republicans of the House, the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, I am pleased to join with you the Speaker and others who have spoken here today in paying tribute to Bil Cochran, a fine gentleman and one who I have had the privilege of knowing for many, many years. Believe me when I say he is the type individual I am proud to call my friend.

During these many past years I have had the opportunity to work with Bil Cochran. Always he has been an extremely friendly and accommodating person with a most lovable disposition. He is an able student of parliamentary government and knows his job and knows it well. On occasions all of us have had the opportunity of going to Bil and asking him for answers to questions which we could not answer ourselves.

We are going to miss Bil and we wish him and his the best of everything.

Mr. ALBERT. I thank the gentleman from Illinois.

I yield to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the Speaker for yielding.

When I learned of Bil Cochran's retirement I was nothing short of horrified because I, as so many other Members, will miss him tremendously. I was particularly interested in the remarks of my friend the majority whip, the gentleman from California (Mr. McFALL) in relating Bil's sense of humor. Bil really has a most wonderful sense of humor, one of the most wonderful of anyone I have ever known.

Bil and I came here in the same year and fortunately I got to know him in 1955. Mr. Speaker, in your remarks you quoted Bil Cochran's desire to be Judge Deschler's most loyal and most faithful assistant, and indeed that is so. The other Assistant Parliamentarian, Bill Brown, has an equal dedication. They made a marvelous team.

With respect to the fishing, I do not know that the gentleman from Missouri (Mr. BOLLING) fished so much in the Chesapeake. I do know of his deep interest in that great sport and I am pleased to learn that Bil shared that pleasure with Mr. BOLLING. I hope that Bil's health will be such that he can continue to share fishing time with my distinguished colleague. I hope also that if they have the success which one would expect of

such skilled persons that they will share some rockfish with me.

In the years that I have been here I have not attempted, following the late Speaker Rayburn's admonition, to make a parliamentarian of myself, so invariably when Judge Deschler has not been available I have gone either to Bil Cochran or to Bill Brown. To describe them as impartial and nonpartisan is to be perfectly accurate. To describe Bil Cochran as a likable and able human being is even more accurate. I count him among my friends and I join his innumerable friends who are serving now and who served earlier in wishing him the very best of everything for himself and for his family.

Mr. ALBERT. I thank the gentleman from New Jersey.

I yield now to the gentleman from Texas (Mr. BURLESON).

Mr. BURLESON of Texas. Mr. Speaker, I thank the Speaker for yielding.

It seems to me there are three essential attributes for those of us who are a part of this great institution, the House of Representatives, to be worthy of our position. These may be indistinguishable in a manner, but first it seems to me there is loyalty, whether one is a Member of Congress or whether one is an employee serving all the way from page up through the rest of us. First is loyalty to those whom we serve, and we all serve somebody.

The other element is dedication, and the two are closely related, of course. Here again he must be dedicated to make this institution work.

Taken all together with these qualities is efficiency. These qualifications, as I say, all go hand in hand. Bil Cochran is the epitome of all of these attributes.

I regret very much to see him leave his position here in the House of Representatives, but I am glad he is doing so for the reasons given. I wish him the very best for the future.

Mr. ALBERT. I thank the gentleman from Texas.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Speaker, I thank the distinguished Speaker for yielding.

I join the Speaker in paying tribute to Bil Cochran. I was most distressed when I first learned of his retirement due to illness.

Bil has been advising Speakers, Acting Speakers, and Chairman of the Committee of the Whole since 1955, when he first joined the House as Assistant Parliamentarian. At that point he had already practiced law for the Department of Justice for 10 years. His Justice Department superiors no doubt depended on him a lot, but I am sure never more than did the Members of the House whom he advised so well.

Many a time I have sat in the Speaker's chair as Speaker pro tem and looked unusually intelligent. I can remember occasions when, had it not been for the coaching, and even recitation of exactly what to say, by Bil Cochran, I might

have looked awfully foolish up there. I am sure that others who have served as Speaker pro tem have known the experience.

I will sorely miss him as a friend and adviser. I am sure others too will miss him.

To Bil Cochran and his lovely wife, Sara, go my aloha and very best wishes for success and happiness in the coming years. I trust they will both take satisfaction in this simple but sincere comment on Bil's work in the House: "A job well done in the service of his country."

Mr. CULVER. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa (Mr. CULVER).

Mr. CULVER. Mr. Speaker, I should like to join with many colleagues on both sides of the aisle as they pay tribute to the distinguished legislative career of William Cochran. If there is any hidden hand in the effective operation of the House of Representatives, it is that of the Parliamentarian and his assistants. For it is to the holders of that unique and historic responsibility that we look for a sense of fairness, of decorum, and for the details of law and procedure which so vitally influence the content of legislation itself.

In the 18 years that Bil Cochran has spent in the House, his work and his character have been emblematic of all that is best in the parliamentary tradition. Not only has he possessed a rare professional knowledge of law and a concern for its details, he has also had an unusual insight into the operative traditions of this body and into the needs of its Members, committees, and institutions. Few men have had his affection for the House and what it represents in our constitutional system, and few men in turn have so fully earned the affection of all those serving in the House. He has shown a sustained loyalty to three Speakers and has been unfailingly helpful to all Members and to all those serving in a staff capacity as well. His sense of humor, his ability to carry the weight of his knowledge lightly, and his considerations to all have left for many of us indelible and happy memories.

That Bil Cochran must not withdraw from his work in the House is a source of deep regret. But this is offset by the knowledge that his energy and interests will find new outlets and that his influence will not diminish. We all wish him all future happiness and hope that he will be among the most active alumni of this body. For the House of Representatives has had no finer friend and no more devoted coworker than Bil Cochran.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Speaker, in the game of politics there are a lot of friendly people and very few friends. Bil Cochran was a friend, a man one could respect and admire and from whom you would always receive courtesy and kindness.

I recall during my first year here, I had the privilege to write an article for the Missouri Law Review. Of course, the first

man I repaired to was Bil Cochran. I had people whom I thought at first were kind to me remarking that they thought the article was good and original, and then they continued by saying that the part that was good was not original and the part that was original was not good. But, the part that was good was the part that Bil Cochran had taken care of.

He was always available to provide assistance on any of the questions that might arise concerning parliamentary proceedings.

It has been mentioned before that he is a fisherman, and not only that, but he is a fisherman who catches fish and sometimes shares them with his friends.

In addition to that he was a horologist, a fellow who works on watches. I hope he will have plenty of time in his retirement to enjoy his fishing and his work on clocks and watches and spend many more happy and useful years.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. Mr. Speaker, I would like to join with my colleagues also in expressing my appreciation for the fine work Bil Cochran has done, not only for individual Members, but for the House of Representatives as a whole.

It was my pleasure to come to the House at the same time Bil did, and we have served here since. His work has been exceptional. We will all miss him and we all join in wishing him Godspeed and happiness in the years ahead.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. I thank the Speaker for yielding.

With so many of my colleagues, I genuinely regret to hear that Bil Cochran is retiring. He will be sorely missed by the Members of the House.

Through the years I have come to know Bil very well. Not only is he a fine parliamentarian but he is a gentleman in every respect. Always carrying a heavy workload and busy though he was, he never failed to give helpful counsel in matters pertaining to legislation and procedures under the Rules of the House.

I do not know the Cochran's plans for the future—into what new waters he and his wife, Peg, will sail the *Sundown*—but whatever they do, wherever they go, the warm good wishes of both Mrs. Gross and myself will go with them.

Mr. MORGAN. Mr. Speaker, the retirement of Bil Cochran from the job of Assistant Parliamentarian of the House is a bittersweet occasion.

The retirement of so valuable an officer of the Congress as Bil has been must give us a feeling of deprivation and loss.

At the same time, however, he has richly earned the rewards of leisure and self-fulfillment which retirement can bring. That, certainly, is reason to be happy for him.

Since 1955 Bil has served in the very difficult and responsible position as Assistant Parliamentarian. Although his face and his name seldom, if ever, appeared in the press or on television, he has contributed immeasurably to the work of the Congress and to national legislation.

His tenure in this body has been in the highest tradition of congressional service. Self-effacing and loyal, his dedication to duty has been evident to all who have had the opportunity to work with him.

Both as an individual Member of Congress and as chairman of the Committee on Foreign Affairs, I have had countless occasions to call upon the wisdom and expertise of Bil Cochran. Always he was ready to provide accurate information and good advice.

The floor of the House will not seem the same without Bil's presence—advising the Members, overseeing the work of the House, perhaps telling or listening to a story.

But though he will be missed, we can be confident that he will continue to find success and personal satisfaction in the months and years to come.

Mr. GRAY. Mr. Speaker, I rise today filled with mixed emotions—sad because my long time friend and the great Assistant Parliamentarian of the House, Bil Cochran, is leaving House service but happy to see anyone gain his deserved retirement.

Bil Cochran and I came to Congress the same year in 1955, and I knew immediately that Lew Deschler, the House Parliamentarian, was blessed with a brilliant and able Assistant Parliamentarian. Bil Cochran is the type of individual who always has a smile and a helping hand. During the 19 years I have had the privilege of working with him as a Member of this body, he has always been more than willing to give his valuable time to the Members of Congress and their staffs. During these exciting and historic but hectic years of the fifties, sixties, and seventies, Bil Cochran has made great contributions to our country and our society.

Mr. Speaker, I know I join every Member of this House on both sides of the aisle in wishing Bil, his lovely wife Sara, and daughter Sally an abundance of health and happiness in the years to come and the only warning I could give would be to the fish in the Chesapeake Bay because I can see the Cochran's using that same diligence in fishing that Bil has applied to his work in the Congress. We wish you well.

Mr. ROSTENKOWSKI. Mr. Speaker, the last thing Bil Cochran needs is any CONGRESSIONAL RECORD prose from me. Bil has been my good friend since I was first elected to the House in 1958. During the 15 years that I have known him, Bil has never been anything else than a consummate gentleman. He has been my good friend, but more important, he has been my close adviser. During the 4-year period that I was privileged to be the chairman of the Democratic caucus, Bil was my right hand. He was always avail-

able whenever I needed him—whether it was for his wise counsel, for his shrewd parliamentary interpretations, or when things got rough, for his physical protection. He was literally a caucus staff of one. I am sure that few Members of Congress were aware of the importance of his role in caucus deliberations. Bil would not have had it any other way.

Bil's decision to leave us was as characteristic as the manner of his parliamentary rulings. It was a decisive one. He and his lovely wife, Peggy, have sold their house and shortly will be on their way to South Carolina where they will take up residence on board their boat, the *Sundown*. Next to Peggy and the House of Representatives, the *Sundown* is the real love of Bil's life. And I am not too sure about that order of preference. Now that Bil will have some extra time on his hands, it is my fervent hope that he will use it to judiciously study his navigational charts. I am joined in this aspiration by the U.S. Coast Guard who have been known on occasion to have pulled the *Sundown* off some rather well-marked sand bars.

Mr. BROOKS. Mr. Speaker, we in this body have accepted with almost a casual attitude the excellence of our Assistant Parliamentarian, Mr. Bil Cochran. We came to expect informed and clearly understandable determinations on even the most involved matters. Fortunately, that reliance was well placed.

He has never given less than outstanding service to the House of Representatives or to any individual Member, to my knowledge. While not always pleased with an unfavorable ruling, we never questioned the fairness of such.

As Assistant Parliamentarian, Bil Cochran was an essential mainspring of our Parliamentarian's office. While I am sure that that office will continue to operate as effectively now that he has gone, it is a tribute to his thoroughness and ability that the remaining Parliamentarians will be able to function without him.

I personally have a deep respect and admiration for him not only as an able parliamentarian and dedicated American, but also as a cherished friend. I know that his family will welcome the chance to see more of him and I trust that he will find his retirement enjoyable and full of the happiness he has rightfully earned.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to have this opportunity to join you this afternoon in paying tribute to a good friend and an outstanding public servant, Bil Cochran, who has retired from the position of Assistant Parliamentarian of the House.

It has been my privilege to know Bil since he came to the House in 1955. For many years it has been the order to my staff when a parliamentary question arose: "Call Bil Cochran."

On dozens of occasions I have myself sought his advice and counsel in preparing legislation, in work on the floor, and to better understand specific rules and procedures of the House.



In all such instances Bil has been unfailingly courteous and helpful. Whether it was in response to me personally or to a member of my staff, he always extended himself to provide the correct information.

On those occasions when I have chaired the Committee of the Whole, Bil has stood at my right hand, with his knowledge of procedure an estimable asset to me—and to all who have served in that capacity.

It was my privilege to serve with Bil in the 9999th Air Force Reserve unit when it was active on Capitol Hill. It afforded me an opportunity to know him personally as we sat together during weekly meetings and during an inspection trip to Latin America.

His wit and wisdom, his personality and qualities of leadership, made him a valued member of the 9999th indeed he contributed much to any group with which he was associated.

His retirement is a personal loss to me and undoubtedly to the entire House. House parliamentarians, being such a small, select group, are never easy to replace. Outstanding Parliamentarians, such as Bil Cochrane, are virtually irreplaceable.

Such feelings for Bil are basically selfish. We are thinking of our own deprivation because of his leaving. Bil, however, amply has earned his retirement after almost two decades of contributing his services to the House of Representatives.

Knowing Bil, I am confident that although he will no longer be formally on the House payroll, he will continue to be ready to provide assistance and advice when called upon to do so.

I join with my colleagues in wishing Bil Cochrane, his lovely wife, and family many happy and prosperous years of leisure and retirement. We will miss Bil Cochrane. It is our fond hope he will miss us and come back to see us often.

#### GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the subject matter of my remarks, and that all Members may have 5 legislative days in which to insert their remarks in the RECORD on the subject of the retirement of William P. Cochrane, Assistant Parliamentarian.

Further, Mr. Speaker, I ask unanimous consent that a letter written by our distinguished Parliamentarian may be inserted as a part of my statement.

The SPEAKER pro tempore (Mr. BRADEMAs). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### PROTECTION OF SENIOR CITIZENS SOCIAL SECURITY BENEFITS INCREASE

(Ms. HOLTZMAN asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Ms. HOLTZMAN. Mr. Speaker, yesterday I introduced H.R. 6447, a bill which would guarantee that social security recipients will not lose entitlement to federally assisted programs because of the 1972 20-percent increase in social security benefits.

I was shocked to learn from senior citizens in my district that their economic position has actually worsened because of these increases. This tragic irony is a product of the fact that present social security provisions dictate that State and Federal agencies, except in very limited instances, count these increases as additional income in determining eligibility to federally funded programs.

Needless to say, this has worked a tremendous hardship against a disadvantaged group. For example, in New York City alone, over 10,000 elderly social security recipients recently have received notices that they are now ineligible for Medicaid since their increased social security benefits places their income above the eligibility ceiling.

I cannot believe that in passing H.R. 1, the 92d Congress purposefully intended such harsh results, especially during a time when many of our senior citizens are on the frontline of the battle against runaway inflation.

H.R. 6447 would rectify injustices of this nature. It would require both State and Federal agencies to completely disregard the 1972 social security increases in determining eligibility and entitlement for all federally assisted programs, including Medicaid, public housing, food stamps, aid to the aged, blind, and disabled, as well as benefits to veterans and retired individuals.

Moreover, H.R. 6447 clarifies what has been considered by New York City officials to be an ambiguity in other "pass-through" legislation introduced in Congress to date. It makes clear that the 1972 increases will be disregarded for the fixing or adjustment of rentals in, as well as the admission to, low rent public housing. The New York City Housing Authority has informed me that unless remedial action is immediately forthcoming in this regard, that agency will be compelled to either evict, or substantially increase the rents of, thousands of tenants in federally subsidized buildings.

In short, the need for this legislation is critical. It is my hope that Congress will act favorably upon H.R. 6447 and do so expeditiously.

#### CALL OF THE HOUSE

Mr. MATHIS of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 65]

Badillo	Clark	Eckhardt
Burke, Calif.	Davis, Wis.	Edwards, Ala.
Carney, Ohio	Dickinson	Erlenborn
Chisholm	Diggs	Hansen, Wash.

Harvey	Metcalfe	Shipley
Hébert	Mills, Ark.	Skubitz
Karth	Montgomery	Staggers
King	Price, Tex.	Stephens
Kuykendall	Quile	Treen
Landrum	Reid	Wilson,
McCollister	Rooney, N.Y.	Charles, Tex.
McCormack	Sandman	Wright

The SPEAKER. On this rollcall 398 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### A PROPOSAL: MEATLESS TUESDAYS

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, while I believe that it is not possible for families young or old to persist for long in a boycott of meat and meatless diet, I support the boycott wholeheartedly.

What should be done is that the President announce at once a national policy of meatless Tuesdays, beginning immediately and lasting until such time as supply reasonably coincides with demand.

During World War II, the last time we faced a meat crisis of this size, the White House, calmly corrected imperfections in the law of supply and demand by almost unanimously supporting meatless Tuesdays. The result of the years-long effort saw the dwindling supply of meat available to the public at fair prices and a sense of national pride at having solved still another problem.

Mr. Speaker, I believe that meatless Tuesdays, combined with a price rollback to phase II, would most closely satisfy the needs of all parties. It would give the cattle industry more time, the consumers a fairly priced supply of meat, and the entrepreneurs along the way a reasonable profit.

#### THE PASSING OF DR. SIDNEY FARBER—A FIGHTER AGAINST CANCER

(Mr. ROGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS. Mr. Speaker, it is with great sadness that I inform the House of the passing of Dr. Sidney Farber. A man of extraordinary energy and ability, Dr. Farber served as director of the Children's Cancer Research Foundation, the "Jimmy Fund," and for 41 years as professor at the Harvard University School of Medicine. But he will be best known to the Members of the House as a brilliant researcher into the causes and treatment of cancer.

Unwilling to accept cancer as an incurable disease, Dr. Farber pioneered the technique of "chemotherapy" in the treatment of cancer victims. His discovery of the uses of actinomycin-D and aminopterin in the treatment of cancer of the kidneys and leukemia were great breakthroughs in our ability to offer relief to the victims of these diseases.

The Subcommittee on Public Health and Environment is indebted for the invaluable advice and assistance of Dr. Farber in writing the National Cancer Act of 1971.

With his passing we have lost a compassionate man, whose legacy is not only the great relief his research afforded the victims of cancer, but also the realization that with great effort we can successfully combat this tragic disease.

I extend my most sincere condolences to Dr. Farber's wife, Norma, and to their four children.

#### MAJORITY LEADER THOMAS P. O'NEILL, JR., CRITICIZES NETWORKS FOR FAILING TO GRANT EQUAL TIME TO THE DEMOCRATIC CONGRESSIONAL LEADERSHIP

(Mr. O'NEILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, last night Senator MUSKIE delivered a response to the President's nationwide television address. Senator MUSKIE had been chosen to make the reply in behalf of the Democratic majority of both Houses of Congress.

Unfortunately, the Nation's three major television networks refused to grant equal time. There was no live television broadcast of the address.

I do not know whether the decision was merely poor judgment by the networks, or whether the networks were intimidated by the President's power to regulate the uses of the air waves.

In whatever event, the networks defaulted on their responsibility to the public. President Nixon had free access to an audience of as many as 100 million Americans. He used his free television time to make a partisan appeal for votes in the Congress to uphold his current and projected vetoes of legislation.

The President has made it his practice to use the air waves to promote his own policies. The Democratic majority in Congress has a right to equal time to present its alternatives to those policies. And the networks have a clear responsibility to transmit both sides of this debate on national policy matters to the citizens that all of us serve.

The television networks cannot be permitted—deliberately or by default—to become allied exclusively with administration policies.

#### VOCATIONAL REHABILITATION LEGISLATION

(Mr. ESCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ESCH. Mr. Speaker, in a statement issued by my office last Thursday, we drew a comparison between the Esch-Erlenborn and the vetoed vocational rehabilitation legislation and we utilized figures in our factsheet which indicated that the total amount of authorization in

the vetoed bill for fiscal year 1974-75 would be \$2.48 billion. The statement failed to contain a footnote indicating that this figure was based on the assumption that there would eventually be provided a vehicle for funding to the States in fiscal year 1975 at least to a comparable amount funded in fiscal year 1974. The truth is that the vetoed bill has no dollar figure for fiscal year 1975, for I understand that it is the subcommittee chairman's decision to review the delivery system for title I funds prior to that year especially as it relates to the larger States. I wanted to make sure that the Members of the House knew that there was no intention to deceive with dollar figures and that there was no attempt to balloon the total dollar amounts of H.R. 17. I apologize to the chairman of the subcommittee. I have so indicated to the chairman and author of this bill and have asked him to indicate that our assumption was in error. That is that it was not his intent to fund title I for fiscal year 1975 and at least to the dollar amounts equal to the previous year. Without such specific denial, we should have to assume our assumption was correct. The chairman of the subcommittee, the gentleman from Indiana (Mr. BRADEMAs) has done a most effective job in developing and in working closely and diligently on this legislation during the past many months and while we are not in agreement today, I am hopeful that through his leadership and his efforts we can, if the President's veto is sustained today, work together for effective legislation that can be enacted into law. Indeed, it is most regrettable that the House finds itself in a position of forcing this to become a partisan issue. Surely the handicapped of this Nation deserve more than to be caught in a partisan political crossfire.

#### I AM HONORED

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on Sunday a very distinguished Member of the other body, Senator LOWELL WEICKER, revealed that six Senators and three Members of this House, myself included, had been placed under surveillance by the "Watergate Seven." It came as a shock to know that the activities of a national political party had gone to such extremes.

I remember being on the floor in October of last year not knowing that I was one of a number of Senators and Congressmen who had been targets of the Watergate Seven's activities. At that time I suggested that what we were witnessing with Watergate bugging and the sabotage of campaign efforts of Democratic Presidential candidates could be compared to the tactics used by the "Brownshirts" in Germany in the 1930's. I remember Members here on the floor booing and saying that such a comparison was ridiculous.

I just say to the Members in this House on both sides of the aisle that something has got to be done. If we are

going to find a situation in which persons working at the behest of individuals in the executive branch of this Government are trying to intimidate Members of the House, the whole House must stand up and resist.

Yesterday I placed on the door of my office in the Longworth Building a sign which read:

These premises were "surveilled" by the Watergate Seven. Watch yourself.

This happened to six Senators and three Members of this House. It is time that the House act to protect its integrity.

#### CALL OF THE HOUSE

Mr. DAVIS of South Carolina. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond.

#### [Roll No. 66]

Adams	Hollifield	Rees
Bray	Ichord	Rold
Brown, Calif.	King	Rooney, N.Y.
Burke, Calif.	Madden	Ryan
Carey, N.Y.	Martin, Nebr.	Shipley
Carney, Ohio	McCollister	Sisk
Chisholm	McCormack	Staggers
Clark	McSpadden	Stanton
Cleveland	Melcher	J. William
Dellenback	Metcalfe	Stephens
Diggs	Michel	Symington
Dingell	Mills, Ark.	Thompson, N.J.
Edwards, Ala.	Mitchell, Md.	Whalen
Erlenborn	Montgomery	Widnall
Flowers	Myers	Wilson
Grover	Nelsen	Charles H., Calif.
Gunter	Patman	Wilson
Hansen, Wash.	Pettis	Charles, Tex.
Harvey	Pike	Wright
Hays	Price, Tex.	
Hébert	Quile	

The SPEAKER. On this rollcall 375 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### HEARINGS ANNOUNCED BY FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE ON FEDERAL INFORMATION SYSTEMS AND PLANS—THE POTENTIAL OF INFORMATION TECHNOLOGY TO SERVE NATIONAL NEEDS

(Mr. MOORHEAD of Pennsylvania asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, in January I described to our colleagues some of the background work of the Foreign Operations and Government Information Subcommittee in the investigation of Federal agencies' development of advanced information technology. CONGRESSIONAL RECORD, volume 118, part 2, page 1566. At that time, I mentioned that the subcommittee would



hold extensive hearings on this important subject during the session.

I am today announcing that phase 1 of these hearings will begin next Tuesday, April 10, at 10 a.m. in room 2203, Rayburn House Office Building. They will continue on Tuesday, April 17. The first phase will hear testimony from two panels of outstanding experts who will discuss various opportunities offered by information and communications technology to improve various types of information services that can be provided for the public by Federal agencies.

In June, the subcommittee is planning additional hearings to explore the operation of the Federal Information Centers and other existing information systems of Federal agencies and the future plans for their development. In the fall, we will examine implications for Federal planning in the information technology field, the potential for abuses of individual privacy, and the types of safeguards that will be required. At the conclusion of my remarks, I will include an outline of all phases of these important hearings.

Mr. Speaker, these hearings will explore what role the Federal Government should play in the development and application of new information and communications technologies. We are now being told that life in the home, in the community, and in the Nation may soon be significantly changed as revolutionary new information systems are put into operation. The subcommittee will look at how these vastly expanded information systems might be utilized to improve the full range of public information services provided by Federal agencies, including their economy and efficiency.

The witnesses and topics of discussion at the April 10 and 17 hearings are as follows:

**FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE HEARINGS ON FEDERAL USE AND DEVELOPMENT OF ADVANCED INFORMATION TECHNOLOGY: WITNESS LIST**

**SUBJECT AND PANELIST**  
**Tuesday, April 10, 1973**

Overview of current information technology: Professor Robert M. Fano, Associate Head for Computer Science and Engineering, Department of Electrical Engineering, Massachusetts Institute of Technology.

Applications of information technology in the school: Donald L. Bitzer, Director, Computer-Based Education Research Lab, University of Illinois.

Applications of information technology in health care: Professor Paul Zukin, M.D., School of Public Health, University of California at Los Angeles.

Applications of information technology in the cities (CATV): Weston E. Vivian, Ann Arbor, Michigan.

**Tuesday, April 17, 1973**

Information and communications technology and local government: Professor Oliver E. Dial, Director, Municipal Information Systems Research Lab, Long Island University.

Information and communications technology and general education: Professor Marvin Adelson, School of Architecture and Urban Planning, University of California at Los Angeles.

Information and communications technology and rural development: George Tres-

sel, Director, Communications and Media Research, Batelle Columbus Lab, Columbus, Ohio.

Effects of information technology on the individual: Herbert S. Dordick, Director, Office of Telecommunications, City of New York.

**OUTLINE OF HEARINGS**

Federal information systems and plans—Federal Use and Development of Advanced Information Technology.

Subcommittee on Foreign Operations and Government Information Committee on Government Operations U.S. House of Representatives.

Summary: Hearings will survey electronic information and communications technologies and examine their relevance to the full range of Federal information activities, in terms of both content and delivery.

The key questions are these: How can information technology be utilized to meet the needs of society? What information services utilizing that technology should be provided by the Federal Government?

An allied question concerns what Federal initiatives are required to assure the best use of these new technologies.

Initial hearings will survey conflicting views and define issues. What can the new information technology do and what can't it do? What secondary consequences do experts anticipate? Should Federal information activities be expanded or not, and in what ways?

Subsequent hearings will examine implications for Federal planning and policy-making. What kinds of controls and safeguards will be needed? Where and how should Federal plans and policies be formulated?

Hearings will be scheduled in three phases—tentatively in April, June and September of 1973—to cover the following:

The potential of information technology to serve national needs.

Existing information systems of Federal agencies and future plans.

Policy-making and planning for Federal information activities.

Background: Amidst a profusion of technological advances, those which pertain to information and communications warrant special attention. Experts assert that "advances in the storage, retrieval, processing and distribution of information make up the central technological achievements of the 20th century's third quarter."<sup>1</sup>

Moreover, information technology directly affects the lives of most individuals and the development of society. "The way men deal with each other and with the distant world is about to be transformed by a combination of the computer, innovations in the transmission of signals, and new ways to feed images into this system and to take them out."<sup>2</sup>

In recent years models for multi-service and "total" communications systems have been designed for particular purposes, for cities and regions, and finally for the nation as a whole. We have proposals for "electronic classrooms", for the "wired city", and for a "wired nation".

New information technology raises difficult questions for Federal Government. What roles should government play in its development and use?

At the simplest level, Federal agencies are major users of information and communications facilities, and as was recently reported, "to achieve cost-effective telecommunications, government agencies will increase their efforts to design systems which meet more than or need."<sup>3</sup>

At another level, some Federal agencies have been moving in the direction indicated by a lengthy 1968 study which recommended that they "search out new applica-

tions of communications technology which hold promise of social payoff in such areas as adult education and job training, medicine, alleviation of racial tensions, and public enlightenment and entertainment."<sup>4</sup>

In 1971 a Federal interagency team urged a new Federal initiative to conduct a full set of national, regional and urban public experiments to demonstrate how new information and communications technologies can improve social, cultural, educational, health, law enforcement and other services.<sup>5</sup>

That same study went one step further. It projected an elaborate "national communications system" complete with diagrams and cost estimates.<sup>6</sup>

Scope of Hearings: The scope of hearings will be determined by a number of considerations.

Jurisdiction: First, the jurisdiction of the Subcommittee is limited in certain respects.

The Subcommittee is responsible for studying the operation of Government information activities at all levels with a view to determine their economy and efficiency.

The Subcommittee has expressed particular concern with the improvement of the public information capabilities of Federal agencies.

Federal information activities involve systems incorporating cable, public broadcasting, databanks and other elements. However, the Subcommittee does not have jurisdiction over the licensing and general regulation of radio, TV, and cable facilities.

Hearings will focus primarily on information systems per se, not on discrete questions associated with these separate elements—questions which fall within the jurisdictions of other Committees.

Public Information: Hearings will focus on Federal activities which serve public information needs.

"Public information" is defined as information of use to the general public, including private groups, organizations and businesses, as well as public institutions and State and local governments.

Federal Information Activities: Hearings will consider all Federal information activities, not simply those providing basic service information such as weather reports, census data, and the like.

Federal reporting about the processes and actions of Federal Government is a primary concern.

Federal activities which produce other materials for education, orientation, or similar uses are also of primary concern.

Federal information activities which essentially serve the routine management needs of Federal and other government agencies will not be given special attention.

Federal Support: Questions of what information activities Federal Government should engage in lead to other questions of how Government should support development of information systems to meet the needs of society.

Hearings will also consider Federal responsibilities to provide financial and advisory assistance to other public and private information systems, including research and development, demonstrations, systems planning, evaluation, etc.

It should be emphasized, however, that the primary focus of hearings will be on the Federal Government's own information systems and services.

**FOOTNOTES**

<sup>1</sup>"Information Technology: Some Critical Implications for Decision Makers"—The Conference Board Inc., 1972.

<sup>2</sup>"The Information Machines: Their Impact on Men and Media" by Ben H. Bagdikian—Harper and Row, 1971.

<sup>3</sup>"Cost-Effective Telecommunications Systems Sought by Federal Agencies"—Commerce Today, Nov. 13, 1972.

<sup>4</sup>"Final Report of the President's Task

Force on Communications Policy"—Dec. 7, 1968.

\* "Communications for Social Needs: Technological Opportunities" Study for the President's Domestic Council, Sept. 24, 1971 (Internal document).

#### TO RESTORE STATE CONTROLS ON ABORTIONS

(Mr. O'BRIEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'BRIEN. Mr. Speaker, the recent decision of the U.S. Supreme Court to override State abortion statutes has far-reaching implications, not only for the lives of millions of unborn children, but also for the power of the States to legislate effectively regarding a matter traditionally and most suitably a State concern.

The effect of the decision, according to Justice Byron A. White in his dissenting opinion, is that—

The people and the legislatures of the 50 States are constitutionally disintituled to weigh the relative importance of the continued existence and development of the fetus on the one hand against a spectrum of possible impacts on the mother on the other hand.

When does human life begin? For what reasons and under what circumstances, if any, may a human life be terminated? These are questions over which sincere men and women can—and do—differ. The answers to these questions have social and political ramifications which, in my opinion, make them ill-suited to judicial decisions. To quote Mr. Justice White's comment on the decision:

The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life which she carries. Whether or not I might agree with that marshalling of values, I can in no event join the Court's judgment because I find no constitutional warrant for imposing such an order of priorities on the people and legislatures of the States. In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court's exercise of its clear power of choice by interposing a constitutional barrier to state efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it. This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs.

I believe that many of my colleagues in Congress would agree that these are questions which the people, through the vehicle of their elected representatives, ought to be able to decide for themselves.

Accordingly, I am introducing today a joint resolution proposing an amendment to the Constitution of the United States which would restore to the States the authority to decide these and related questions.

My proposed amendment reads:

Nothing in this Constitution shall bar any State, or the Congress with regard to any area over which it is granted the power

to exercise exclusive legislation, from enacting laws respecting the life of an unborn child from the time of conception.

My amendment would assure to the people, through their chosen representatives or in certain cases by referendum, the power to decide the rights of and the responsibilities of society toward the unborn. It should satisfy the many Americans who sincerely believe abortion to be wrong and who now feel vexed and frustrated at their inability to influence any decision as to where the line should be drawn between the rights of the mother and the rights of the unborn child. At the same time it ought to receive the support of those who honestly feel that this is a matter most appropriately left to the States to decide. I feel that my amendment is capable of generating the widest range of support and, therefore, affords the best opportunity for remedying the adverse effect of the recent Supreme Court ruling.

My personal views find expression in the eloquence of the distinguished French philosopher, Francois Mauriac, when he wrote:

I believe as I did as a child, that life has meaning, a direction, a value; that no suffering is lost, that every tear counts, and each drop of blood, and the secret of living in today's troubled world is found in the simple phrase of St. John, "Deus caritas est."

#### MALPRACTICE INSURANCE

(Mr. HUBER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HUBER. Mr. Speaker, on the first of last month when introducing a bill to establish a blue-ribbon commission to study the problem of medical malpractice awards, I mentioned to my colleagues that malpractice awards were becoming exorbitant.

It is an obvious fact of economic life that physicians, hospitals and clinics must buy more insurance to protect themselves from such suits. In turn, the substantially added cost of more malpractice insurance must be passed on to the individual citizen in the form of higher medical charges. Some way that is fair to all must be found to curb this trend.

The following article, from the March 27, 1973, edition of the Washington Star and Daily News, recounts another example of such a malpractice suit.

#### CHILDREN'S HOSPITAL APPEALS \$900,000 AWARD TO GIRL

Children's Hospital today requested a new trial in the case in which a jury decided last week that the hospital must pay \$900,000 to a young girl who became blind after treatment there.

In a motion filed before U.S. District Court Judge John Lewis Smith Jr., the hospital's attorney claimed that the verdict was excessive and "reflects the deliberate actions on the part of plaintiff's attorneys of the amount sued for or desired, and the interjection of insurance in the case."

Normally civil juries are not informed of the amount of damages a plaintiff is claiming, nor are they told whether the defendant has insurance to cover the damages claimed.

However, in his opening statement in the case, plaintiff's attorney Melvin Belli told

the jury his client would be asking for more than \$1 million in damages, and the plaintiff's lawyers also told the jury the hospital had insurance, the defense claims.

The plaintiff is Sharlene Morris, 14, of Lamont Street NW, who according to the allegations was found to be suffering from Stevens-Johnson syndrome after having been treated at Children's with a drug, Dilantin, in an effort to control seizures.

The defense presented evidence that the cause of the syndrome, which results in a peeling away of skin, including the protective skin over the cornea of the eyes, is not known, and that the ailment could not be attributed to Dilantin since other drugs and conditions were involved in the case, as was some type of virus infection.

Denver H. Graham, the hospital's attorney, also noted in the motion that he moved for a mistrial as soon as Belli mentioned the amount sought, but that the judge denied the motion.

The judgment was the largest in memory by a civil jury in a personal injury case in the District. Graham said immediately after Friday's verdict that he would ask for a new trial or a judgment for the hospital.

#### MASS TRANSPORTATION AMENDMENTS OF 1973

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. BIAGGI) is recognized for 15 minutes.

Mr. BIAGGI. Mr. Speaker, I am pleased to introduce legislation today which will go a long way toward solving our current transportation crisis and providing a solid financial basis for meeting the future transportation needs of our ever-expanding urban population.

Massive Federal financial assistance for new urban transportation systems is imperative. The need for mass transit services has steadily grown over the past decade, finally reaching the crisis level in many of our major cities. We cannot allow the cry for help to go unheeded. The fact is a growing majority of Americans live in or near metropolitan areas.

The transportation problem is already a major concern in every large city today, but in the very near future a surprising number of our country's suburban and rural areas will be facing the same situation. Let us meet the challenge realistically. Let us not put off the problem until tomorrow. The time to act is now.

My proposed legislation, to be cited as the Urban Mass Transportation Amendments of 1973, represents a direct approach to the mass transit problem. The bill provides emergency commuter relief funds which will be made available to subsidize commuter systems currently operating in deficit. These funds will also have the effect of providing financial security that is necessary to enable existing mass transit operations to modernize and expand their services. The proposal allocates \$800 million for such uses over the next 2 years.

Today, many of our cities have rail and bus companies—both private and public—which are operating on the brink of bankruptcy. In most cases, these commuter systems are saddled with outdated equipment and offer poor services to the



public. The dilapidated condition of the equipment further encourages the traveling public to return to the automobile. The conveniences which the car provides are not being matched by the existing mass transit lines. As the number of riders decreases, these lines are forced to raise their fares to meet rising operating costs. This step further accelerates the vicious cycle. These are the unfortunate realities of the existing mass transit predicament.

However, the emergency provisions I am including in this legislation will arrest the downward swing in quality of service, and stop the rise in public transportation fares. This legislation will have the effect of stabilizing the mercurial mass transit economic picture, thus enabling transit companies to make long-range financial plans.

These decisions cannot be made at a time when the company is struggling to survive on a day-to-day basis. Once on firm ground, commuter lines can take steps to modernize and develop more efficient services.

We must respond to the changing needs of our populace. Clearly what is needed today and what will be needed in the future is a safe, clean, nonpolluting and effective mass transportation network. I believe that the legislation I am introducing today will provide the necessary funds to construct just such a system.

Extensive highway construction is no longer an immediate priority. In fact, these projects have recently been creating many more problems than they can solve. In the first place, there simply is not enough space to build all the highways available that would be necessary to accommodate the entire motoring public. All too often local communities are uprooted to make way for the construction of new highways. Second, there is the escalating problem of severe air pollution. The automobile is the major contribution to the unhealthy state of our city air. How much more of this blatant assault on our environment can we tolerate? Much can be done to alleviate these problems by reducing our reliance on the automobile.

I do not mean to indicate that the car has lost its usefulness but rather that equally comfortable and efficient means of transportation can be constructed. Modern mass transit systems, better suited to metropolitan America, will be made available by this legislation.

There exists today an abundance of evidence to encourage the maintenance of mass transit operations and the construction of new lines where appropriate. Once clean, attractive, and efficient services are offered to the public, success will be forthcoming.

San Francisco's public transit system is an excellent example of the kind of success we are capable of achieving. In that metropolitan area, up-to-date technology and ample capital were combined to construct the Bay Area Rapid Transit System—BART. It has attracted substantial public support by moving greater numbers of people more quickly and more efficiently, and by simultane-

ously alleviating the overcrowded state of the highways. The results of this project conclusively prove that modern mass transit systems can succeed in our major urban centers.

Los Angeles provides an unfortunate example of what occurs when a large urban area relies too heavily on automobile transportation. Public transportation is virtually non-existent. As the demand grew for more highways in the Los Angeles area, they were constructed. Ironically, rush-hour traffic in this city—which has built one of the largest freeway networks in the world—slows twice daily to a virtual halt. Today the Los Angeles metropolitan area is undergoing perhaps the most severe transportation crisis in the country.

A related issue is the increasing need for rapid mass transit services within and between certain suburban towns. There are currently 70 million Americans living in our suburbs, approximately one-third of whom do not own cars. Until recently the only way of commuting within these areas was by automobile or taxi.

One response to this situation has been the minibus. In Mansfield, Ohio, for example, the Ford Motor Co. has successfully implemented just such a service, featuring minibuses with attractive thick carpeting and comfortable seats. A second Mansfield experiment is called the "dial-a-ride" system, in which the bus service combines the convenience of a taxi with the economy usually associated with mass transit. Similar services have been introduced in certain suburbs of Seattle, Cleveland, San Francisco, Toronto, and here in the District.

The need for mass transit networks throughout this Nation is a documented fact. I have attempted to demonstrate that the mass transit crisis will not be solved with a simplistic solution. So many of our urban and suburban areas have much to gain through the construction and maintenance not only of highways, but of efficient mass transit networks.

We must recognize the fact that mass transit systems and highway networks are not mutually exclusive, but rather complementary. We must combine the best points of each, and thereby encourage the construction of one, unified, effective transportation system. Passage of the Urban Mass Transportation Amendments of 1973 will enable communities across the Nation to accomplish this very task.

The bill reads as follows:

H.R. 6482

A bill to amend the Urban Mass Transportation Act of 1964 to authorize increased and additional grants to improve mass transportation service in urban areas, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Mass Transportation Amendments of 1973".

#### TITLE I—IMPROVEMENTS IN URBAN MASS TRANSPORTATION PROGRAM

##### FINDINGS

SEC. 101. The Congress finds that—

(1) over 70 per centum of the Nation's population lives in urban areas;

(2) transportation is the lifeblood of an urbanized society and the health and welfare of that society depends upon the provision of efficient, economical, and convenient transportation within and between its urban areas;

(3) for many years the mass transportation industry satisfied the transportation needs of the urban areas of the country capably and profitably;

(4) in recent years the maintenance of even minimal mass transportation service in urban areas has become so financially burdensome as to threaten the continuation of this essential public service;

(5) the termination of such service or the continued increase in its cost to the user is undesirable, and may have a particularly serious adverse effect upon the welfare of a substantial number of lower income persons;

(6) some urban areas are now engaged in developing preliminary plans for, or are actually carrying out, comprehensive projects to revitalize their mass transportation operations; and

(7) immediate substantial Federal assistance is needed to enable many mass transportation systems to continue to provide vital service.

##### INCREASE IN FEDERAL GRANT RATIO

SEC. 102. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows: "The Federal grant for any such project to be assisted under section 3 (other than a project for payment of operating expenses) shall be in an amount equal to 90 per centum of the net project cost."

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973.

##### ASSISTANCE FOR OPERATING EXPENSES

SEC. 103. (a) Section 3 of the Urban Mass Transportation Act of 1964 is amended—

(1) by striking out "No" in the fifth sentence of subsection (a) and inserting in lieu thereof "Except as provided in subsection (f), no"; and

(2) by adding at the end thereof a new subsection as follows:

"(f) (1) The Secretary is also authorized, on such terms and conditions as he may prescribe, to make grants or loans to any State or local public body to enable it to assist any mass transportation system which maintains mass transportation service in an urban area to pay operating expenses incurred as a result of providing such service. No financial assistance shall be provided under this subsection unless—

"(A) the Secretary determines that the mass transportation service provided by the system involved are needed to carry out a program referred to in section 4(a).

"(B) the applicant State or public body has submitted to the Secretary a comprehensive mass transportation service improvement plan which is approved by him and which sets forth a program, meeting criteria established by the Secretary, for capital or service improvements to be undertaken for the purpose of providing more efficient, economical, and convenient mass transportation service in an urban area, and for placing the mass transportation operations of such system on a sound financial basis, and

"(C) the Secretary determines that the mass transportation services provided by each system involved is being provided by an efficient operation of such system in accordance with regulations promulgated by the Secretary.

"(2) The amount of any grant under this subsection to a State or local public body to enable it to assist any mass transportation system to pay operating expenses shall not exceed twice the amount of financial assistance provided from State or local sources for that purpose. The Secretary shall issue such

regulations as he deems necessary to administer this subsection in an equitable manner. Such regulations shall include appropriate definitions of (A) operating expenses, and (B) the sources or type of State or local financial assistance which may be considered in computing the maximum allowable Federal grant."

(b) The fourth sentence of section 4(a) of such Act is amended by striking out "section 3" and inserting in lieu thereof "section 3 (other than subsection (f))".

(c) Section 4(c) of such Act is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "sections 3, 7(b), and 9" and inserting in lieu thereof "section 3 (except subsection (f)), and sections 7(b) and 9";

(3) by striking out "this subsection" wherever it appears and inserting in lieu thereof "this paragraph"; and

(4) by adding at the end thereof a new paragraph as follows:

"(2) To finance grants and loans under section 3(f) of this Act, the Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements or otherwise in amounts aggregating not to exceed \$800,000,000. This amount shall become available for obligation upon date of enactment of this paragraph and shall remain available until obligated. There are authorized to be appropriated for liquidation of the obligations incurred under this paragraph not to exceed \$400,000,000 prior to July 1, 1974, which amount may be increased to not to exceed an aggregate of \$800,000,000 prior to July 1, 1975. Sums so appropriated shall remain available until expended."

(d) (1) Section 12(c) of such Act is amended—

(A) by striking out "and" at the end of paragraph (4);

(B) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and

(C) by adding after paragraph (5) a new paragraph as follows:

"(6) the term 'mass transportation system' means any private company or public authority or agency providing mass transportation service."

(2) Section 12 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) The provision of assistance for the payment of operating expenses under section 3(f) shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable."

#### INCREASE IN BASIC ASSISTANCE AUTHORITY

SEC. 104. Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "\$3,100,000,000" in the first and third sentences and inserting in lieu thereof "\$6,100,000,000".

#### GRANTS FOR TECHNICAL STUDIES

SEC. 105. Section 9 of the Urban Mass Transportation Act of 1964 is amended—

(1) by inserting "(a)" after "Sec. 9";

(2) by striking out "engineering, and designing" in the first sentence and inserting in lieu thereof "engineering, designing, and evaluation";

(3) by striking out "and" before "(3)", in the second sentence, and by inserting before the period at the end of such sentence the following: ", and (4) evaluation of such projects after their implementation";

(4) by striking out "section" and "two-thirds" in the third sentence and inserting in lieu thereof "subsection" and "90 per centum", respectively; and

(5) by adding at the end thereof the following new subsection:

"(b) The Secretary is authorized to utilize not to exceed one-half of 1 per centum of the authorization provided in section 4(c) to carry out technical studies by contract without limitation on the Federal share of the cost."

#### THE OFFICE OF ECONOMIC OPPORTUNITY

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. Gross) is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, the ultra-liberal do-gooders who held sway in Washington in the 1960's fervently embraced the fallacious theory that the way to solve any problem is to throw money at it. The bigger the problem, the more you throw.

They told us that the way to end poverty was to throw money at the poor, and the result was the Office of Economic Opportunity—OEO—undoubtedly one of the best examples of bureaucratic bumbling and utter waste that has ever been created by the mind of man.

Now that moves are being made to abolish the OEO, the moans and groans of the professional poor corps—the bureaucrats who make a living off this misguided program—are heard across the land.

The truth is that the OEO, as it has been operated, should be scuttled without a trace and before any more of the taxpayers' hard earned money can be thrown away. I want to cite a few examples of how the taxpayers of America have been swindled—examples which are reason enough to do away with this program.

#### CALL OF THE HOUSE

Mr. MATHIS of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 67]

Anderson, Ill.	Harvey	Quile
Bray	Hays	Rallsback
Burke, Calif.	Hébert	Roe
Byron	Helstoski	Rooney, N.Y.
Carey, N.Y.	Kling	Ryan
Carney, Ohio	Leggett	St Germain
Chisholm	McCollister	Shipley
Clark	McCormack	Slack
Clausen,	McSpadden	Steele
Don H.	Melcher	Steelman
Coughlin	Metcalfe	Stephens
Dennis	Mills, Ark.	Teague, Tex.
Diggs	Mitchell, N.Y.	Thompson, N.J.
Dingell	Montgomery	Wildnall
Edwards, Ala.	Myers	Wilson
Foley	Pike	George, Tex.
Gunter	Powell, Ohio	Wright
Hansen, Wash.	Price, Tex.	

The SPEAKER. On this rollcall 382 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further pro-

ceedings under the call were dispensed with.

#### THE OFFICE OF ECONOMIC OPPORTUNITY

The SPEAKER. The gentleman from Iowa has 8 minutes remaining.

Mr. GROSS. Mr. Speaker, as I was saying, in Chicago, the director and the board of directors of an OEO-financed program, set up allegedly to help minority medical students, decided to take a trip to the People's Republic of China. Since the trip was supposed to be a private one, the director billed OEO \$3,270 for a conference in Los Angeles. The money was actually used for airline tickets to California as the first stage of the trip to China.

A total of \$1,050 in telephone bills was run up on calls to China and from Honolulu in connection with this junket.

The director also submitted \$40 per diem travel expense vouchers when \$25 a day was the approved rate and in one March to November period alone he collected \$5,887 for such "expenses."

Finally, the director deposited \$210,000 of OEO funds in a Chicago bank on the excuse that he wanted to give business to a deserving minority bank. The bank in question is not minority owned and does not normally make loans to minority or other students. Perhaps it is simply coincidence that no checks have been written on this account and that the bank has made two unsecured loans to the director since the account was opened.

In Baltimore, Md., the organizer of an alleged teaching and research "Institute" set himself up as president of a corporation and proceeded to do business with himself to the extent that 43 percent of OEO's initial grant to the institute—a total of \$120,640—went to his corporation.

The organizer also set up a high school equivalency teaching program in North Carolina and OEO obligingly pumped \$595,236 into it during its first 18 months. At the end of that time the "school" had produced two students who had passed the high school equivalency tests.

The executive director of an OEO program in Indiana chartered a private aircraft for her personal convenience and paid for it with OEO funds. She also used rental cars, paid for with OEO money, and awarded electrical and rug installation work to her brother-in-law without taking competitive bids.

In Oregon, the chairman of an OEO-financed organization was the leader of a gang that conducted numerous fire bombings, including that of a grocery store, a knitting mill, and a drugstore. He was convicted of arson and, subsequently, has been charged with being an ex-convict in possession of a firearm.

In Montana, an attorney received at least \$20,000 in salary and fees from an OEO community action agency for serving as a "tourism specialist" and "economic consultant" over a 2-year period. No personnel file for the lawyer has been found and no time records exist showing work actually performed.



The secretary and a member of the board of directors of an OEO-financed program in Florida were indicted for operating an interstate automobile theft ring. The secretary pleaded guilty and the board member was convicted.

In New Jersey, the executive director of a community action program leased two luxury automobiles equipped with mobile telephones, in violation of OEO regulations. His deputy director traveled to Jamaica and Puerto Rico allegedly on official business, but without telling the organization's board of trustees.

In Alabama, a community action program was found to be "a hot bed of racial segregation" where jobs were handed out as patronage for members of the board of directors. In addition, one director submitted travel vouchers for over \$150 a month to cover travel to and from work and staff members drew large and unauthorized travel allowances.

In California, the National Chicano Health Organization is composed of a physician, a director, and six students who are members of the board. The students are scattered all over the map, from California to Michigan, and as a result, travel costs for board meetings are high. As a matter of fact, \$103,801 of the \$200,000 OEO grant has gone for personnel expenses.

Elsewhere in California, the executive director of an OEO antipoverty outfit was found guilty of forging \$5,575 of OEO checks and of improperly cashing \$8,356 of other OEO checks.

Still elsewhere in California, the executive director of an OEO unit has been indicted for fraudulently obtaining \$24,478 in OEO grant funds and of embezzling another \$19,478 of OEO funds from a Community Action Project Directors' Association of which he was secretary-treasurer.

As of March 2 the executive director was reportedly residing in Mexico, a fugitive from justice.

In Georgia, the director of an OEO organization was found unqualified to administer the program. He was being paid \$17,000 a year in spite of the fact that the OEO grant fixed his salary at \$12,000. Perhaps it is needless to add that all employees of this outfit were paid in excess of their set salaries.

#### CALL OF THE HOUSE

Mr. FLOWERS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 68]

Alexander	Carey, N.Y.	Eckhardt
Anderson, Ill.	Carney, Ohio	Edwards, Ala.
Barrett	Chisholm	Gunter
Biatnik	Clark	Harsha
Bray	Diggs	Harvey
Burke, Calif.	Dingell	Hays

Hébert	Patman	Sikes
Heckler, Mass.	Peyster	Smith, N.Y.
Hollifield	Pike	Staggers
King	Powell, Ohio	Stephens
Leggett	Price, Tex.	Teague, Tex.
McSpadden	Quile	Thompson, N.J.
Metcalfe	Rooney, N.Y.	Udall
Mills, Ark.	Rosenthal	Widnall
Montgomery	Ruppe	Wiggins
Myers	Ryan	Wright
Nedzi	St Germain	
Obey	Shipley	

The SPEAKER. On this rollcall 381 Members have recorded their presence by electronic device.

By unanimous consent, further proceedings under the call were dispensed with.

#### THE OFFICE OF ECONOMIC OPPORTUNITY

The SPEAKER. The Chair recognizes the gentleman from Iowa (Mr. GROSS). Mr. GROSS. I thank the Speaker.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. ROUSSELOT. Mr. Speaker, once again I want to compliment the gentleman from Iowa for doing his homework in very thorough fashion and very fashionable fashion and wish to associate myself with his remarks.

I rise to associate myself with the remarks of the gentleman from Iowa, Mr. H. R. GROSS, and commend him for his usual thorough, objective and careful research on the subject of the Office of Economic Opportunity.

Many of us in this House, including the distinguished gentleman from Iowa (Mr. GROSS) have supported President Nixon's effort to phase out the unwarranted, unproductive and improper activity of the Office of Economic Opportunity. Many of us in this House have applauded the courageous efforts of the Acting Director of the Office of Economic Opportunity, Howard Phillips, to try to return some sense of sanity to this program by, in many cases, actually discontinuing the wholly unwarranted actions of the various constituent agencies.

There are many documented examples of outright frauds that have been conducted at all levels of this activity in the name of "eliminating poverty" and, as the gentleman from Iowa has so clearly enumerated, on the basis of this overwhelming evidence, the President has been absolutely correct in terminating the Office of Economic Opportunity and preserving only those programs that actually produce constructive results.

Since the gentleman from Iowa has listed several of these examples, I would also like to present to my colleagues a résumé of the General Accounting Office's audit report which outlines how millions of dollars in fraudulent use by this agency.

On the basis of these audits and reports, it is unfair to ask the 85 million taxpayers of this country to continue to support this type of activity. I urge my colleagues to review with me a summary of this General Accounting Office report which has appeared in the Washington

Star-News of today, Tuesday, April 3, 1973:

#### OEO ACCOUNTING SCORED FOLLOWING AUDIT REPORT

The General Accounting Office (GAO) has accused the Office of Economic Opportunity of failing to account properly for millions of dollars spent by its antipoverty agencies.

The congressional watchdog agency yesterday said in a draft report of its investigation that it uncovered accounting and auditing deficiencies including "inadequate controls over cash, payrolls, travel expenses, procurement, consultant services and property."

GAO investigators said they picked 27 reports from agencies receiving grants of between \$200,000 and \$2 million during fiscal 1970 for special study from among the more than 1,000 reports filed.

Most of these reports came from local community action agencies the Nixon administration wants to stop funding by July 1 as part of its plan to dismantle OEO by shifting some programs to other agencies and scrapping other programs entirely.

The GAO gave no total of the money involved in the slipshod accounting but indicated it could be several million dollars.

Of the 27 reports, 10 showed what GAO said were glaring problems, including these:

In Iowa, an agency employee made unauthorized payments to himself of more than \$7,035 over seven months. Restitution was made, but the employee received \$760 for vacation not taken. Records failed to show any basis for this payment and local officials were unable to explain it.

In Texas, a public accountant did not mention in an audit report a forgery case involving 16 checks totaling \$917 during seven months because restitution was made and the employee dismissed.

In California, one agency had vendors invoices paid without evidence that the goods were received and did not withhold federal income and social security taxes.

At another California agency, probers found uncontrolled use of credit cards and an unauthorized trip by agency personnel to Alaska.

In Missouri, improper accounting led to an agency receiving more federal funds than it was entitled to.

In Nevada, purchase orders did not support the number of procurements.

The GAO, noting OEO was not told of agency deficiencies in some reports, pointed out several accountants believed their allegiance and responsibility was to the grant recipient rather than to OEO. Some accountants also performed other services for local agencies, leading GAO to question their ability to conduct an independent audit.

OEO was rebuked sharply for leniency in checking whether agencies corrected reported deficiencies. GAO said only 12 of 76 reports reviewed in four OEO regional offices showed agencies actually were checked to make sure corrections had been made.

Again, I wish to express the genuine appreciation of most of the Members of this House who are here listening to the comments of Mr. GROSS who has again performed a service of great value to this people's body in bringing attention to this misuse of the taxpayers' money.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. DICKINSON. Mr. Speaker, I, too, want to commend the gentleman in the well. I compliment the gentleman from Iowa for bringing these matters up. I have long been interested in this issue

and would like to present a few facts of my own.

As a result of constituents' complaints, I have had occasion to look into several incidents involving OEO-funded offices in my district. In each case where investigations have been completed and reports received, there is evidence of either misfeasance, malfeasance, or mismanagement of funds. I submit, Mr. Speaker, that we are not helping the poor and underprivileged in cases such as this, rather we are allowing a few individuals to get fat at the expense of the poor and the middle-income taxpayer or we are encouraging people to get on welfare instead of getting off welfare.

In June of 1969, I was asked by a number of my constituents to request an investigation into the activities of Tri-County Area 22, Inc., in Greenville, Ala., with reference to difficulties in personnel management and misuse of funds. In its subsequent investigation, OEO found the board of directors was improperly constituted, showed an unwillingness to insure sufficient involvement of the poor in the operation of community action programs, failed to provide stable direction and minimum standards of administration of its OEO-funded programs and appointed an acting executive director in spite of a potential conflict of interest and violation of OEO policy in the assignment. OEO also found questionable accounting standards and procedures and certain internal control deficiencies in the emergency food and medical program. As a result of the investigation, OEO defunded the emergency food and medical program and eventually withdrew recognition of Tri-County as a CAP agency. You may argue that OEO cleaned its own house in this case, but the housekeeping bill presented to the taxpayers could well have been avoided if the agency had been properly supervised. These are not my opinions and conclusions but those of OEO.

In January of 1970, due to a number of complaints I requested GAO to make an independent investigation of the Little River Community Action Corp. in Daphne, Ala., a grantee of the Office of Economic Opportunity. A report by the General Accounting Office revealed mismanagement of programs and misuse of funds in several instances. Travel expenses paid to the former executive director in the amount of \$4,150 were questionable in all cases due to insufficient supporting documentation. I do not mean to say the travel was not done or the reimbursements were illegal. She just wrote on a blank piece of paper "Trip to blank, x miles at x cents per mile" and approved the voucher herself. The former executive director leased land to the Corporation for 1 year, used employees of the Corporation to improve the property and then took the property back the next year. The Corporation spent \$16,800 of OEO grant funds—about \$9,400 more than authorized—for constructing three tennis courts, repairing an existing court, and purchasing athletic equipment. The courts were supposed to provide recrea-

tion for the underprivileged. They had about as much use for three tennis courts as a hog has for a sidesaddle. Only one of the four courts was used and that was not being used by the poor people for which it was constructed. Also, about \$1,175 worth of the athletic equipment supposedly procured could not be located. The Corporation did not develop adequate outreach programs for contacting potential participants in its commodity distribution program and 21 of the enrollees in its Headstart program were from families whose reported incomes were above the poverty guidelines, while only 10 children were permitted under OEO requirements to be from such families. As if all that weren't enough, there is an additional example of mismanagement which has not been totally cleared up to this day. In September of 1967, the Corporation initiated a project for the construction of a barge for use as a ferry to serve the poor in an isolated area of the county. The project was to have been completed in 45 days and the barge was to have cost \$16,000. The corporation did not obtain the required written OEO approval for the project and did not obtain competitive bids for construction of the barge. When placed on notice that the contractor was not performing satisfactorily, the Corporation did not take actions to obtain timely completion of the barge and initiation of the ferry service. Construction on the barge was not completed until September of 1970—3 years after initiation of the project—and to my knowledge the ferry is still not in actual operation due to further complications.

Rather than costing \$16,000, the project cost \$39,000—more than double the original estimate—due solely to ineffective and inefficient management. Since the investigation, OEO has taken action which has apparently improved the services and management at Little River. Nevertheless, the fact remains that mismanagement and misappropriation of funds has robbed the poor people of that community of programs which could have fulfilled many of their needs—needs which OEO was designed to meet. We are asking the American public to fund OEO so those needs can be met, and yet, we do not take appropriate action to insure that the purposes of OEO are fulfilled.

In September of 1970, I was asked by another constituent to request an investigation of activities of the Montgomery Community Action Agency and particularly its delegate agency, Health Services, Inc. The investigation by GAO revealed that certain payments in the amount of \$5,500 for accounting services were charged to the program year prior to the one in which the services were rendered and inventory record cards for medical items stored in a converted warehouse were not being maintained. GAO was not able to account for 55 to 88 equipment items received from a Job Corps Center. An OEO audit report of the corporation's OEO-funded activities dated April 6, 1970, revealed that Government vehicles were being used by employees of the Corporation and the dele-

gate agency—Health Services, Inc.—for unauthorized transportation to and from their homes and that usage logs were not maintained on the vehicles. The report stated that they checked 2,941 payments by Health Services, Inc., to private pharmacies for prescriptions, and that of those checked, 429 prescriptions erroneously included a professional fee on drugs not requiring a doctor's prescription. That is, for a bottle of aspirin selling for 15 cents retail, a pharmacy would charge \$1.50 professional fee for filling the prescription—thus making a \$1.57 profit on a 15 cent item. Also, in some instances, pharmacies had refilled prescriptions a greater number of times than specified by Health Services, Inc., physicians. Furthermore, Health Services, Inc., had not employed enough full-time physicians to completely staff its health clinic and the resultant use of part-time physicians was more costly than employing the necessary number of full-time physicians. Once again, lack of proper supervision allowed mismanagement and misuse of funds creating an unnecessary financial burden to be borne by the taxpayers without benefiting the poor.

Mr. GROSS. Mr. Speaker, No. 13, in the State of Utah, the "accounting supervisor" of an OEO program was arrested twice within a few days—once for burglary and once for grand larceny. He had been hired 5 years earlier while on parole from a previous offense and had been arrested five times since.

In Texas, the board of directors of a community action program spent \$4,100 of OEO funds for tickets to a movie on Martin Luther King. Total ticket sales for the showing amounted to approximately \$10,000.

The same organization spent \$2,533 on equipment and supplies for a wig-making course that was dropped for lack of interest after 10 students were trained. The equipment then turned up next door in a beauty shop leased by a community action program employee.

Mr. Speaker, these examples of corruption, as flagrant as they are, represent only the tip of the OEO iceberg. There are many more like them and I plan to present a further list of them in the near future.

#### CHANGE OF LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I take this time to announce that we will not consider this week the bill H.R. 3180, the franking privilege for Members of Congress, and House Joint Resolution 205, the Atlantic Union delegation.

Both these measures were announced subject to rules being granted, and the Rules Committee has deferred action on them this week.

This leaves us with H.R. 5683, insured loan program for REA, which has an open rule with 3 hours of debate. We will call the bill up tomorrow.

Of course, conference reports may be



brought up at any time and any further program will be announced later. Otherwise there will be no legislative business on Thursday.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, do I correctly understand from the statement of the gentleman from Massachusetts that we do expect to finish the insured loan program for REA on Wednesday?

Mr. O'NEILL. We do expect to finish the REA bill on Wednesday.

Mr. ARENDS. I thank the gentleman for yielding.

#### PERSONAL EXPLANATION

Mr. ZION. Mr. Speaker, I was out of town on official business yesterday during the consideration of H.R. 3153 and House Resolution 330. Transportation difficulties precluded my returning in time to vote. Had I been here, I would have voted "yea."

#### ALTERNATIVE TO VETOED LEGISLATION

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. Esch) is recognized for 5 minutes.

Mr. ESCH. Mr. Speaker, as we all know, the Senate today sustained the President's veto of the Vocational Rehabilitation legislation by a large margin of 60 to 36. It is time now to reassess our position in light of the Senate's action and to work for a viable alternative to the vetoed legislation.

Accordingly, I am joining with the gentleman from North Carolina, Representative BROYHILL, the gentleman from New York, Representative ROBISON, the gentlemen from Illinois, Representatives ERLBORN and ANDERSON, and 70 other Republicans in introducing what we believe to be a viable compromise vocational rehabilitation legislation. This bill recognizes the fact that we must move aggressively ahead on legislation that will reach out to the needs of the handicapped across the Nation, but that it must be designed not only to be passed by the Congress but will be forcefully carried out by the administration during the next 3 years.

Our bill meets most of the administration's arguments head-on. It decategorizes much of the vetoed bill, with the one exception of the most difficult area of all—those inflicted with spinal injuries for special attention. In addition to providing flexibility, it guarantees that the States will receive the amount promised them in the President's budget request as well as additional new funds for research and training and the construction of vocational rehabilitation facilities. While it does not contain Title II, it contains a new section 204 which authorizes the Secretary of Health, Education, and Welfare to conduct experimental programs and studies designed to test the feasibility of bringing the severely and

minimally trainable handicapped under the provisions of the act. Additionally, our bill actively involves the Federal Government in eliminating architectural barriers.

The administration has never indicated any disagreement, to the best of my knowledge, with these provisions.

In terms of funding, while our bill provides for a moderate increase in funding over a 3-year authorization—1974-76—and continues 1973 authorizations at the President's original budget request, it does so at a level we think the administration can live with—particularly in that they represent authorization levels, not appropriations or outlays. Our bill cuts approximately \$300 million from the vetoed bill's fiscal year 1974 authorizations, and assuming that title I funding would be at the same level in 1975 as in 1974 in the vetoed bill, cuts an additional \$800 million in fiscal year 1975.

Many of my colleagues recognize the needs of the handicapped but found it most regrettable that we were faced today with a decision in which many of the handicapped throughout the Nation would feel "used" by both sides. Our handicapped deserve better than this.

I pray that both sides work actively together to see that a compromise bill can be passed immediately to provide the needed services, research and training facilities so that our handicapped citizens may be contributing members of our society.

#### SKYROCKETING FOOD PRICES

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 10 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, like all Members of Congress, I have been concerned about the problem of rising food prices and so I started looking into some of the causes. The situation today can be traced to last year and the early part of this year. Consumer income increased, and as a result, people were eating better and were buying more food. The demand both at home and abroad increased.

Unfortunately, this rising demand at home and overseas was accompanied by a falling supply of food on our American farms, particularly in the second half of 1972.

The consequence has been a sharp upsurge in the prices of raw farm products, an upsurge which has now hit the retail markets.

Adding to this problem was the unusually large supply of wheat this country agreed to sell to the Soviet Union, which had experienced a poor harvest. The lack of wheat on the domestic market applied pressure to feed grain production. This short supply caused an increase in the cost of feed for livestock, wheat for bread, and many other foods which make up our daily diet.

While the large sale of wheat to the Soviet Union is only one factor of many in causing the current food price increases, it is an important one. Not only

did the sale shorten our own supply of grains, but all indications are that we did not get a good deal for the farmer and the taxpayer when the wheat sale occurred. I am introducing a bill today which I feel will prevent many of the inequities which resulted from the Soviet wheat sale. This series of transactions, referred to not inaccurately as the "Great American Wheat Robbery," resulted in the Russians getting wheat and other grains they desperately needed at bargain prices, while the farmer and the taxpayer picked up the tab.

This bill, in short, would require disclosure of grain or soybean sales of more than 10,000 bushels for export as soon as the sales agreement is reached and would require the Secretary of Agriculture to make the information public at once through the market news service of the Department of Agriculture.

The bill will protect farmers from selling their grain or soybeans at a low price, not knowing that large sales have been made. It will provide the Department of Agriculture and other pertinent agencies will the necessary information to make adjustments to protect cattle, hog, and poultry farmers from having to pay outrageous prices for feed. It will help protect bakers and other food producers from sudden uncontrolled spurts in the price of grains and grain products. The bill will assist every American consumer by helping to protect against unexpected skyrocketing food prices. And it will enable our seaports and our railroads to better prepare for increased traffic in exported grains and soybeans.

Under our free enterprise system and our open spirit of competition, the Russians frankly took us to the cleaners. They did this by dealing privately and quietly with each grain dealer unknown to other grain dealers, unknown to farmers, and to a large extent, unknown to the Department of Agriculture. I believe we can retain our free enterprise system and at the same time protect ourselves from those who would seek to take advantage of it.

If enacted, my bill would throw a spotlight on each major grain sale for export as it is consummated, thereby informing interested parties of the frequency and magnitude of grain and soybean sales. Certainly this is not the entire answer to the problem of rising food costs, but I believe it will help. And it will allow the United States, its farmers, and its taxpayers to get the best possible deal from foreign buyers.

Again, Mr. Speaker, we must do all we can to hold the line on rising food prices. The old law of supply and demand is still the best answer, and we must take all necessary steps in the weeks and months ahead to increase the supply so that the price of food will stop its gallop upward.

The working men and women of America and our retired citizens cannot afford ever-increasing prices. I am confident that with the help of consumers and government alike, we can beat this problem of skyrocketing food prices.

## ARCTIC WINTER GAMES BILL

The SPEAKER. Under a previous order of the House, the gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today, I have introduced a bill to authorize the appropriation of \$150,000 to assist in financing the Arctic Winter Games which will be held in the State of Alaska in 1974.

As you may know, a similar measure which sought a \$250,000 appropriation, passed the Senate last May 10 without objection. However, the press of business prevented it from being considered by the House last spring. A lesser appropriation is in order at this time, I believe, because the Armed Forces in Alaska have since agreed to provide food for the contestants at a nominal fee, and private donations have surpassed the original expectations of the organizing committee.

Still, an appropriation in the amount of \$150,000 is needed if the games are to be held next March in Anchorage, Alaska.

In the past, approximately two-thirds of the funding for the games has come from the Canadian Government. In support of the 1970 Yellowknife games and the 1972 contests which were held in Whitehorse, Yukon Territory, the Canadian Government contributed almost \$500,000. The State of Alaska appropriated \$30,000 toward the first pair of games.

During this time, the U.S. Government has made no contribution toward the games. It is estimated that \$150,000 is the minimum amount needed from the Federal Government in order to bring the games to Alaska next year; this is the reason for introducing this bill today.

Since their inception, the Arctic Winter Games have grown substantially. Thousands of American and Canadian spectators have watched young people from both nations compete. Greenland, Iceland, Denmark, Norway, Sweden, and Finland are counted as possible future competitors.

Greenland even now is exploring the possibilities of sending a team of competitors to Alaska for the 1974 games.

I urge Congress to assist in funding this worthy event. For as these games progress and grow, they will expand to provide a forum for international peace and understanding between the young people of all northern nations and territories.

A copy of the bill follows:

H.R. 6540

A bill to authorize the appropriation of \$150,000 to assist in financing the arctic winter games to be held in the State of Alaska in 1974

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is authorized to be appropriated to the Secretary of Commerce the sum of \$150,000 for the purpose of assisting the financing of the arctic winter games to be held in Alaska in 1974. The Secretary shall provide for the disbursement of such funds (including the making of grants to appropriate persons or organizations) on such terms and under such conditions as he deems appropriate, includ-

ing the submission to him of such reports from persons or organizations to which such funds are disbursed as the Secretary considers necessary to protect the interests of the United States and assure that such funds have been used for the purpose for which they were disbursed.

PATRICK "PAT" COSENTINO—  
"MAN OF THE YEAR"

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, Charles Cina, international representative, UAW of America, AFL-CIO, New York State Senator Steve Greco, and I recently had the honor and privilege of being the principal speakers at Bison City Lodge No. 230, Italian Sons and Daughters of America's dinner which paid tribute to Patrick "Pat" Cosentino—their "Man of the Year" and a good friend of mine.

Pat's life is an illustrative example of the idea that hard work and love of God and country are still the essence of our American dream.

So by honoring Pat Cosentino we really honor those Italian-Americans who share his belief that each individual, no matter his background, creed, or race, should be free to go as far and fly as high as his ambition, courage, and determination will take him.

The Cosentino family, dear friends of mine, are those whose character is that which helped build this Nation.

I am proud to be the Representative of many thousands of Americans of Italian origin in my 38th District of New York and I am especially proud of Bison City Lodge No. 230, whose members are renowned on the Niagara Frontier for the many public-spirited projects they have undertaken on behalf of the community.

Pat Cosentino, his family and Bison City Lodge No. 230, Italian Sons and Daughters of America represent the finest traditions of their proud Italian heritage.

The first Italian immigrants came to this Nation asking for nothing except the opportunity to work and build and we are very fortunate that they came here. They have become a part of America and every area of our Nation where they have settled has been enriched.

Our history and the American heritage are filled with the accomplishments of Americans of Italian origin. Italians came as explorers and settlers to help conquer the wilderness and they joined in America's initial fight for freedom, liberty, and justice.

Enrico Tonti founded the first trading post in Chicago and was one of the founders of the colony of Louisiana. His brother, Alfonso Tonti, helped Cadillac found the city of Detroit.

Umberto Beltrami discovered the sources of the Mississippi.

William Paca was a signer of the Declaration of Independence and Dr. Filippo Mazzei, physician and counselor to President Thomas Jefferson, incorporated the philosophy of Mazzei in the Declaration

of Independence with the immortal words "that all men are created free and equal."

I could, of course, go on to mention countless other ways in which Americans of Italian heritage have contributed to the greatness of our Nation, but whatever area we might pick, whether business or politics, the arts or labor, we would find those of Italian background who have made their way to the top and are justly honored.

Such a person is Patrick "Pat" Cosentino who is a living example of the fulfillment of the American dream. At the age of 14, Pat worked at the Elk Street Market, unloading trucks and earning \$3 a week. As soon as he was old enough to obtain a drivers license at 18, Pat worked as a driver for \$18 weekly. From this Horatio Alger beginning, Pat worked his way up to purchasing his own truck to owning his own automobile agency to developing land through building and leasing in the Buffalo Airport area.

Today, Pat heads numerous enterprises—Executive Motor Inn, Williamsville Manor, Charter House Motor Inn of Buffalo, Dynamic Enterprises, and many others. He is also active in a multitude of organizations including: Bison City Lodge No. 230; Canisius College President's Council; board of trustees, Villa Maria College; and others such as the Food Service Executive Association and the Hotel and Motel Association.

Pat is known as a man of honor in his profession and as a generous humanitarian and devoted family man in his private life. His philosophy is perhaps best expressed by a favorite saying of his:

No one knows what it is that he can do till he tries.

On March 10, many notable public figures, including the mayor of Buffalo, New York State legislators, town officials, judges, law enforcement officials, and representatives of business and labor, gathered to join the members of Bison City Lodge No. 230, Italian Sons and Daughters of America and myself in honoring Pat Cosentino as "Man of the Year."

Mr. Speaker, I recommend the study of Pat Cosentino's life to anyone who believes that it is no longer possible to struggle against great odds and achieve success.

I include at this time and recommend to the attention of my colleagues, a proclamation by Stanley M. Makowski, mayor of Buffalo, N.Y., honoring Pat Cosentino and Bison City Lodge No. 230, Italian Sons and Daughters of America; an outstanding speech by my friend Charles Cina, international representative UAW of America, AFL-CIO presenting the "Man of the Year" award; a list of the honored guests attending the award dinner and a list of the officers and trustees of Bison City Lodge No. 230 and the western New York national officers of the Order of Italian Sons and Daughters of America:

CITY OF BUFFALO, OFFICE OF THE MAYOR—  
PROCLAMATION

Whereas, Bison City Lodge #230, Italian Sons and Daughters of America demonstrated in the past that their aims are devoted toward the betterment of the community and civic responsibility; and

Whereas, Bison City Lodge #230 has greatly contributed in fostering worthwhile com-



munity projects and has stood in the forefront on many issues concerned with promoting goodwill among all citizens of this community; and

Whereas, Patrick A. Cosentino, Sr. has been chosen for his dedicated service to the public as the Bison City Lodge #230 "Man of the Year" for 1973; and

Whereas, the membership of the Bison City Lodge #230 has earned and richly deserves the thanks and gratitude of the community for its public-spirited activities,

Now, therefore, I, Stanley M. Makowski, Mayor of the City of Buffalo, do hereby proclaim March 10, 1973 as "Bison City Lodge No. 230—Italian Sons and Daughters of America Day" and earnestly urge all of our citizens to promote and foster the aims and principles of this lodge through appropriate festivities.

STANLEY M. MAKOWSKI,  
Mayor.

#### SPEECH BY CHARLES CINA

The Bison City Lodge #230 made up of sons and daughters of Italian Americans has selected a person of Italian-American heritage to be its "1973 Man of the Year".

Let me tell you something about this man and then you can see for yourself why this man is worthy of the distinction and honor being bestowed upon him this evening.

Pat Cosentino was born July 4, 1916 on Myrtle Avenue and was raised on Buffalo's East Side. He was the youngest of three (3) children in a very poor family.

At the age of 9, he experienced his first tragedy in life with the death of his beloved mother.

He graduated from Public School 32, attended Burgard Vocational High School and left to help support himself and his family.

At the age of 14, Pat got a job unloading trucks at the Elk Street Market for \$3.00 per week. When he reached the age of 18, he obtained a license to drive a truck and subsequently became a truck driver at \$18.00 per week.

At the height of the Depression in 1938 and at the age of 22, Pat, with no money to speak of, a limited education and no business experience, decided to go into business for himself. This was the turning point in Pat's life. A man with great imagination and determination, he went to see his friend, Jim Oddi, who was Credit Manager of the then Niagara National Bank of Buffalo, and applied for a loan to purchase a truck. Having no collateral to offer except nerve and integrity, Jim Oddi helped to arrange a loan for Pat so that he could buy his truck.

Full of vim and vigor and with an abundance of confidence, he was able to secure contracts with several food merchants to deliver food products all over Western New York. This was the beginning of his uphill struggle to make a better way of life for himself and for the family he hoped to have.

In June of 1939, he decided to marry his childhood sweetheart, the former Jennie T. Tagliaferro, whom he courted while she was babysitting for Mario and Ann Cichine who lived in the same house on Adams St. owned by Jennie's father. The Cichine's took Pat into their home while still a youngster and fed and gave him a place to sleep and looked upon Pat as their younger brother. Pat was such a likable guy that Mario took him along to drive his car on a honeymoon trip when Mario and Ann got married.

Not having enough money to take his own wife on a Florida honeymoon, as he was still trying to make ends meet in his new trucking concern, but not lacking friends, Pat was able to borrow an automobile and instead took his wife on a one week honeymoon trip to Salem, Massachusetts.

He now has four (4) married children; James—Age 31, Marilyn—Age 29, Pat, Jr.—Age 26 and Ann—Age 23. Pat and Jennie are

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the proud grandparents of seven (7) grandchildren.

Marriage was another turning point in Pat's life. He knew that being married and having children would be a big responsibility and he knew that he had to make good.

After operating his trucking concern for several years, Pat decided to go into the new car business. Not having enough money, Pat once again went to his old banker friend, Jim Oddi, for help. After getting a bank loan, Pat leased a building on Genesee Street near Union Road and opened up a Packard Agency called "Cosentino Motors".

Pat did very well and consequently won an award from the Syracuse Office of the Packard Auto Company for selling a lot of Packard automobiles. As a matter of fact, he also won a trip but refused to go away for fear of not being able to sell more cars while being gone.

When his lease was up, the owners of the building refused to renew his lease. This was another turning point in Pat's life. Things looked dark for him. He had nowhere to go.

Undaunted, he again went to his friends and to the bank and raised some more money and bought land opposite the Buffalo Airport. He built a new building for his Packard Agency. While he was operating the Packard Agency, he continued to buy more land adjacent to his Agency and on Dick Road with small down payments and big mortgages. A combination of heavy debts and a bad automobile market eventually forced him to sell the Agency.

Having confidence and foresightedness in the future growth of the airport area, Pat continued to scrape up money to buy more land on Genesee Street with more small down payments and big mortgages.

Here he built the beautiful and famous Executive Motor Inn in the winter of 1960, opposite the Buffalo Airport, where many functions are held. It is widely known throughout this country and Canada for its clean, high class entertainment, fine food and comfortable, luxurious lodgings. Famous people from all walks of life have stayed at his motel. Pat has gotten to know almost 1 of them personally. He has received hundreds of testimonial letters of commendation for the excellent care and treatment extended to them by the Management and help of the Executive Motor Inn. A perfectionist, that was the way Pat wanted it and that is the way it is still being done.

Not content with the Executive Motor Inn, he recently acquired the Charter House on Transit Road and is now expanding his Hotel and Motel facilities to Niagara Falls Boulevard, Town of Tonawanda where he is planning in the near future to build another modern and beautiful facility to be known as the Executive Motel North.

In addition to this, he now owns and controls many more corporations among them are Dynamic Enterprises, Williamsville Towers and Panorama Park.

Pat experienced another sad incident in September of 1958 when he lost his father whom he supported over the many years. Just last year he lost his oldest brother, Charlie, who he loved and admired very much. His older married sister, Mary Gullo, is still living and most happy and proud to see her brother being honored tonight.

Pat was born to greatness through his outstanding achievements accomplished by his driving and dynamic force over the many and sometimes turbulent and difficult years. Pat was able to prove that: "No one knows what it is that he can do till he tries". Pat has earned the respect of all of the people he had occasion to deal with. They have found him to be highly ethical in his business dealings and a man of honor whose word is good as "gold". As a great humanitarian, his charities to those less fortunate have been many but always anonymous.

#### WHO IS AND WHAT KIND OF MAN IS PAT COSENTINO?

Pat is a hard working individual whose work day starts at 6:00 A.M. and ends at 6:00 P.M. and sometimes later.

His only purpose in life is to build a future with security for his family and for the hundreds of his employees now working in his many companies.

The Hotel, Motel and Restaurant Workers Union of America which is the collective bargaining agent in matters of hours, wages and other conditions of employment and many top labor leaders of other International Unions look upon Pat Cosentino as a man who is fair and just and a man with the belief that the dignity of the worker is something that must always be upheld.

In short, Pat is a kind, gentle, ethical and compassionate human being with a keen sense of humor and understanding, one who believes and loves his God, one who believes in and loves his country, one who believes in and loves his family, his community, and respects the beliefs and rights of others.

The success to his endeavors can be greatly attributed to his family; a family of togetherness, a family who have always stood by him with love, understanding, patience and moral support. Particularly, his wife Jennie, who has cared for him during his period of convalescence when stricken with a heart attack 9 years ago. Besides being a wife, she has been a mother, a nurse and a pleasant and wonderful companion to have around. She always rallied around him when the going was rough and supported him in his many successful and sometimes failing business ventures. Jennie hovers over Pat as if he were a little boy and he loves every minute of it. She cooks special meals for him, sometimes reminds him to take a short afternoon nap and makes sure that Pat goes to bed early to get his much needed rest so that the next day he can work in his usual whirlwind fashion.

His two boys, James and Pat, Jr., brother officers of all his corporations have been of tremendous help to Pat by assuming many of the responsibilities that Pat has in the administration of his many enterprises. Marilyn helped out at the front receptionist desk until she became a mother of two (2) children. Ann, the youngest, has now taken Marilyn's place at the front desk and she is easily recognizable by the flashing and winsome smile emanating from her pretty face.

Yes, Pat has been blessed with a wonderful and beautiful family. He will someday, when he passes on to the great beyond, leave them and all of us in the community a legacy that will long be remembered, as a humble man who came from a poor Italian family and who struggled hard against great odds to make good, and in doing so, made a tremendous contribution towards helping to build a happy and prosperous community for all of us to enjoy.

Therefore, I say to all of you in our great society, take heed! We have added one more to the thousands of men of Italian-American heritage who has been a credit to himself, his family, to all of us of Italian-American heritage, and to his community as a whole.

Although Pat possesses great wealth, and deservedly so, however the first and most important thing he cherishes is the love of his family and the respect of his friends.

On behalf of the members of the Bison City Lodge #230 and those friends of Pat who are here tonight and who hold him in high esteem—let me say that I deem it a great honor, a great privilege and a genuine pleasure to declare you, Pat Cosentino, "Our 1973 Man of the Year".

#### HONORED GUESTS

Mrs. Patrick Cosentino, Wife of Man of the Year.

Hon. Jack Kemp, United States Congressman.

Hon. Stephen R. Greco, New York State Assemblyman.  
 Hon. Joseph Ricotta, State Supreme Court Justice.  
 Hon. Stanley M. Makowski, Mayor, City of Buffalo.  
 Hon. Frank A. Sedita, Former Mayor, City of Buffalo.  
 Hon. Ernest Colucci, Erie County Justice.  
 Hon. Joseph S. Mattina, Erie County Justice.  
 Hon. Sebastian Bellomo, City Court Justice.  
 Hon. Joseph Sedita, City Court Justice.  
 Hon. Carmelo Parlato, City Court Justice.  
 Hon. John Jabonski, Cheektowaga Justice.  
 Hon. Joseph Pysczynski, Cheektowaga Justice.  
 Hon. William Dauria, Buffalo Councilman-at-Large.  
 Michael Amico, Erie County Sheriff.  
 Frank Felicetta, Buffalo Police Commissioner.  
 Hon. Daniel Weber, Cheektowaga Supervisor.  
 Hon. Anthony F. Tauriello, Buffalo Board of Education.  
 Ralph Dengenhardt, Buffalo Chief of Detectives.  
 Bernard Kostzewski, Cheektowaga Police Chief.  
 Rev. Michael Gigante, O.M.I., Bison City Lodge Chaplain.  
 James Oddy, Retired Bank Official.  
 Charles Cina, International Representative UAW of America AFL-CIO.  
 Samuel F. Cariola, President, Business Manager, Local 66 AFL-CIO.

#### BISON CITY LODGE No. 230 I.S.D.A.

##### 1972-1973 OFFICERS

President, Mr. Vincent M. Mule'.  
 Vice President, Mr. Joseph Casacchi.  
 Executive President, Mr. Leonard Torchia.  
 Orator, Mr. Vincent J. Mule'.  
 Financial Secretary, Mrs. Vincent Vizzi.  
 Treasurer, Mrs. Simon Wallens.  
 Recording Secretary, Mrs. Joseph Casacchi.  
 Sentinel, Mr. Carl Galluzzo.

##### TRUSTEES

Chairman, Mr. Richard Principale.  
 Trustee, Mr. Vincent Greco.  
 Trustee, Mr. Anthony Trifilitti.  
 Trustee, Mr. Gary Martinelli.  
 Trustee, Mr. Michael Lombardo.  
 Trustee, Mr. Louis Castiglione.

#### WESTERN NEW YORK NATIONAL OFFICERS—ORDER OF ITALIAN SONS AND DAUGHTERS OF AMERICA

National Deputy to Bison City Lodge, Georgianna McCoy, Power City Lodge No. 158.  
 National Counselor, Chuck McCoy, Power City Lodge No. 158.  
 National Counselor, Patrick Valenti, Cataract Lodge No. 240.  
 National Representative, Daniel Archie, Cataract Lodge No. 240.  
 National Representative, Leonard Torchia, Bison City Lodge No. 230.

#### A SPECIAL TRIBUTE TO DR. SIDNEY FARBER—FOUNDER OF THE JIMMY FUND AND AUTHORITY ON CANCER

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, it is with a deeply saddened and heavy heart that I take this opportunity to pay tribute to the passing of one of the most devout and successful researchers into children's diseases, Dr. Sidney Farber, the guiding spirit behind the Jimmy Fund and the Charles A. Dana Cancer Center.

He began his lifelong struggle to save lives from cancer in a small basement room at the Children's Hospital in 1927. Twenty years later, the Jimmy Fund Center was built and the battle against cancer was enlarged with new resources, equipment, and personnel.

When Dr. Farber began searching for a cure for childhood leukemia, working 16 hours a day, 7 days a week, youngsters faced only weeks or months of life. When his work ended, children were being kept alive for years through chemotherapy and radiotherapy developed at this Jimmy Fund Center.

In 1947, he discovered that the drug, aminopterin and the related chemical, methotrexate could bring about remission of symptoms in acute leukemia. But this was only the beginning. Continued research in anti-cancer agents progressed at the Children's Research Foundation under Dr. Farber's aegis.

Becoming internationally renowned as the world authority on cancer in children and as the founder of modern pediatric pathology, Dr. Farber received innumerable recognition for his unparalleled contribution in the field of cancer research. Nine honorary degrees, the Judd Award for Cancer Research in 1953, the United Cerebral Palsy-Max Weinstein Award for his stimulus to broad areas of neurological research in 1958, the Gold Medal of the American Cancer Society in 1959, and appointment to the President's Commission on Heart Disease, Cancer, and Stroke in 1964 enumerate just a few of his accolades for a lifetime of dedication and service to children.

I remember Sidney Farber as a great humanitarian, a compassionate and gentle man who loved children, and the sicker they were, the more he tried to cure them. His tireless efforts on behalf of children stricken with cancer filled a lifetime of outstanding service and endeared him to all who knew him.

Rare was the person who could say no to Dr. Farber when he sought aid in behalf of the children of the world. He appeared many times before congressional committees and was a powerful influence in the National Cancer Institute.

I also can remember when Dr. Farber ordered that parents should not be forced to pay for treatment of their children at the Jimmy Fund Center. So money for the center was raised through donations of nickles, dimes, and by large individual gifts.

I know that many children grown to adulthood across this Nation today, mourn the loss of this kind and gentle, but proud and powerful man, who preserved their lives. His many accomplishments made him loved and respected by all.

So, on this occasion I know that we will miss Dr. Sidney Farber, but the efforts he started will be continued at the Jimmy Fund and Dana Centers. And one day, a prevention of cancer will be found, the discovery of which is closer to reality merely because of the lifelong efforts of Dr. Sidney Farber.

My wife, Milly, joins me in sincere ex-

pression of condolences to Dr. Farber's wife and family.

#### THE LATE HARRY MILTON LIVINGSTON

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 5 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, it is my sad duty to inform the Members of the U.S. Congress that Harry Milton Livingston, finance officer in the House of Representatives for the past 24 years, died Sunday, April 1, 1973, at Georgetown University Hospital following a brief illness.

Mr. Livingston was named disbursing clerk in the House of Representatives in February 1949 and served under four Speakers of the House, CARL ALBERT, John McCormack, the late Sam Rayburn, and the late Joseph W. Martin, Jr. For the past 4 years he had served as budget and operations officer for the House Doorkeeper.

Mr. Livingston was born April 24, 1909, in Rochester, N.Y., son of the late Richard E. and Charlotte McLeod Livingston.

Before coming to Washington, he was a resident of Buffalo, N.Y. He graduated from Lafayette High School and took up the trade as a carpenter, later being employed by the city parks department. He was a member of Carpenters Union Local No. 9 and had retained his membership.

He had long been active in affairs of the Democratic Party and for many years was a ward chairman in Buffalo.

At the Capitol, he had been president of the Congressional Employees Federal Credit Union since 1963, having been on the board of directors since 1961, when he also was named vice president. He was a member of the Burros Club, a Democratic organization, and was a former president of the Congressional First Friday Club.

He was a member of the Kenwood Country Club of suburban Bethesda, Md., and recently was elected to the board of governors. He was active in the Kenwood Men's Bowling League and had been chairman of the Arthritis Ball for the last 2 years.

He is survived by his wife, Loretta T., at home 5401 Christy Drive, Chevy Chase, Md., two daughters, Mrs. Francis G. "Joyce" Monan of Alexandria, Va., and Mrs. Theodore "Patti Anne" Morgan of Wurzburg, Germany; nine grandchildren; and two brothers, Richard E. Livingston of Bethesda, secretary-treasurer of the United Brotherhood of Carpenters and Joiners of America, and Donald M. Livingston of North Tona-wanda, N.Y.

Mr. Livingston was active in church affairs and had been an usher at the Little Flower Roman Catholic Church for many years. He was a member of Council 184, Knights of Columbus.

Harry Livingston was a friend of mine and I know he was loved by all who knew him. On behalf of Mrs. Burke and myself I express my deep sympathy to his wife and family. Our prayers are with them in this hour of sorrow.



# LEGISLATION TO PROVIDE ADEQUATE SHORESIDE FACILITIES FOR VISITORS TO THE U.S.S. "ARIZONA" MEMORIAL NOW SPONSORED BY 100 MEMBERS OF HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA), is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, I am pleased today to reintroduce legislation authorizing the construction and operation of shoreside visitor facilities for the U.S.S. Arizona Memorial at Pearl Harbor, Hawaii.

Almost 120 Members of the House, from 37 States and territories, are now sponsoring this legislation, which is identical to legislation which passed the House without a single dissenting vote in the last session. Unfortunately, there was insufficient time for the Senate to take action, and the bill died in that body. This year, I am confident of early and favorable action in both Houses of Congress, and enactment of this long-overdue legislation.

Mr. Speaker, the need for this legislation continues to grow. Since the dedication of the Arizona Memorial, the annual number of visitors has grown from 62,000 in 1962 to 874,000 in 1972—440,000 by Navy boat, and an almost equal number by commercial vessels.

Since these visitors come from every State in the Union, the visitor facilities to be authorized in my legislation would be of direct benefit to citizens of every State.

I trust that this increasing flow of visitors will very soon have an appropriate theater and museum, in which they can learn of the Pearl Harbor attack and the war in the Pacific, before visiting the solemn U.S.S. Arizona Memorial itself, where 1,177 Americans still lie entombed within the hulls of the sunken battleship.

I offer for inclusion in the RECORD at this point the text of the legislation, along with a State-by-State list of sponsors:

## H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is authorized to provide for the construction, establishment, and maintenance of permanent shoreside facilities (including, but not limited to, a theater and museum) within the Pearl Harbor Naval Base, Hawaii, to provide for the education and convenience of visitors to the United States Ship Arizona Memorial.

SEC. 2. The Secretary of the Navy, after consultation called for in section 3 hereof, may include and display in the theater and museum such personal property, relics, documents, memorabilia, films, and exhibits as he deems appropriate to assist visitors to enhance their understanding of the history and American interest in the Pacific Ocean areas, and to deepen their appreciation of the great heroism and patriotism of the men who lost their lives at Pearl Harbor on December 7, 1941, and in the Pacific Ocean areas during World War II.

SEC. 3. In carrying out his duties under this Act, including (but not limited to) the planning, construction, equipping, and furnishing of the shoreside facilities, the Secretary of the Navy is authorized to consult

with, seek the advice and assistance of, and receive and accept gifts from, any interested individuals, agencies, groups, or organizations, including the Pacific War Memorial Commission of the State of Hawaii.

SEC. 4. The Secretary of the Navy is authorized to consult and negotiate with the Secretary of the Interior for the transfer of responsibility to the National Park Service, Department of Interior, for the maintenance and operation of the shoreside facilities immediately upon completion of their construction.

SEC. 5. There is authorized to be appropriated a sum not to exceed \$2,500,000 for the planning, construction, equipping, and furnishing of the shoreside facilities authorized in section 1 hereof, such sum to be in addition to the regular budgetary appropriations for the Department of the Navy.

## HOUSE SPONSORS OF U.S.S. "ARIZONA" MEMORIAL BILL, APRIL 3, 1973

ALABAMA  
Tom Beville, Bill Nichols.

ARIZONA  
John B. Conlan, John J. Rhodes.

CALIFORNIA  
Glenn M. Anderson, Phillip Burton, Del Clawson, George E. Danielson, Don Edwards, Barry M. Goldwater, Jr., Richard T. Hanna, Augustus F. Hawkins, Andrew Hinshaw, Chet Hollifield.  
Craig Hosmer, Harold Johnson, Robert L. Leggett, John Moss, Thomas Rees, Edward R. Roybal, B. F. Sisk, Lionel Van Deerlin, Victor V. Veysey, Charles E. Wiggins, Charles H. Wilson.

CONNECTICUT  
Robert N. Gialmo, Ella T. Grasso, Stewart B. McKinney, Ronald A. Sarasin, Robert H. Steele.

FLORIDA  
Charles E. Bennett, Dante B. Fascell, Don Fuqua, William Lehman, Claude Pepper, C. W. Bill Young.

GEORGIA  
John W. Davis.

GUAM  
Antonio B. Won Pat.

HAWAII  
Spark M. Matsunaga, Patsy T. Mink.

IDAHO  
Steven D. Symms.

ILLINOIS  
Harold Collier, Edward J. Derwinski, Ralph H. Metcalfe, Melvin Price.

INDIANA  
Ray J. Madden.

KANSAS  
William Roy.

LOUISIANA  
Gillis W. Long, John Rarick, David C. Treen.

MAINE  
Peter Kyros.

MARYLAND  
Parren Mitchell, Paul Sarbanes.

MASSACHUSETTS  
Paul W. Cronin, John J. Moakley.

MICHIGAN  
Marvin L. Esch, Gerald R. Ford, Guy Vander Jagt.

MISSOURI  
William L. Hungate, Leonor K. Sullivan.

MONTANA  
John Melcher, Richard G. Snoup.

NEBRASKA  
Charles Thone, David Towell.

NEW JERSEY  
Dominick Daniels, Peter Frelinghuysen, Henry Helstoski, John E. Hunt, Joseph

Minish, Edward J. Patten, Peter Rodino, Jr., Robert A. Roe, William Widnall.

## NEW HAMPSHIRE

James C. Cleveland.

## NEW YORK

Joseph P. Addabbo, Jonathan Bingham, Frank Brasco, Shirley Chisholm, Thaddeus Dulski, Frank Horton, Jack F. Kemp, Bertram L. Podell, Angelo D. Roncallo, Benjamin S. Rosenthal, Samuel Stratton, William F. Walsh, Lester Wolff.

## NORTH CAROLINA

James T. Broyhill.

## OHIO

Charles J. Carney, John F. Selberling, J. William Stanton, Louis Stokes.

## OKLAHOMA

James R. Jones, Clem Rogers McSpadden.

## PENNSYLVANIA

Lawrence Coughlin, John H. Dent, John P. Saylor.

## SOUTH CAROLINA

Wm. Jennings Bryan Dorn, James R. Mann.

## SOUTH DAKOTA

Frank Denholm.

## TENNESSEE

Joe L. Evins.

## TEXAS

Bob Casey, O. C. Fisher, J. J. Pickle, Olin E. Teague, Jim Wright.

## VIRGIN ISLANDS

Ron de Lugo.

## VIRGINIA

Thomas N. Downing, G. William Whitehurst.

## WASHINGTON

Brock Adams, Floyd V. Hicks, Julia B. Hansen, Mike McCormack, Lloyd Meeds.

## WEST VIRGINIA

Ken Hechler, Robert H. Mollohan.

## WISCONSIN

David R. Obey.

## WYOMING

Teno Roncalio.

## FAIRER OPPORTUNITIES FOR NATIVE AMERICANS

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. CULVER) is recognized for 5 minutes.

Mr. CULVER. Mr. Speaker, in recent weeks the news media has again carried stories reminding us of the agonizing social problems of this land's first inhabitants. Reports from Wounded Knee are painful reminders of the failure of our past attempts to deal with the needs and aspirations of this special group within our national society.

Today, Mr. Speaker, I am reintroducing three bills that I first submitted for the consideration of Congress in 1971. At that time, I had just visited the Rosebud Indian Reservation in South Dakota and had personally witnessed the drastically inadequate conditions and facilities of that reservation. Since that experience, my memory of the Rosebud Reservation has not been dimmed, and the requests from Wounded Knee evoke vivid recollections. I am introducing these bills as a part of an attempt to develop a more responsible and responsive policy toward the Indian population.

Two of the bills are aimed at easing the widespread Indian unemployment.

The first, modeled after the measure largely responsible for Puerto Rico's unparalleled economic growth, would exempt from Federal income taxes for 10 years all business firms locating on reservations. The second proposal would increase business control available to Indians and their tribes by providing incentives to private lenders to loan more money for Indian economic projects and boost the source of public funds for such projects when private money is unavailable.

The third bill would create an Indian Trust Counsel Authority to represent Indians in their disputes with the Federal Government over rights to natural resources. The present arrangement, whereby the Departments of Justice and Interior represent both the Indians and the Government, has often raised conflicts of interest.

When these bills were first introduced 2 years ago there was unfortunately insufficient congressional support to secure their passage. Furthermore, there has been insufficient movement in recent years attempting to help resolve the many difficulties faced by the Indians.

For instance, the Indian population is still plagued by the presence of extreme economic pressures. It is estimated by the Bureau of Indian Affairs that the unemployment rate among Indians is approximately 40 percent, with an additional 20 percent underemployed. In recent years, the unemployment has been 10 times the national average. In addition, the proportion of Indian families estimated to be living below the poverty level is 75 percent, with the annual income for such families averaging approximately \$1,500.

Population statistics give evidence of the negative effect of this poor economic condition. While total U.S. population has multiplied many times, the 1970 census shows a decrease to 827,091 from the estimated 840,000 Indians living in Columbus' America. Yet today's population actually represents a rapid increase from the late 19th century when there were less than 250,000 Indians surviving. This rapid growth in population, in spite of an infant mortality rate nearly 50 percent higher than for the population at large and an average life span of 44 years, only aggravates the unhealthy economic situation of most American Indians and threatens bigger problems for the coming years.

The severe shortage of adequate educational facilities is another factor affected by and affecting the economic situation. The educational achievement of Indians is only two-thirds that of other Americans. With a dropout rate among Indian children before completion of the 12th grade running much higher than that of the general population, the average educational level for all Indians under Federal supervision is less than 6 years.

But statistics are only a surface indication of a deep-rooted situation which exists on even the most progressive of the Indian reservations today. The American Indian lives in a pocket of poverty and cultural diversity striving to overcome

years of dependency on the Federal Government as well as a cycle of misunderstanding and neglect. It is difficult to measure in quantitative terms and impossible to accept the steady erosion of the Indian's self-concept resulting from years of bare subsistence living, routinely characterized by inadequacies in housing, health benefits, employment skills, and educational opportunities.

I am reintroducing these bills not as a panacea to the many complex difficulties that face the Indian but hopefully as important parts of a larger movement to encourage their full and distinct participation in our society. These bills will provide additional tools to enable the Indians fairer opportunities in the more economically advanced segments of this society and are offered to help open the doors for the existence of a cultural diversity within our boundaries that can only ultimately enrich and strengthen this Nation.

I urge my colleagues in Congress to give this legislation their immediate consideration and to work for the quickest possible enactment.

#### ILLEGAL ALIENS

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, the U.S. Immigration and Naturalization Service has of late been engaging in dragnet raids in which anyone with dark skin, or a foreign accent, or unusual dress is subject to detention if he is unable to prove that he is either a citizen or a legal alien.

I have spoken out against this tactic as yet another attack by the Nixon administration on the fundamental rights of all people, and I am pleased to note that the prestigious Association of the Bar of the City of New York has joined me in opposing the behavior of the Service.

The March 1973 number of the record of the Association of the Bar of the City of New York includes a report setting forth the position of the association. Entitled "Palmer Raids Revisited," it takes an uncompromising stand against the dragnet tactics and declares that they "violate the American tradition of protecting the rights of the individual."

I commend the report to my colleagues, and I include it at this point in the Record.

#### [COMMITTEE REPORT]

##### PALMER RAIDS REVISITED

(By the Committee on Immigration and Nationality)

Yielding to Congressional and public pressure to eliminate the alleged competition in the American labor market for illegal aliens, the Immigration and Naturalization Service, in its effort to apprehend illegal aliens, has reverted, among other techniques, to a search operation without specific prior clues, which has been used from time to time in the past, when economic and/or political pressures and anti-alien sentiment became outspoken.

The Committee on Immigration and Nationality was briefed on December 12, 1972 in a frank statement by Sol Marks, the Dis-

trict Director for the New York District of the Immigration and Naturalization Service, on its method of apprehending illegal aliens.

He stated that on the basis of information received from civic associations that illegal aliens live in the area where a raid is planned, investigators are stationed at the top and bottom of subway and elevated stairs and persons who have "the appearance" of illegal aliens are stopped by the investigators. According to Mr. Marks, "foreign looking" persons are asked to show their alien registration receipt card or other identification. If they are "prima facie illegal," they are taken by car to the nearest police precinct and kept there in detention. When enough illegal aliens have been collected in the detention facilities of the police station, they are shuttled by bus to 20 West Broadway, the headquarters of the Immigration Service in New York, where they are processed for deportation hearings. In appropriate cases, bail is allowed for their release. Deportation hearings are scheduled as soon as feasible.

The results of this method are found to be excellent by Mr. Marks, who mentioned that on one day 102 alleged illegal aliens were picked up by 30 investigators. He said that the investigators have instructions to pass over anybody who objects to being examined, but he says that the investigators are well trained and recognize illegal aliens easily.

He justified this procedure with the provisions of Sec. 287(a) (1) and (2) of the Immigration and Nationality Act (8 U.S.C. 1357(a) (1) and (2)). He admitted that there are no court cases directly in point which clearly establish the legality of the procedure, but stated that he had consulted with the United States Attorney's office and had been told that the procedure, in their opinion, was legal.

In response to the argument that the method used with regard to aliens disregarded the protection which the law has given criminals in this country, and that most aliens are not criminals, but merely try to work, Mr. Marks stated that this had bothered him in the beginning, but the United States Attorney's office had reassured him that the procedure was legal. He found the operation "simple" and "clean." He invited the members of the Committee to express their reactions to the method and was not surprised to see that most members of the Committee opposed his action. A vote was taken by the Committee to pursue the matter further.

The Committee Chairman joined chairmen of other organizations, among them the Association of Immigration and Nationality Lawyers, the New York County Lawyers Association and the American Civil Liberties Union, in preparing a letter of protest against the above-described tactics to the Attorney General.

Prior to sending such a letter, it was felt appropriate to explore whether the above-described techniques were used only locally or whether they represent a nationwide policy. At a conference in the Central Office of the Immigration and Naturalization Service with top officials of the Service, it was confirmed that the investigative dragnet methods utilized in New York were used on a nationwide basis. There was no understanding on the part of the officials as to why there were objections to these eminently effective techniques. Raid techniques of this type are not new in American history.

As a result of the anti-alien feeling which developed after World War I, they were used extensively (by the Department of Labor) in 1919 and 1920 and revived again with the economic depression of 1930-31. In 1919 the "Red Crusade" was organized by Attorney General Palmer. Wide group arrests were made at night and in social gatherings and



in public mass meetings in many cities all over the country.

In the early 1920s the Department of Justice attempted to eliminate anarchists in the so-called Palmer Raids, named after the Attorney General then in office. In the late 1930s there were raids against alleged communists and Marxists, and in the early 1950s the Department of Justice organized raids on alleged racketeers, criminals and communists, sometimes even initiating denaturalization proceedings in order to deport such individuals.

In 1957, it is reported, hundreds and even thousands of aliens were rounded up by the Federal Bureau of Investigation by raiding hotels, bars, restaurants, homes, the Hoboken docks and other places.<sup>1</sup> These raids, which apparently were directed toward Southern Europeans, did not include Mexican illegal entrants, who apparently at that time crossed freely back and forth into the United States,<sup>2</sup> while at present they are one of the chief targets of the operations. In 1955 the Immigration Service engaged in what it termed "investigative search without prior clue," and while the so-called search operations were not described in detail by the Service, they took place at "meetings or institutions where seamen [were] apt to congregate, such as dance halls and seamen's missions . . ."<sup>3</sup>

"Investigative searches without prior clues" were stepped up during 1956 and, according to the statistics furnished by the Service, resulted in the apprehension of 13,247 deportable aliens during that year.<sup>4</sup> These numbers are small in comparison to the more than 100,000 mentioned by the Service today.

#### LEGAL ISSUE INVOLVED

The question of whether recent widespread dragnet searches by the Immigration and Naturalization Service for illegal aliens are in violation of the United States Constitution has been the topic of discussion in both the profession and the press.

As the District Director, Mr. Marks, pointed out, whatever authority can be found for the procedures is contained in Section 287(a) of the Immigration and Nationality Act (8 U.S.C. 1357(a)). The extent of the authority granted to the Immigration Service by that provision is discussed in a number of decisions as well as in an article entitled "Powers and Responsibilities of Immigration Officers," by Charles Gordon, General Counsel of the Immigration and Naturalization Service.<sup>5</sup> The article justifies the search operation in principle, but contains the following statement:

"It sometimes happens that immigration officers try to check traffic at points in excess of one hundred miles from an external boundary, and any authority they may have in these situations obviously is more circumscribed. At this time, the officers rely primarily on their general authority to interrogate aliens or persons believed to be aliens. Their exercise of authority in connection with these distant road checks is not absolute and must have a reasonable basis. Several courts have upheld these interrogations when they have been reasonably conducted."

The INS claims to operate under Section 287(a) of the Immigration and Nationality Act (8 USC 1357).<sup>6</sup>

Section 287(a)(1) and (2) are exceptions to the general rule which preclude arrest without a warrant.<sup>7</sup> Although the District Director of Immigration can issue an arrest and/or search warrant, such warrants are tested by the usual rules governing the issuance of warrants by judicial magistrates, since the Fourth Amendment to the Constitution protects all persons, not only citizens but aliens as well, from unreasonable search, seizure and arrest.<sup>8</sup>

Because only the unreasonable search and seizure is prohibited by the Fourth Amendment,<sup>9</sup> it may be that Section 287(a)(1) and (2) could empower officers and employees of the Immigration Service to interrogate and/or arrest without warrant but such powers have always had to have the justification of an exceptional circumstance. The Supreme Court in non-immigration cases has permitted officers to search without warrant when a party consented to the search;<sup>10</sup> or in the case of a search incident to a lawful arrest which means the officer can search the area within the immediate control of the arrested person;<sup>11</sup> or in an emergency requiring immediate action as, for example, a fugitive entering a building.<sup>12</sup>

Does Section 287(a)(1) and (2) go beyond the limitations placed upon executive authority by the Fourth Amendment? Notwithstanding the Supreme Court's cautionary language that inferences of probable cause should be drawn by neutral and detached magistrates, not "by the officer engaged in the often competitive enterprise of ferreting out crime,"<sup>13</sup> Section 287(a)(1) and (2) claim these powers for the enforcement officers or employees of the Service notwithstanding the lack of an emergency or special circumstance requirement in the statute. And despite the admonitions of the Supreme Court as to the requirements of probable cause, the powers conferred by Section 287(a)(1) and (2) have been upheld in the principal recent cases in the U.S. District and Courts of Appeals.

In *Yam Sang Kwai v. Immigration & Naturalization Service*,<sup>14</sup> immigration officers surrounded petitioner's Chinese restaurant with the purpose of interrogating any aliens therein. Prior to entry the officers did not know of the petitioner's nor of any of the patrons' existence. One officer entered and questioned petitioner concerning his right to be in the United States and when presented with conflicting documents arrested him. The Court of Appeals upheld the Special Inquiry Officer's denial of a motion to suppress and issued an Order of Deportation. Although the Court conceded that prior to petitioner's entry into the restaurant there was no probable cause to arrest anyone, it found that probable cause arose when the petitioner produced conflicting documents to the investigating officer. The Court held that under Section 287(a)(1) the officer had the authority to interrogate any alien as to his right to be in the United States.

The Court gave the words in Section 287(a)(1) and (2) a literal interpretation: the statute says "any alien" and the Court said it means just that: "any alien." Since Yam Sang Kwai was obviously a person of foreign descent, he appeared to be an alien, and the Court upheld the office in questioning him. The Court recited the standard formula: "Our construction of the respondent's activities in no way vitiates the legal necessity of 'probable cause' to make an arrest."<sup>15</sup>

Despite the assurance by the Court that it required a showing of probable cause, what probable cause was there? The Court, disregarding the fact that petitioner was restrained in the liberty of his movements, stated there was no initial arrest because the petitioner did not realize that officers had closed off the restaurant. The Court held the arrest occurred after the interrogation began, which itself brought about the probable cause to justify the arrest.

By what we believe to be an illogical interpretation of Section 287(a)(1), the Court justified the interrogating of any person believed to be an alien as to his right to be or to remain in the United States. From this it follows that a person's appearance, ethnic origin, dress or use of a foreign language, the fact of being a foreigner in and of itself, justifies an Immigration Officer in interrogating that person. Section 287(a)(1) as interpreted by *Yam Sang Kwai* does not require

as an indication of probable cause that the person is an illegal alien, only that he looks like an alien. The first question of the investigator serves to establish whether he is an alien and this question must, of necessity, be caused by the suspect's appearance. Once it is established that the person questioned is an alien, the protection of the Fourth Amendment does not apply. Thus the repeated assurances contained in the dicta of the opinions, that probable cause is required by our Constitution to arrest or search the alien, are negated by the results of the same opinions which, under Section 287(a)(1), permit an immigration officer to question the alleged alien any place, anytime and use the fruits of the interrogation as the basis upon which to establish probable cause. The Fourth Amendment would mean a different thing to an alien than to a citizen. And the words of the Fourth Amendment, which makes the prohibition of unreasonable search and seizure applicable to all persons, would be a nullity.

The Supreme Court has stated: "The Fourth Amendment, and the personal rights which it secures, have a long history. At the very core stands the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion."<sup>16</sup> Evidently *Yam Sang Kwai* leaves little space for a Chinese restaurateur to retreat into his own restaurant without fear of the presence of the governmental intruder.

Circuit Judge J. Skelly Wright, dissenting in *Yam Sang Kwai* maintained that when the officers entered the restaurant Yam Sang Kwai was not free to depart and thus he was arrested before the officers interrogated him and before they had probable cause. Judge Wright cited *Terry v. Ohio*<sup>17</sup> which emphatically condemned "intrusions upon constitutionally guaranteed rights based on nothing more substantial than inarticulate hunches."

Judge Wright maintained correctly that there were no particular grounds for a reasonable suspicion. He read Section 287(a)(1) as importing a requirement of reasonable belief the person interrogated is an illegal alien. To hold otherwise would give the Immigration officer an impermissible opportunity to detain any foreigner, any place, anytime, with no more than a hunch or a surmise.

Judge Wright stated,

"We entirely ignore the letter and spirit of the Fourth Amendment when we sanction detention of an individual for interrogation by law enforcement officers on grounds no more substantial than the ethnic character of his restaurant or his own apparent race or national origin. Thus, under the duty of the Courts to construe federal statutes subject to constitutional standards, I would hold that the power granted by 8 U.S.C. Sec. 1357(a)(1), (287(a)(1)) to detain for interrogation any alien or person believed to be an alien should be limited to cases where officers have particular grounds to support a reasonable suspicion that the person detained is illegally in the country. Since no such ground was shown in this case, I believe that petitioner was illegally detained in his restaurant during the interrogation."

In two other cases, *Au Yi Lau v. Immigration & Naturalization Service*<sup>18</sup> together with its companion case, *Tit Tit Wong v. Immigration & Naturalization Service*<sup>19</sup> the Courts dealt with the question of forcible detention of aliens against their will for the purpose of questioning.

In the former case an informant's tip led INS officers to a Chinese restaurant where without warrant they identified themselves and obtained permission to interview the employees. As the three petitioners attempted to flee, the officers forcibly detained them and on questioning the aliens each of them admitted jumping ship. The officers searched

Footnotes at end of article.

them, seized documents which proved each had overstayed his leave. At the deportation hearing a motion to suppress evidence as the fruit of an illegal search was denied and a deportation order was issued. In the companion case of *Tit Tit Wong v. Immigration & Naturalization Service*,<sup>18</sup> the immigration officer, while interrogating an alien believed to be illegally here, noticed petitioners leave a hospital waiting room in what he believed to be an "odd" departure. Later he pursued them and in a parking lot, when they got into a car and tried to drive off, he took their car keys. Since he was unable to communicate with them he obtained the aid of a Chinese student who acted as interpreter. After questioning the petitioners the officer came to the conclusion they were in the country illegally and arrested them.

In these two cases, the Court held that officers of the INS could "make forcible detention of a temporary nature for the purpose of interrogation under circumstances creating a reasonable suspicion, not arising to the level of probable cause to arrest, that the individual so detained is illegally in this country."<sup>19</sup> The Court commented as follows:

"We believe the statutory interrogation authority comprehends such detentions, but, because they are far greater intrusions upon personal privacy than the nonforcible approaches, and since aliens in this country are sheltered by the Fourth Amendment in common with citizens, such a reading of the Congressional mandate must be controlled by the constitutional standards governing similar detentions made by other law enforcement officials. See *Terry v. Ohio*.<sup>20</sup> We hold that immigration officers, in accordance with the Congressional grant of authority found in Section 287(a) (1), may make forcible detentions of a temporary nature for the purposes of interrogation under circumstances creating a reasonable suspicion, not arising to the level of probable cause to arrest, that the individual so detained is illegally in this country. Utilizing the standards developed in *Terry*, such detentions are to be judged from case to case by reference to the particular facts of each. . . ."

*Terry v. Ohio* in effect permitted a policeman to "stop and frisk" when the circumstances were such that he could "reasonably" conclude that the suspect was armed and dangerous, but even then there had to be "specific and articulable facts, which taken together with rational references from those facts, reasonably warrant that intrusion."<sup>21</sup> Both *Au Yi Lau* and *Tit Tit Wong* extend the already sweeping authority of the *Terry* case. In both cases the investigator acted on the basis of anonymous tips and the courts construed the "probable cause" retrospectively from the demeanor of the subject after they were virtually taken into custody, i.e. all avenues of escape were closed.

While in *Cheung Tin Wong v. U.S. Immigration & Naturalization Service*<sup>22</sup> the Court said:

"... we wish to state in unequivocal terms that we could never condone stopping or questioning an individual simply because he looked to be of oriental descent. . . ."

It apparently found that the oriental looks in conjunction with the individual's apparent inability to speak English is "sufficient grounds for . . . suspicion that petitioner was an alien" and thus under Sec. 287 could be questioned as to his right to remain in the United States. This case involved an immigration officer's observation of two men, who appeared to be Chinese, stop a taxi, and one entered the back of the cab, and his companion bent over the front door and appeared to be giving the cab driver instructions. The officer understandably concluded that the man in the back seat did not speak English and he then detained the petitioner for questioning, which ultimately, after taking him to a cafe led the officer to facts to justify the arrest. The Court held, following the precedent in *Au Yi Lau*, that forcible detention of

a temporary nature for the purpose of interrogation under circumstances creating a reasonable suspicion, not arising to the level of probable cause to arrest, were all right. The Court felt that it was utilizing the standard developed in *Terry*. The Court in *Cheung* stated: "A brief stop of a suspicious individual, in order to determine his identity or to maintain the status quo momentarily while obtaining more information, may be most reasonable in light of the facts known to the officer at the time."

What was the "suspicious" behavior? One could have reasonably inferred that petitioner was an alien, it is true, but not an illegal alien. The Court was following the interpretation of the statute given it in *Yam Sang Kwai and Au Yi Lau* that the immigration officer has power without warrant to interrogate any alien. This interpretation of the statute, while literally correct, is contrary to the Fourth Amendment's protection granted all persons against unreasonable arrests, searches and seizures. If the statute is not interpreted by the courts to be limited to cases in which officers have particular grounds to support a reasonable suspicion that the person detained is illegally in the country—and it is not presently being so interpreted as the cases heretofore mentioned show—then the statute is being applied unconstitutionally in violation of the Fourth Amendment.

The dragnet operation as presently conducted by the Immigration Service and adverted to at the beginning of the article are even less supportable than any case mentioned herein. The actions of the Immigration Service conflict with basic constitutional liberties which grants to all persons the right to generally be free of governmental arrest and inquest.

"The safeguards of the Fourth, Fifth and Sixth Amendments of the Constitution protect citizens and aliens alike and hence the foreigner, equally with the native-born, may invoke their aid to guard against the assaults of arbitrary power."<sup>23</sup>

#### CONCLUSION

In evaluating the law on the right of Government to conduct alien raids without prior clues, warrants of arrest or any other of the protections usually necessary for restricting human freedom under the Bill of Rights, the conclusion is inevitable that the lower courts' decisions result in victory for the enforcement agency, a victory which is accompanied by voluminous verbiage exalting the right of the individual under the United States Constitution. Our Committee would like to see the Immigration Service which, over the years, has built up a deserved reputation for humanitarianism in many areas of the immigration law, apply this humanitarianism to self-restraint in dealing with the arrest of aliens, to deny itself what it believes its absolute right of detention and arrest without warrant without being compelled to do so by court decision.

We believe that Section 287 as interpreted by the Service goes beyond the limitation of the Fourth and possibly the Fifth Amendments of the United States Constitution, but we also believe that even if in the present anti-alien atmosphere, the Courts do not agree with this conclusion, this does not compel the Government to insist on pressing its rights to such a point that the Courts are compelled to intercede.

Regardless of the results of future litigation, the procedures described and admittedly used all over the United States, violate the American tradition of protecting the rights of the individual.

Respectfully submitted,

COMMITTEE ON IMMIGRATION AND  
NATIONALITY LAW,

EDITH LOWENSTEIN,

Chairman.

WILLIAM H. OLTARSH,

Secretary.

#### FOOTNOTES

<sup>1</sup> *Civil Rights and Immigration*, Milton R. Konvitz, (1953), p. 111.

<sup>2</sup> *Annual Report of the Immigration and Naturalization Service*, (1955), p. 14.

<sup>3</sup> *I. & N. Reporter*, (January 1957), p. 30.

<sup>4</sup> *American Bar Association Journal*, January 1973, pp. 64-67.

<sup>5</sup> 8 USC 1357.

"Any officer or employee of the Service (INS) authorized under regulations prescribed by the Attorney General shall have power without warrant—

(1) to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States.

(2) to arrest any alien who in his presence or view is entering or attempting to enter the United States in violation of any law or regulation made in pursuance of law regulating the admission, exclusion, or expulsion of aliens, or to arrest any alien in the United States, if he has reason to believe that the alien so arrested is in the United States in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest. . . ."

<sup>6</sup> *Nathanson v. U.S.*, (1933) 290 U.S. 41, 78 L. Ed. 159, 54 S. Ct. 11.

<sup>7</sup> *Abel v. United States*, (1960) 362 U.S. 217, 4 L. Ed. 2d 668, 80 S. Ct. reh. den. 362 U.S. 984, 4 L. Ed. 2d 1019, 80 S. Ct. 1056.

<sup>8</sup> *United States v. Rabinowitz*, (1950) 339 U.S. 56, 60, 94 L. Ed. 653, 657, 70 S. Ct. 430.

<sup>9</sup> *United States v. Mitchell*, (1944), 322 U.S. 65, 88 L. Ed. 1140, 64 S. Ct. 396, reh. den. 322 U.S. 770, 88 L. Ed. 1595, 64 S. Ct. 1257.

<sup>10</sup> *Chimel v. California*, (1969), 395 U.S. 752, 23 L. Ed. 2d 685, 89 S. Ct. 2034, reh. den. 396 U.S. 869, 24 L. Ed. 124, 90 S. Ct. 36.

<sup>11</sup> *Frank v. Md.*, (1959) 359 U.S. 360, 3 L. Ed. 2d 877, 890, 79 S. Ct. 804, reh. den. 360 U.S. 914, 3 L. Ed. 2d 1263, 79 S. Ct. 1292.

<sup>12</sup> *Johnson v. United States* (1948) 333 U.S. 10, 14, 92 L. Ed. 436, 440, 68 S. Ct. 367, 369.

<sup>13</sup> *Yam Sang Kwai v. Immigration & Naturalization Service*, 133 U.S. App. D.C. 369, 411 F. 2d 683 (1969) cert. den. 396 U.S. 877, 1970.

<sup>14</sup> *Id.* at 687.

<sup>15</sup> *Silverman v. U.S.* (1961) 365 U.S. 505, 5 L. Ed. 2d 734, 81 S. Ct. 679, 683, 97 ALR 2d 1277.

<sup>16</sup> *Terry v. Ohio*, 392 U.S. 1, 88 S. Ct. 1869, 20 L. Ed. 2d 889 (1968).

<sup>17</sup> *Au Yi Lau v. Immigration & Naturalization Service*, 445 F. 2d 217 (D.C. Cir. 1971), cert. den., 404 U.S. 864 (1971).

<sup>18</sup> *Tit Tit Wong v. Immigration & Naturalization Service*, 445 F. 2d 217 (D.C. Cir. 1971), cert. den., 404 U.S. 864 (1971).

<sup>19</sup> *Au Yi Lau v. INS*, p. 232.

<sup>20</sup> *Terry v. Ohio*, supra.

<sup>21</sup> *Terry v. Ohio*, supra.

<sup>22</sup> *Cheung Tin Wong v. U.S. Immigration & Naturalization Service*, decided Aug. 31, 1972, U.S. Ct. of Appeals, District of Columbia Circuit, reported in NYLJ, September 18, 1972.

<sup>23</sup> *Ex-parte Orozco*, (1912) D.C. Tex. 201 F. 106, 118.

#### RECESS

The SPEAKER. Under a previous order, the House will stand in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 57 minutes p.m.), the House stood in recess subject to the call of the Chair.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 39 minutes p.m.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, an-



nounced that the Senate having proceeded to reconsider the bill, S. 7, entitled "An act to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes," returned by the President of the United States with his objections, to the Senate, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the Senators present not having voted in the affirmative.

#### RENT ROLLBACK AND FREEZE: AN ANSWER TO A DESPERATE PROBLEM

(Ms. ABZUG asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Ms. ABZUG. Mr. Speaker, yesterday I called for a rollback and a freeze of prices at December 1972 levels and proposed three strengthening amendments to a rent freeze provision now before the House, including one that would specifically apply the moratorium to cities like New York that have their own rent control laws.

At hearings held by the House Banking and Currency Committee on economic stabilization legislation which it has introduced, cited rent increases in New York of up to 100 percent and offered the following changes for the rent freeze section:

Specific language nullifying any rent increases authorized under State or local rent laws and bringing such States and localities under the provisions of the Federal freeze.

A restriction of "pass-alongs" to tenants of tax increases and the price of improvements which are currently permitted under the committee's freeze section. Under my proposal, such pass-alongs could not amount to more than a 2.5-percent annual increase in rents.

A rollback of rents—and a freeze at that point—to phase I, August 1971 levels. The committee's bill calls for a rollback only to January 10, 1973, levels and provides the President with authority to roll them back further.

On January 15, 1973, I introduced rent freeze legislation, the major provisions of which were included in the Banking and Currency Committee's bill.

I believe we are not far from the point at which the rent situation in this country will spark the same kind of spontaneous mass movement as the national meat boycott.

What I believe is not generally recognized—indeed what has not been reflected in previous rent measures passed by Congress—is that cities like New York that have their own rent control laws are suffering from intolerable rent increases.

New York has a vacancy rate of 1.5 percent, annual 7½ percent rent increases to hundreds of thousands of tenants under the city's maximum base rent law and the exorbitant raises that occur under the State-mandated vacancy decontrol program. Rent conditions in

New York and other major urban areas are very serious if not desperate.

Unless economic stabilization strictly controls all prices, profits and interest rates, allows working people some catch-up pay increases, exempts those who earn less than \$3.50 from wage controls and provides realistic enforcement procedures that will really protect the consumers, the major burden will continue to be placed on the wage earner, the middle class and those on fixed incomes. It would be better not to extend the President's stabilization powers at all rather than to arm him with the kind of discriminatory powers that have allowed profits and prices to soar.

At this point I would like to insert the full text of my testimony:

TESTIMONY BY CONGRESSWOMAN BELLA S. ABZUG

Mr. Chairman, I welcome this opportunity to appear before your committee to discuss what is on everybody's mind today—incredible increases in the price of food, other necessities and in rents.

On Saturday I toured my entire district in support of the meat boycott at supermarkets. I found, of course, tremendous support for the meat boycott. Among the hundreds of people I talked to I also found a sense of despair and outrage at what food costs were doing to their budgets.

There was virtually unanimous recognition that the President's action, on the eve of the boycott, in placing ceilings on meat prices simply would not do the job, and I agree. Freezing meat prices at their highest level in more than 20 years and ignoring increases in other foods is not going to help the beleaguered consumer.

I support the bill before this committee which imposes a 60-day freeze on prices and interest rates at all levels and which instructs the President to set up a rollback mechanism so that prices do not rise more than 2.5 percent a year. This is a good proposal, as far as it goes. We must freeze prices, but only after they have been rolled back to at least the levels they were at on December 1972 when the President announced his ill-advised Phase III plan.

Unless economic stabilization strictly controls all prices, profits and interest rates, allows working people some catch-up pay increases, exempts those who earn less than \$3.50 an hour from wage controls, and provides realistic enforcement procedures that will really protect consumers, the major burden will continue to be placed on the wage earner, the middle class and those on fixed incomes. It would be better not to extend the President's stabilization powers at all rather than to arm him with the kind of discriminatory powers that have allowed profits and prices to soar.

I would like to devote the main portion of my remarks to the plight of the tenant, particularly in my city.

I believe we are not far from the point at which the rent situation in this country will spark the same kind of spontaneous mass movement as the national meat boycott campaign that has resulted from spiraling food costs.

Because of the growing concern with worsening rent conditions, I introduced on January 15 of this year a rent freeze bill and reintroduced it on March 22 with the co-sponsorship of 13 other House members, including six from New York City. They rent freeze provisions of the economic stabilization legislation prepared by this committee also reflect that concern.

What I believe is not generally recognized—indeed what has not been reflected in previous rent measures approved by the Congress is that cities like New York that have

their own rent control laws are also suffering from intolerable rent increases. It is too widely believed, I fear, that because of their own statutes, such localities have the rising cost of rents under adequate control. On behalf of the overwhelming majority of the tenants of my district—and indeed the entire City of New York—let me assure you that this is not the case.

Consider these statistics: The vacancy rate in New York is only 1.5 percent. This is a crisis figure. The picture is further darkened by the federal freeze in housing funds which will all but eliminate new building starts in low and middle income housing in the city.

In 1960, 60 percent of the city's housing stock was under rent control, but by 1970 only 48 percent remained controlled. In 1971, the New York State legislature passed the monstrous vacancy decontrol law, which removed any apartment vacated by a tenant from the jurisdiction of New York City's rent control statute. Thus, the landlord is free to charge the next and subsequent tenants any rent the traffic will bear. Since vacancy decontrol went into effect, 144,000 additional units have been decontrolled. That number is based on voluntary reports by landlords to the city, and therefore the figure must be considered conservative. The estimated average citywide rent increase for decontrolled apartments is from 90 to 100 percent since the law went into effect.

As New York City Councilman Theodore Weiss—who represents an area in my district—was quoted as saying in the NEW YORK TIMES March 30: "If this continues we will be left with a rent control law and no housing to control."

Approximately 750,000 out of 1.1 million controlled units in the city are currently under what has become an infamous control law called the maximum base rent program (MBR) that provides a complicated formula for computing a maximum rent for each unit and then authorizes annual increases of up to 7½ percent until that maximum figure is reached.

The majority of the units under this program have an annual household income below \$8,000. Approximately 20 percent of them are currently on welfare rolls and just last week the city reported that its rent payments for those on welfare were going up because of MBR increases.

It is not widely known that despite its rent control programs, New York has consistently undergone rent increases more severe than other cities. From 1957–1969, rents in the city increased at a 57 percent faster rate than the U.S. average.

In a metropolitan area basis, the U.S. Bureau of Labor Statistics reported the average rental increase in the nation to be 18.1 percent for the period 1967–72 while it was 24.3 percent for the New York area.

In the last two years the MBR program has spewed out total increases of 15 percent for hundreds of thousands of tenants with additional cumulative annual increases of 7½ percent promised for ensuing years. And in all too many cases, these increases were not accompanied by the improvements in building maintenance and service which the law required of the landlord.

MBR has provided a windfall for landlords, while causing hardship to countless low and middle income tenants. An 8½ percent return on capital value provision of the law which is tied to equalized assessed valuation, has resulted in maximum base rents far higher than those required to provide reasonable incentive to landlords. Few people knew at the time this formula was enacted that the equalization of assessed valuation would turn out to be approximately 75 percent more than the assessed valuation. Indeed, those of us who inquired in 1970 were advised that the adjustment would be no more than 30–35 percent. The result has been an unexpected windfall for landlords, with

profits now up to approximately 15 percent of assessed value and threatening to go higher.

Another rent program in the city covering about 300,000 units—called rent stabilization—also provides landlord dominated machinery that results in increases of up to 13 percent for tenants.

Finally, there is the problem of tenant harassment and the ever growing number of evictions of low and middle income tenants from sound housing earmarked by private developers for destruction and replacement by luxury buildings. Because of the city's low vacancy rate and because of vacancy decontrol, it is extremely difficult if not impossible for the evicted tenants to find housing comparable to the units which they left behind.

There is widespread feeling among the people of New York and in the City Council that the so-called rent control and stabilization laws should be repealed and a freeze enacted while more equitable machinery is devised. Unfortunately, the same state law that imposed vacancy decontrol also prohibits the Council from passing a rent statute "more restrictive" than the one now in force.

In short, the rent conditions in New York, like those in other major urban areas, are very serious, if not desperate. Therefore, I am pleased to note that H.R. 6168, sponsored by twenty members of this Committee, includes provisions for the stabilization of rents similar to those in my bills. Section 205 of this bill provides that all rents shall be rolled back to their levels as of January 10, 1973, the day that Phase II ended, with increases permitted thereafter only to reflect the actual cost to the landlord of increased taxes or operating costs or capital improvements on the property.

While I agree with the basic thrust of this provision, there are several changes that I think would greatly increase its effectiveness. Most of the American people realize that not only Phase III, but Phase II as well, have been resoundingly unsuccessful in stopping inflation. In the meantime, they have only increased the squeeze on working Americans who are struggling each day to make ends meet. I would propose—and I will attach the text of each of my proposed amendments to section 205 as an appendix to my statement—that rents be rolled back not to the date on which Phase II ended (January 10, 1973), but back to their levels during Phase I, which lasted from mid-August to mid-November 1971.

Second, while I understand the rationale behind allowing landlords to pass on increases in their costs to tenants, I am concerned about the open-ended nature of this provision of H.R. 6168. For one thing, if increased costs are the only means to increase rent, they may demonstrate a tendency to rise sharply as landlords suddenly find all sorts of "costs" that had in the past not been specifically identified as such. Many capital expenses that have been put off for months or even years will suddenly be made, leaving the tenant no better off than before. Also, if we are asking all Americans to sacrifice somewhat to help stop the inflationary spiral, I see no need to guarantee landlords their present handsome rates of return; they too should have to make sacrifices. Accordingly, I would suggest that any provision allowing a pass-on of increased costs should limit such increases to 2.5 percent a year, the figure the President has cited as an acceptable inflation rate.

Finally, there is the question of the applicability of section 205 to housing which is subject to local rent control laws. In 1971, Congressman Brasco and I added to the Economic Stabilization Act section 203(h), providing that no area with local rent control should be in any way excused from the ap-

plicability of federal rent controls by virtue of that fact. To our dismay, the Administration interpreted that provision in a manner wholly at variance with its language and its legislative history, and areas such as New York City and several Massachusetts communities were not subjected to federal controls. The Senate version of Economic Stabilization now before you, S. 398, only complicates this situation. It provides that its rent control provisions shall not "invalidate the provisions of any State or local rent control laws or regulations which have been approved by the President or his delegate." H.R. 6168 does not speak directly to the question of locally rent controlled areas.

I would propose that in light of the difficulty we have had in sustaining our intent in enacting the Abzug-Brasco amendment, it be replaced by an unmistakable statement that no local law shall operate to permit any rent increase in excess of that permitted under the Economic Stabilization law.

I thank you for your consideration of my suggestions, and hope you will see fit to include them in your bill.

#### AMENDMENTS TO H.R. 6168, PROPOSED BY REPRESENTATIVE BELLA S. ABZUG

1. (a) Page 3, line 23, strike out "January 10, 1973" and insert in lieu thereof "August 15, 1971".

(b) Page 4, line 7, strike out "January 10, 1973" and insert in lieu thereof "August 15, 1971".

2. Page 4, line 5, strike out the period and insert in lieu thereof the following: ", but no increase permitted under this section shall exceed two and one-half per centum in any year for any housing unit."

3. (a) Page 4, after line 8, insert a new subsection (c) as follows:

"(c) This section shall pre-empt the provisions of State and local rent control laws only to the extent that they operate to permit to be charged a rent in excess of that permitted by this section."

(b) Page 12, after line 22, insert the following new section:

#### "LOCAL RENT CONTROL

"Sec. 7. Section 203 Section 203 of the Economic Stabilization Act of 1970 is amended by striking out subsection (h) and relettering subsection (i) as subsection (h)."

#### THE RIGHT TO FREEDOM

(Mr. CHAPPELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CHAPPELL. Mr. Speaker, if the United States ever attempts to stifle a drive for freedom by any people with the excuse that we are simply trying to keep the peace, we will be doomed as a nation.

Is peace so dear and comfort so valued that we would sacrifice the hopes and dreams of millions of Americans over the past two centuries to passivity and indifference?

Many well organized groups accuse anyone who speaks out on the dangers of the Communist ideology as using "McCarthy tactics"—or "scare statements." Many of my young friends tell me that a high percentage of their classmates justify communism simply as another form of government—and better fitting for certain peoples of the world. Such a justification saddens me intensely. It is not just another form of government; it is a weapon to bring

other nations under its domination; and there is nothing simple about communism; it is a tough governmental discipline. It stands four square in opposition to our concept of freedom. It regiments, dominates and controls the individual as a servant of the government while we believe government exists as the servant of the individual.

Some choose to close their eyes, hoping the expansion of communism will go away. It will not go away. It is entrenched just 90 miles off the shores of our beloved Florida and it is creeping into the United States just as it is into South American nations—and just as it crept over so many of the nations of Europe. From all the information I have, the training of groups in Cuba for subversion is increasing. Cubans are sent to the U.S.S.R. for indoctrination; and they in turn move throughout the Western Hemisphere, teaching others to join them in their crusade for the downfall of free enterprise systems such as ours. Subversion is their goal and groups are continuing to go from this country to Havana for lessons in subversive activities.

The cry for the recognition of the Castro regime in the Organization of American States and for the diplomatic recognition by the United States has begun. Trade relations with her are urged. I believe that all Americans strongly want peace, but not peace at any price. Most thinking Americans want the Communist threat in South America halted and reversed. I firmly believe that most people in South America want the Communists out and they are willing to move them out. The one impediment to their doing so appears to be our own United States. By our outward image of passivity toward an ever growing Communist power build-up in the Western Hemisphere, we indirectly discourage our friends in Latin and South America from strong and concerted efforts to rid this hemisphere of Cuban Communist subversion.

We need South America and they need us. There are many concessions the United States can make to South America to help them economically and improve our friendship with them. They are proud countries and they can't be bought and we would not value their friendship if they could. They do not need our interference when they attempt to control an investigation of subversiveness. Even if we are not willing to help them about Communist activity in South America, we can at least let them be free to make their own decision on how to handle this matter.

Mr. Speaker, the American people are at this time in no mood to thrust themselves into another "peoples' fight" to liberate themselves from communism, but I sincerely pray that we have not reached the stage where we would either by patent effort or latent image discourage a country from a struggle to regain and maintain freedom. I think the American people have not reached this stage and they will not stand for a policy by our leaders which might weaken our great reservoir of friendship to our south. I believe we must reassert in a



very positive way, the spirit of the Monroe Doctrine and thus guarantee an atmosphere in the Western Hemisphere wherein peoples can successfully resist and throw off the chains of a government imposed by force. The free choice of the majority is the way to freedom.

#### THE VOCATIONAL REHABILITATION ACT OF 1973

The SPEAKER. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 20 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, I had hope that the House would have an opportunity to debate and vote on the Vocational Rehabilitation Act of 1973, which was vetoed by the President. I would have voted for the bill notwithstanding the veto.

I have listened to the attacks made on this legislation during the last few days with surprise and deep disappointment.

To place the issues before us today in proper perspective, it is helpful to recall some recent history.

First, this legislation is the product of an honest, good faith effort over the last year and a half—by both parties in Congress and with the full cooperation of the executive branch—to respond to the needs of millions of handicapped Americans.

The record will show that the legislation that emerged from that cooperative effort won the approval and even the praise of administration officials. During the lengthy period of drafting, public hearings, markup, floor debate and consideration by the Senate-House conference, there was no indication from the executive branch of displeasure with the bill that is now found to be so objectionable.

The bill was unanimously approved by the House—by a vote of 327 in favor and none against—and by the Senate with a vote of 70 in favor and none against.

The veto of the bill following the adjournment of Congress in October was the first sign that the administration had apparently changed its position on this legislation.

At the beginning of this Congress, another good faith effort was made on a bipartisan basis to reach a compromise with the administration and to bring to the floor a bill that would continue and strengthen one of the Nation's highest priority and effective programs to help the handicapped. Because much of the administration criticism was focused on the level of authorizations these were substantially reduced in the new bill.

The product of those efforts was again approved by a vote of 33 to 1 in the full Committee on Education and Labor and by a vote of 318 to 57 in House. The overwhelming majority of Members of both political parties voted for the bill on final passage.

Following another veto, it is obvious that a great many Members who voted for the bill last year with its higher authorizations and who voted for the bill this year have changed their minds

on the merits of the legislation and were planning to vote today to sustain the President's veto.

I certainly respect anyone's right to change his mind. I have done it myself. This is somewhat reminiscent of the story they used to tell about former Senator Harry Ashurst who spent a good part of one session denouncing a bill that was supported by the leadership. When the final vote came, however, Senator Ashurst voted for the bill. "What happened?" asked a friend, "Did you finally see the light?" "No," retorted Senator Ashurst, "but I certainly felt the heat."

Now I do not question anyone's motives or sincerity in changing his position on this bill. What I do object to, however, is making a vote on the veto a test of loyalty to the administration. And, I deeply resent the charges coming from executive branch officials that those of us who have not changed our minds are somehow playing political football with the expectations of the Nation's handicapped.

The vote here today is being widely advertised as a test of congressional will to control spending. That is a false issue. As everyone in this Chamber knows full well, this is not a spending bill. It is an authorization bill only and will not have any direct effect on the Federal budget. The fact is that the spending levels authorized by this bill are much closer to actual budget requests than most of the authorization bills approved by Congress. The decision on spending will be made by the Congress when the appropriations bills come to the floor. Then spending will indeed be the issue.

I applaud an support efforts to hold down Federal spending. But, my decision on spending bills will reflect my own convictions on national priorities. And, when the record of this Congress has been written and all of the votes have been recorded, the level of spending which I will have approved will be below that of the administration.

The unfortunate victims of the attempt to confuse and make this appear to be a spending issue are the Nation's handicapped. There are few programs where the investment of Federal dollars has paid greater dividends. Many of these dividends are repaid in dollars. The record show dramatic increases in the earning power of handicapped persons who become employable. But the greater dividends are in terms of human values—the dignity and satisfaction that come with conquering a handicap and becoming an independent, self-supporting, contributing member of society.

This is not a new bill designed to meet some social cause that we just discovered. It is legislation which is 53 years old. It was first passed in 1920. It is legislation designed to continue programs that are established in every State of the Union. It is not a welfare program and it is certainly not a Federal giveaway. This legislation is the epitome of the American work ethic in that individuals who are unable to work are retrained and helped so that they may work and become contributing, participating and productive members of society.

I am concerned that this legislation has become the battle ground over the budget. I stand with the President in his concern for keeping spending and taxes down but I think it is a distortion of all facts to suggest that "S. 7, if enacted, would result in an increase in Federal outlays of some \$1 billion above my budget recommendations for fiscal years 1973-75." This is simply not true. This is an authorizing bill and everyone here knows there is a difference between authorizations and appropriations. The levels that we have set in this bill, which are \$900 million less than the figures in the bill vetoed by the President last October, are the levels which we in the Congress believe should be spent on this program. Now, it is possible for reasonable men to disagree as to what should or should not be spent and that is the job of the Appropriations Committee, but it is a total distortion to suggest that this bill, because it happens to be the first one up this year and has high authorization levels, will break the budget. Some will argue that high authorization levels are empty promises which cannot be fulfilled. I cannot accept that because the handicapped of this Nation are aware of budgetary constraints, as is everyone else, but they, as I, are also aware that priorities do change and by having authorization levels that are set which reflect the concern of the authorizing committee, who have studied this legislation for well over a year and a half now, it is possible for changes to be made.

The issue of unreasonable authorization figures has been raised many times in the last few days and the argument has been made that it would be another empty promise which could not possibly be fulfilled as the authorization levels are so high that they could never be met. In many cases in many pieces of legislation which have come before the House this is true. But this has not been the case in the vocational rehabilitation legislation. Let us look at the actual facts for the funding of the old section 2 which, is now called title I in the bill before us today:

In 1967 the authorization was \$300 million.

The actual appropriation was \$236 million.

In 1968 the authorization was \$400 million.

The actual appropriation was \$287 million.

In 1969 the authorization was \$500 million; the actual appropriation was \$345 million.

In 1970 the authorization was \$600 million; the actual appropriation was \$436 million.

In 1971 the authorization was \$700 million; the actual appropriation was \$503 million.

In 1972 the authorization was \$800 million; the actual appropriation was \$560 million.

In 1973 the authorization is \$700 million; the original budget request submitted by the administration in January, 1972, was \$610 million; when the

bill was vetoed, the request was revised downward to \$590 million.

The figure for 1974 is \$800 million; the administration's request is \$610 million.

I think that you can see that the authorization levels have been reasonable and accurate to a great extent. As I said before, in every piece of legislation that comes before the House the authorization levels represent the best estimate as to what this body feels is necessary for these programs. I think that the actual appropriations through the years have been so close to the authorization levels that this indicates that the Congress has been right.

The President in his original veto message observed that the authorization levels for this bill were too large. I think that we responded in a very responsible manner by reducing those authorization levels by \$900 million or 25 percent under the first vetoed bill's authorizations. Because of this responsible action, in my judgment the bill is still sound.

This bill has centered around money which, of course, is important, but let us stop for one minute and see who the bill actually serves. It is the handicapped of this Nation. Who are the handicapped? They are the blind, the deaf, the retarded, the physically handicapped, and many others too numerous for me to list here. Many people who are helped by this legislation are often healthy one minute and disabled the next. Probably the best example was Gov. George Wallace of Alabama who one minute was vigorously campaigning for the Presidency and the next minute, as a result of a bullet in his spine, was a paralyzed, disabled individual. Not all people, of course, become handicapped because of violence. Most become handicapped through accident or disease.

What does it mean to be handicapped? Let me try to put it in terms that everyone in this Chamber can understand. Sight, as we all know, is one of the most important senses that we have and we rely on it as we carry out our normal daily activities. The loss of sight and the accompanying problems can often be so overwhelming as to totally destroy an individual's capacity to continue his life in a normal way without some retraining and guidance. To help you understand exactly what I am talking about, if all of you on the floor today would close your eyes and put your hands over your closed eyes, you will immediately experience the partial sensation of what it means to be blind. I must point out that it is partial because you are sitting here but you have not really tried to go through an entire day without the use of sight. Let your minds wander and think how difficult it would be for you who have had sight all of your lives to get dressed in the morning, to shave, to comb your hair, to eat a meal or to simply get from one place to another.

How many of you would be able to walk from the floor to your office right now without the use of sight? How difficult would it be to walk from your office to the floor several times a day for record votes? Let me just carry it a step further. Think about going to your home district,

getting on the plane, getting off the plane, and getting around your own congressional district without sight.

Those without sight are merely one of the groups aided by this bill, but aided to go to work. There is no charity in this bill. Its premise of the bill is based on the hardnosed reality that it is a good investment to help these people because over the years people trained under this legislation have returned hundreds of times the Government's outlay for them back in taxes paid once they were working.

I would remind my colleagues in the House that there were major differences between the House and Senate versions of the bill, but in conference the primary House position prevailed. So that you understand the surprise of the veto I am going to insert at this point in the record portions of an official document from the Department of Health, Education, and Welfare sent to John Steinberg, the Senate counsel handling this bill, from Edward Newman, then the Commissioner of Rehabilitation. It is on HEW stationery and was submitted as a document representing to us at least HEW's position. It was sent prior to the conference and was instrumental in getting the Senate to recede to the House position. You should note that the unhappiness that is being expressed today was certainly not conveyed to us just 1 month before the veto.

#### DEPARTMENT OF HEALTH,

#### EDUCATION AND WELFARE,

Washington, D.C., September 6, 1972.

Mr. JONATHAN STEINBERG,  
U.S. Senate,  
Washington, D.C.

DEAR MR. STEINBERG: In accordance with your request and additional questions posed by Ms. Walker, we have prepared the enclosed discussion paper of the possible impact on the present program of vocational rehabilitation services that would be occasioned by the inclusion in the Act of proposed changes seen in the Second Committee Print.

Also enclosed are (1) tables showing the numbers served and rehabilitated for some twenty cost ranges in FY 1971. We have just received these analyses and have not had time to verify the accuracy of the computations; however, our statistical staff feel that they are accurate reflection of the general practices; and (2) a section-by-section technical discussion of the Second Committee Print.

We are heartened by the obvious interest of the Subcommittee in wanting to build in incentives to serve those seriously disabled who are not now being well served. However, as the enclosed materials elaborate, we do have some serious questions regarding the model of eligibility and services presented in the Second Committee Print, as we understand it. If our discussion seems to suggest that we are missing some key points, we would be happy to discuss this further with you.

Sincerely yours,

EDWARD NEWMAN, Commissioner.

#### TECHNICAL COMMENTS ON COMMITTEE PRINT DRAFT 2—REHABILITATION ACT OF 1973

Comments and suggested technical changes are listed in the order the item appears in the bill. Most significant comments are starred.

The draft bill represents a logical reorganization and rationalization of existing authorities and proposed additional ones. The

suggestions which follow are intended to clarify, or elaborate but not to change radically any new proposals in the draft except as noted in Tabs dealing with issues related to the cost/duration model for comprehensive services for severely disabled persons, and the proposed substitution of a fair hearings and appeals procedure and ombudsman function for the client advocacy and appeals sections in the draft bill.

#### SPECIFIC COMMENTS

1. Initial staffing has been dropped from the definition of "construction" on p. 7. Was this inadvertent? It has been retained in "establishment" on p. 10.

2. On p. 25 reference is made to the individualized written rehabilitation program developed by the "rehabilitation facility". This should be changed to the "State agency." The State agency is the official body administering the service programs for eligible individuals. The "State agency" purchases services from facilities, workshops, or specialists in private practice such as doctors. While each of these vendors of specialized services may be technically in charge of his unique service to the client, the State agency as the responsible agency must agree and approve any such service plan for the individual.

3. On page 31 Section 111 (a) (1), the draft should read "or" by a licensed psychologist instead of "and".

4. On page 31 where services are listed, we find no reference to "services to the families of handicapped individuals when such services will contribute substantially to the rehabilitation of such individuals". This is provided for in Section 11(a) (2) (H) of present Act. Was this omission inadvertent?

5. On p. 33, references to physical and mental restoration services, maintenance and training are not conditioned, as in the present Act, upon consideration of eligibility for any similar benefit by way of pension, compensation, or insurance. Was this intentional?

6. On p. 33, conform references to psychologists in Section 111 (a) (5) to Section 111 (a) (1).

7. On p. 35, see Section 112 on Innovation and Expansion Grants.

Do we want to follow the Innovation grant philosophy or the Expansion philosophy in the present Act for this new authority? Innovation grants were approved by Regional office if they met certain criteria. Other than that performance type approval, the State really did what it wanted to do (under State Plan) and States controlled the funds by allotment. Expansion grants, on the other hand, involve the approval of specific activities for specific purposes and are at the discretion of the Secretary, also the control of the funds State by State.

The new Section 112, by remaining silent on the role of the Secretary in the approval process seems to put the Expansion authority that we now have into the Innovation grant mold. The Section might more appropriately be entitled "Innovation Grants."

The following should be deleted:

... "And sums appropriated for grants under this section shall remain available for such grants through the close of June 30, 1976."

This language is inconsistent with the allotment and reallocation provisions that apply to formula grants. If the money were available to the State for longer than 1 year the State would never relinquish its allotment for reallocation.

8. On p. 38. See Section 113 on Client Advocacy. We assume that the client advocacy system would be in effect in all geographic areas where "programs" are in effect, not "projects" which are not usually statewide. We suggest, also, that each State be granted by the Secretary an amount no less than \$50,000 nor more than \$150,000 for this



purpose. This is consistent with sums for the State advisory councils and recognizes variations in need for funds for this purpose.

9. p. 40. See Section 114 on Experimental Appeals Projects. See other Tab for a discussion of an alternative approach to assuring clients, and applicants prompt and relevant attention through the establishment of a fair hearing and appeal procedure.

10. On p. 42. See Section 121 on State Programs. Language seems to imply that a formal State plan would be submitted each year. This provision need be effected only once—following enactment of these amendments—since Section 102 requires that an approved State plan must contain these provisions. Under the present Act, an annual submission is not required, although States do submit each year a description of their current and anticipated program and financial activities. The concern of the committee that the program reflect implementation of the requirement would be satisfied by the program and financial plan.

11. P. 44 and p. 49. See Sections 200 and 201. The authorization in the VR Act for construction for 1972 is \$30 million. A like amount was authorized for training services. We suggest that \$30 million for construction and \$30 million for training services, projects, including workshop improvement projects, should be maintained for each of the three years. These amounts are comparatively modest in the light of increased costs due to inflation, and increased reliance in the years ahead upon facilities and training services to back up efforts to bring greater numbers of severely disabled into the programs. More highly specialized services will be needed for the older blind, the multiple handicapped, and greater numbers of people from assistance roles with severe impairments complicated by low motivation associated with chronic dependency.

12. On p. 48. See Section 200 on Construction. Why is "in exceptional cases" included in the section permitting the inclusion of residential accommodations in workshops? Residential accommodations are traditionally an integral part of rehabilitation centers and many workshops.

13. On p. 59. See Section 204 on Special Projects and Demonstrations. This section should include the authority now in Section 400(e) for the Secretary directly or by contract to provide technical assistance to rehabilitation facilities, and in the case of removal of architectural barriers to any public or private agency or institution.

14. P. 68. See Section 207 on National Centers for Spinal Cord Injuries. The proposed authorizations for National Centers for Spinal Cord Injuries should be graduated. \$10 million for 1973, \$15 million for 1974 and \$20 million for 1975 are suggested. Such amounts would permit the establishment of and staffing of some centers in existing physical facilities where this is appropriate. It would permit, also, the construction, staffing (and payment for provision of services to some clients) in a number of low income areas where resources of all kinds are limited or non-existent.

15. On p. 83. See Section 211(f) on State Advisory Council and the reference to "amount not to exceed \$50,000." This is redundant since an earlier section provides for amounts no less than \$50,000 nor more than \$150,000.

16. On p. 85. See Section 302 on Research. At top of page substitute "disabled" for "handicapped" in order to permit wider latitude in research activities.

17. On p. 86. See Section 302 on Research. At top of page insert after "handicapped" the following "and problems of environmental barriers."

18. On p. 87. See Section 302 on Research. At top of page note subsection (c). This language appears in several places in the act.

It tends to be limiting in connection with the development of new and innovative services which is the objective of several programs authorized in the Act. The committee's purpose could be achieved by language such as the following from Section 4(a) of the present Act: "Any grant of funds under this subsection which will be used for direct services to handicapped individuals or for establishing facilities which will render direct services to such individuals must have the prior approval of the appropriate State agency."

19. On p. 88 and 89. See Section 303 Training and Section 400 on Administration. No grant shall be made under these sections for furnishing to an individual any one course of study extending for a period in excess of two years. This will seriously hinder the recruitment of individuals into courses of study in rehabilitation professions such as physical medicine, speech therapy, research and other disciplines in current short supply. Was this intended or inadvertent?

20. On p. 89. See Section 400(a) (4) on Administration. The amount of \$50,000 should be \$150,000 as provided for in earlier sections of the Act.

21. On p. 90 and 91. See Sections 400(d) and 400(e). These might be moved to Section 204 and made a part of special projects.

22. On p. 101. See Section 602 on Architectural and Transportation Barriers Compliance Board. This board should have responsibility for insuring compliance not only with the standards prescribed by the GSA, as indicated, but also the standards prescribed by the Department of Defense and the Department of Housing and Urban Development under the same legislation, PL 90-480.

Some functions of the proposed National Commission on Transportation and Housing provided for in Section 413 of HR 8395 have not been included in those assigned to the Architectural and Transportation Barriers Compliance Board in Section 602. Reference is made to the requirement that the Commission "(A) determine how transportation barriers impede mobility of the handicapped and aged handicapped and consider how travel expenses in connection with transportation to and from work can be met or subsidized when such individuals are unable to use mass transit systems or need special equipment in private transportation and (B) consider the housing needs of the handicapped."

Does the committee intend that this Board concentrate primarily on environmental and attitudinal barriers with respect to transportation, parks, housing and the like, but not be concerned with other aspects of the housing and transportation needs of disabled individuals?

23. P. 99. See Section 601 Federal Inter-agency Committee on Handicapped Employees. The following language is offered for inclusion in this section in order to make possible more widespread use by State vocational rehabilitation of Federal agencies as sites for work experience for rehabilitation clients. "An individual who, as a part of his rehabilitation under a State plan approved under this Act, participates in a program of work experience in a Federal agency, shall not, by reason thereof, be considered to be a Federal employee or to be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits."

As you can see, we were shocked to learn of the veto because there was absolutely no indication from any source that the bill was going to be vetoed. In fact, we had heard that steps were being initiated within RSA to have a signing

ceremony at the White House on this legislation. Hearing about the possibility of the signing ceremony somehow does not give one the feeling that a veto is forthcoming.

I regret that this bill is being used to measure loyalty to the President. In terms of the handicapped and their needs, loyalty cannot be measured. I do not think that any Member should have to be put in an either/or position. While this bill is not perfect, it reaffirms our commitment to those individuals who want to work but have greater obstacles to overcome. I would leave you with this one thought. It has been said that we are all ordinary people seeking an extraordinary destiny. Handicapped people are extraordinary in that they just seek an ordinary destiny. I deeply regret the action of the Senate that prevented this most worthwhile and needed legislation.

#### THE ROLE OF CONGRESS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, former Governor Pat Brown of California, believes that the U.S. Congress can strengthen itself as did the California Legislature in the last decade. His suggestions and insights, made at a symposium on "The Role of Congress" sponsored by Time, Inc. as part of its 50th anniversary editorial project, along with the panel discussion and remarks of the moderator, Louis Banks, follow:

#### THE ROLE OF CONGRESS

PAT BROWN. Due to the fact that the former speaker of the house, during the period I was Governor, had a few words, I think it's fitting and proper that I should follow him, particularly in view of the fact that I'm sure that during the period he was speaker he would have sponsored the parliamentary system in the legislature of the State of California.

I want to say, too, that I agree with him, that in California it would be far better to have a unicameral legislature. I think there's too much separation of power. But that is not the question before us today. My question is to Senator Packwood:

The editors of TIME are undertaking a study of the U.S. Congress and the possible way of restoring that body to coequal status with the Executive Branch, which assumes the fact the Legislative Branch of Congress is not coequal with the Executive Branch. I know that the editorials and the news stories throughout the country say today that the Congress is not coequal. But in all of the things that you have talked about—the war, the budget, welfare—I think you have to have a strong executive. I think in California, due to the very intelligent efforts of Jess Unruh, that we have a very, very great legislature. But I think they became coequal with the executive during the period of his speakership and, I think, that this same thing can happen in the Congress of the U.S. I think a strong President is a good thing, and I would like to ask you, Senator Packwood, do you really believe that you actually surrendered your powers to the Executive during the past four or eight years?

Senator Packwood. Governor, I think we have absolutely, and we maintain coequal status only in theory and to the extent we can take back these powers. The powers are

still there to take back. We don't and we haven't. As far as I am concerned, the presidency was never intended to be the major policy-making body of our nation. The legislature was intended to do that. We have given sufficient powers to the presidency so that the President is the principal policy maker and administrator in most significant areas. The only powers Congress could exercise and doesn't is appropriations. By and large we work from the Executive budget and we pare a bit off here and add a little bit there, but that's the basic document from which we work. The irony is that until 1921 there was not a real Executive budget. It was proposed in the First Congress and rejected until 1921. Every major department, the Treasury, Justice, gave their budget to Congress.

Governor BROWN. Would you change that today?

Senator PACKWOOD. Yes, I would change that today. I would let the President have the Executive budget in terms of management, have the same powers that any executive officer of a corporation has. But that Executive budget was not meant to set policies of this country and that's what it is being used for today.

Representative UDALL. We are getting down into the nitty gritty and I am glad Pat Brown made this point. I am for a strong, activist President. You need a strong, activist President in many situations. Let me revert to Jess Unruh's question because this is really essential and gets to the heart of it.

Party leaders in Congress cannot call folks together, make decisions, crack heads and say this is the policy of, for instance, the Democratic Party because the congressional committee chairman don't owe their election to these people. They can thumb their noses, and do, at the House Speaker and the Majority Leader in the U.S. Senate. Why? Because as long as you tolerate the seniority system, these men have independent power and they need not confer with, or listen to, or heed the party leaders. The party leaders are simply presiding officers. The power is in the committee chairmen and will remain there as long as the seniority system remains. They don't have it in the California assembly and that's why men who know how to exercise power can do what Jess Unruh did in the California assembly.

Mr. BANKS. I think we have time for about one or two more questions.

Mr. MANDLES. My name is Martin Mandles. I have a question relating to the balance of power. My 87-year-old grandmother has a theory. She believes that if we look at those periods in our history when we had the most happiness and content throughout the land with the political system, and to the period when we derived the most efficiency and effectiveness, these periods have always occurred when the political party of the President has been opposite to that of the political party in control of the Senate.

This leads to the obvious question: Is my grandmother senile?

Dr. POLSBY. It seems to me that if she were chairman of a committee of Congress, we would automatically assign her to that category. I have found, much to my dismay, that many of these elderly committee chairmen who were opposed to the things that I wanted were unfortunately not senile and were terribly effective in preventing the things that I wanted to happen. As to whether there's more public happiness when the world is filled with Democratic Senators who want to be President and Republican Presidents, I don't know. I will know when I'm 87, however.

Mr. GREENBERG. I am Carl Greenberg. I would like to ask either Senator Packwood or Congressman Udall their feelings about the impact of the lobbyist.

Senator PACKWOOD. I will take a whirl at it. It's my personal opinion that the influ-

ence of the lobby is overestimated. The business lobby is absolutely convinced that the Sierra Club dominates the Congress. The Sierra Club is convinced that G.M. dominates the Congress. If General Motors did dominate it, we would have no environmental protection. If Sierra Club did dominate it, we would have no clear cutting in Oregon, period.

I find that lobbyists generally who are there full time, representing their trade associations or business enterprises, are pretty good, very sharp. They are knowledgeable about their subject and their word is usually quite good because all we have to deal with is their word. If they are careless in what they tell you, or deliberate liars, their credibility goes down, and you pay no attention to them. But the thing to remember is that they are similar to a lawyer in court. They have a cause and a case to represent, and they are going to present their side of the facts of that case the best they can.

You must be careful, before you reach a decision, that you have talked with enough lobbyists on a variety of sides of the issue, and there is no issue that is one-sided. If you have a fair pleading of the case from all sides, as long as you are willing to do that, I find the lobbyist helpful.

Mr. MACNEIL. The role of the lobbyist as dictator to Congress is grossly exaggerated. They serve a much more useful purpose as one of the few areas of highly intelligent information flowing into the Congress.

Representative UDALL. I think that the place where I am concerned about the lobbyists is with the separate subject of the evil influence of campaign money. You have lobbyists who are very good—you don't have to influence the whole U.S. Senate. The work is done by committees.

Mr. FARRELLY. I am David Farrelly of UCLA. The question I'd like to ask is if we had a responsible two-party system, a disciplined system, would the problem of Congress be solved? By way of background—and Professor Polsby will remember this—22 years ago the American Political Science Association came out with a report on the responsible two-party system, saying this country ought to have a responsible, disciplined party system if we were to solve our national problems. As Nelson Polsby will remember, political scientists one after another shot this committee report down. It was unrealistic, we had a federal system, they said.

After 22 years we have come full circle. David Broder, whom I consider one of the astute observers of our political system, writes a book: "The Party's Over," and his point is that our system is not working and it won't work until we have parties that mean something, that discipline Americans, and attract a national verdict. We also have Professors Saloma and Sontag, who, unlike Broder, are optimistic. They think that with education, we solve everything. If citizens would get into politics, everything would be fine. Once everybody pooh-poohed the idea of a responsible party system, only to have good people like Broder and others come back to the only possible solution, that of having responsible party systems.

So the question isn't over; it's being revived.

Isn't the key to our successful public interests and policy that of having a two-party system?

Dr. POLSBY. It seems to me the idea of party centralization formulates a device for weakening Congress—weakening it in such a way that it couldn't do its job of checking and balancing the Executive Branch.

Most of the proposals for party centralization that I have heard, I am afraid, would have those consequences. I am in favor of strengthening the Legislative Branch, and therefore, I myself think, as I thought 22 years ago, and also during the '30s, that strengthening parties hurts the Legislative

Branch. That I am against, I'd like to see it done in another way.

Mr. BANKS. I think we have one more.

Mr. BENSON. I am George Benson. I am not really disagreeing with any of the suggestions made for improving the Congress, but I have just finished two and a half years in Washington where I was dealing with several congressional committees quite regularly and had very pleasant relationships with them. I had the feeling that very consistently they had too much power, and I will give you two or three quick examples:

They were making appropriations for scholarship programs by dividing an appropriation up between the military services. You could not get them to agree to any kind of formula, allocated between the services on the basis of the number of officers needed or anything of that sort. They wanted to continue to have control themselves, and review it every year, although it was an impossible thing to get them to pass an act every year. They made appropriations for some subsistence allowances which hadn't been revamped for something like 20 years. Again, we could not get them to agree to any kind of a formula by which things would be recalculated from year to year.

Are we considering any kind of a degree of limitation on detailed things into which Congress shouldn't be going, but is going into for obviously somewhat petty reasons?

Mr. BANKS. Let's start with Mr. MacNeil who, I know, has some thoughts on that.

Mr. MACNEIL. I think what we're aiming at is the broader sense of power to which you addressed your question. The details just can't be taken away from Congress at any level. But I think we are concerned with the terms of the institutional integrity of the place. To advocate a strong Congress, a strong Legislative Branch, is not to advocate a weak President. We need both strong. This is the true purpose of the project we have embarked upon.

Mr. BANKS. I think this is a fine benediction. Thank you, ladies and gentlemen.

#### VOCATIONAL REHABILITATION ACT, 1973

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE), is recognized for 10 minutes.

Mr. METCALFE. Mr. Speaker, I have just learned that the Senate of the United States has sustained the President's veto of the Vocational Rehabilitation Act. I am shocked. I had planned to make a statement during the debate on the floor concerning the President's veto of this bill.

I am going to include the essence of the statement in the RECORD, and I can only say that there are some 20 million physically handicapped persons across the Nation who are going to continue to be dependent upon the rest of the people in this country because of the actions taken by the other House.

If it seems repetitive that I return to the same theme about reordering priorities, it is only because the President of this country has, as of now, refused to heed the message. I would not like to think that I was talking to the wind as I move on into the discussion of the merits of this legislation, and I am hopeful that my colleagues will not only join me in this debate, but that they will take an active part in assuring that approximately 20 million persons who are physically handicapped will neither be forgotten nor ignored.



For the past few years we have heard that this branch has no idea what fiscal responsibility is. We have been told over and over again that we are not fiscally responsible. I do not believe that this argument is necessarily sound. As a matter of fact, I would argue that the administration is fiscally negligent. The priorities before the Nixon administration had reflected, at least for the better part of the 20th century, the social needs of our citizens. With the advent of this administration, however, the priorities have switched from social needs to "local control." We have, through this mechanism called revenue sharing, completely bypassed the needs of the American people.

This administration has yet to live up to its campaign pledge of 1968: "bringing us all together." The use of the Presidential veto at this time and on this legislation not only divides us further, but also is indicative of the callous disregard that this administration has for the people of this country. I cannot remember another instance since the administration of the late President Hoover when this country has embarked on a campaign of such complete and total disregard for its people. President Hoover believed that the American people did not need the help that the Europeans needed because the American people were of a different breed. The American people were strong and resilient.

I want to close my comments on a positive note: one that will express my dismay at the President's actions by explaining what this bill will do for the physically handicapped persons throughout this country.

We have a sad situation in this country: some 20 million people are not able to work, and become self-sufficient and independent, because they are physically handicapped. This Vocational Rehabilitation Act would provide programs that would allow the physically handicapped to become self-sufficient and independent. These programs would train the handicapped person to do more than sit all day. The handicapped person would become a viable economic entity in this country. No longer would that person have to depend on the Government to support him or her. In the long run this would be much less costly. The President insists that this program would cost too much, yet in a few years it would start to pay for itself.

If we continue to allow the handicapped person to live off of government subsidies, then there will never be any constructive input from these people. Simple logic, which the President seems to be short on at this moment, would dictate to us that when people become self-sufficient and independent they start to pay taxes; when they are unable to become self-sufficient they are a liability for the whole country. The President's idea of fiscal responsibility is to determine how much can be cut from the programs that will benefit the people of this country. It seems somewhat absurd that this country continues to have the largest GNP in the world and yet we are unable to feed, clothe, and house the people of this country. The usefulness of a Trident submarine, a CVN carrier, a B-1 bomber,

an F-14 aircraft, and the like are very much in doubt as we proceed toward the end of the 20th century. Yet, this administration has done more to push these questionable weapons-systems than any other administration in our history. Unfortunately, the people of this country have become so accustomed to gross cost overruns and waste in the Defense Department that they are willing to accept it. I cannot. Our priorities have become so distorted that there has to be some semblance of rationality restored both to the budget and our national priorities. One of the ways that this can be accomplished is by overriding the President's veto.

I deeply regret that the other body did not override this veto.

#### HOME PRESERVATION ACT OF 1973

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record.)

Mr. PODELL. Mr. Speaker, one of the greatest problems facing America today is the deterioration of housing, particularly in urban areas. While urban renewal may be one answer, it has failed to live up to its promise. There is no point in spending billions of dollars to construct new high-rise buildings which destroy the character of their neighborhoods and become breeding places for crime and slums of the future. I believe that it would be much more beneficial—and much cheaper—for the Federal Government to concentrate on the millions of substandard dwellings which could be saved with moderate rehabilitation.

A critical problem is that old housing is being abandoned much faster than new housing is being built. In New York City, for example, an estimated 50,000 housing units are abandoned each year.

To help alleviate the housing crisis in our urban centers—and in our rural areas as well—I am today introducing the Home Preservation Act of 1973. Senators CRANSTON and TAFT have introduced a companion bill in the Senate, and hearings will be held later this spring. The thesis underlying this legislation is that the best way to deal with our housing crisis is to rehabilitate our existing dwellings. The bill attempts to solve the problems of deteriorating housing on several fronts.

Title I would permit FHA insurance to be used to obtain the private market refinancing necessary to lengthen existing mortgages. This will enable homeowners and landlords to make necessary repairs without increasing their monthly housing expenses. The provisions of this title include safeguards to preclude the possibility of abuses. The cost to the Federal Government would be very little.

Title II authorizes home repair loans for the elderly and the handicapped. These homeowners would be able to obtain low-interest loans up to \$5,000 to repair and improve their homes; the poorest homeowners among the elderly and handicapped would be eligible for grants of up to \$5,000 for necessary repairs to their property. Although my own district in Brooklyn contains many per-

sons who are elderly, I know that these provisions would also have great impact in our rural areas.

Title III protects a homeowner against foreclosure or forced sale if he loses his job, gets sick, or for other good reason beyond his control is unable to meet his mortgage payments. The homeowner in financial straits would be able to obtain a Government loan to cover as much as 12 monthly mortgage payments, provided he had tried unsuccessfully to alter the terms of his mortgage.

Title IV creates a home preservation loan fund, which would cover the loans provided for under titles II and III. A revolving fund of \$50 million would be authorized for these programs. Title IV also authorizes demonstration programs designed to improve maintenance of federally assisted housing.

Mr. Speaker, there is no reason why the Federal Government should stay out of the area of substandard housing until the units are no longer capable of rehabilitation. The Home Preservation Act is a very desirable alternative to the huge construction projects in our urban renewal areas; it would yield much greater rewards at a fraction of the cost. Even if this legislation is not enacted, I hope that the Congress will give careful consideration to the policy of home preservation as a means of financing and repairing homes and apartment buildings. This program, I believe, has the potential for saving our urban neighborhoods and for improving the quality of life for millions of Americans.

#### LEGISLATION FOR HAWAII'S ECONOMIC DEVELOPMENT

(Mrs. MINK asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, many areas of our Nation are suffering economic distress as a result of increased competition for their products by foreign imports, but I doubt that any has been affected as severely as parts of the State of Hawaii.

Hawaii is known as the world's pineapple production center, and indeed the State did pioneer the industry by developing new agricultural techniques which dramatically increased the availability of this wholesome and well liked fruit.

In recent years, however, Hawaii's pineapple industry has been threatened with extinction—largely due to the adaptation of its expertise in other areas of the world with abundant supplies of low-cost labor. In some cases, the Federal Government helped to finance the start of overseas pineapple operations. In others, American pineapple companies founded foreign subsidiaries. Because of such factors, Hawaii's share of the world pineapple market has plummeted from 72 percent in 1950 to less than 33 percent today.

During 1950-71, imports of foreign pineapple into the United States increased by 3,870,781 cases or a whopping 204 percent. Meanwhile, the U.S. sales of Hawaii pineapple increased only slightly. Since the mid-sixties, nearly

all the increases in pineapple consumption on the U.S. mainland were accounted for by foreign pineapple. I am inserting a newspaper article more fully describing this situation at the conclusion of my remarks.

Recently, I introduced legislation to increase the import duty on foreign pineapple, which has been set at a very low rate in comparison with the tariff protection enjoyed by other U.S. fruit products with which Hawaii pineapple competes. Yet we cannot be sure that this measure, even if adopted, would halt the downward spiral of Hawaii's industry.

In 1950, there were nine companies producing pineapple in Hawaii; today there are only four. Further production cutbacks already announced for the next 3 years will leave Molokai and Kauai Islands without any pineapple industry at all. The total acreage may drop from 62,500 to 40,000 on the remaining islands.

On Molokai, the departure of two pineapple firms will leave the island virtually without industry. The entire population is about 5,000. Of this, some 520 year-round employees and another 1,200 seasonal workers have been employed in the pineapple industry. Merchants and other businesses dependent upon the industry may be wiped out.

The situation is so serious that concerted action is needed by all public and private officials involved. While steps are being investigated to halt the pineapple industry exodus, planning is needed now to permit economic conversion in case the planned closings cannot be prevented.

Because the decline of the Hawaii pineapple industry is due in large measure to the Federal subsidy of foreign pineapple—in the form of abnormally low tariffs and failure to enforce laws for the quality inspection of foreign imported pineapple—the Federal Government must bear a large measure of the responsibility for solving the problem of this economic threat to Molokai and other islands. Yet our present programs are inadequate to respond to this type of economic disaster caused by foreign imports.

Today I am introducing legislation to establish a new and comprehensive program of Federal aid to communities where an industry closes as a result of foreign imports. My bill would provide economic adjustment assistance to such areas in the form of technical aid as well as financial aid in the form of cash grants, loans, and guarantees of loans. This assistance would be for the purpose of planning and implementing a conversion to other forms of new industry using lands and facilities formerly used by the pineapple companies.

The community, such as Molokai, would submit a proposal for economic adjustment to the Secretary of Commerce. The plan would be developed in consultation with workers, landowners, and lessees, and would be designed to create new economic opportunities to replace those lost due to the closings or cutbacks of existing companies. Interim assistance would be provided to the community by the Department of Commerce for the purpose of developing the eco-

nomic conversion plan prior to its submission.

On approval of the plan the Secretary would be authorized to provide technical and financial assistance to help the community and its workers. Funds could be used for such purposes as acquisition, construction, installation, modernization, conversion, and expansion of lands, plants, buildings, equipment, facilities, or machinery, and to supply working capital.

By proper use of this authority, I feel the Federal Government could contribute materially to the solution of the economic problems caused by increased foreign imports of such commodities as pineapple. If Hawaiian pineapple had accounted for the increased U.S. consumption between 1950 and 1971, instead of foreign imported pineapple, the Hawaii economy would have been bolstered by an additional \$38.7 million in income. If this production had been from Hawaii it would have meant the planting of 10,000 more acres and addition of 2,000 more year-round jobs. The lack of aid to foreign producing areas could have meant additional markets for Hawaii pineapple beyond these figures. In view of the magnitude of the loss to Hawaii caused by Federal policies, I feel that Federal programs should be initiated to provide at least a portion of this amount in direct aid to the communities of Hawaii which will be suffering greatly over the next few years. My legislation is designed to accomplish that equitable purpose.

The articles follow:

WORLD ROLE DECLINING: WHITHER HAWAII'S PINEAPPLE INDUSTRY?—I

(By Charles Turner)

Hawaii's pineapple industry has weathered many storms over the years—from bugs, adverse weather and strikes, to name a few.

But nothing in the past has alarmed the government, the companies and union members as much as these recent developments:

Production cutbacks which are planned during the next three years on Kauai, Molokai and Oahu.

A decline in Hawaii's dominant role in world pineapple production, with the Island State's share of the market declining from 72 per cent in 1950 to about 33 per cent today.

The proposed plantation cutbacks are being watched closely by the Legislature and industry sources are reluctant to discuss pineapple's problems in public.

The first of the cutbacks will occur later this year, when Hawaiian Fruit Packers on Kauai plans to go out of business.

The company had 2,200 acres in pineapple at one time.

Dole Co. announced last year that 4,500 of its 9,000 acres on Oahu would be taken out of production within three years. It said the remaining 4,500 acres would be devoted to fresh fruit.

Dole followed up that announcement a few months later with an even bigger shocker: It was going to end operations on its 10,500-acre Molokai plantation by 1975.

With that news still undigested, the Molokai community was hit by still another blow this year, when the Del Monte Corp. announced it would close down its 6,100-acre pineapple plantation on the Island by 1975.

The implications of the dual shutdowns by Dole and Del Monte are staggering.

It will mean that some 520 year-round employees, but another 1,200 seasonal workers, will be thrown out of jobs.

It will mean the end of a \$5.5-million payroll.

Merchants in Kaunakakai and other busi-

nesses dependent upon the 1,300 residents of Maunaloa and Kulapuu may be wiped out.

The situation is so serious that it is being made a full-time joint venture by government, union and business in an effort to find a solution.

Tommy Trask, the ILWU's international representative who handles pineapple negotiations, said:

"We are working closely with the Maui Task Force. We hope that both companies will develop ways and means to continue production on Molokai.

"That failing, some industry must be developed to prevent Molokai from becoming a ghost farm."

He was asked whether the ILWU has any ideas on what can be done to "save Molokai."

"We would prefer a continuation of pineapple, but if that is not possible we will support other agriculture and diversified economic activities that will provide adequate employment and orderly growth," he said.

"Productive employment must be found for the people of Molokai. The pineapple workers really made the money that these firms have used to develop into gigantic conglomerates.

"They should not be cruelly cast into a storm that is not of their own making."

Trask was asked whether there was any chance that tourism might replace agriculture as the main source of employment for Molokai's work force. His reply:

"With proper planning of visitor facilities, certain sections of Molokai can well become one of the best tourist attractions in the entire State.

"However, we would not support a program which would result in any part of Molokai becoming another Waikiki."

The situation on Oahu, while troublesome, is not comparable to that facing Molokai.

Trask said the changes at Wahiawa will reduce the seasonal field work load because of Dole's shift from canned to fresh pineapple.

"There will no longer be peak periods when large numbers of workers will be needed," he said, "because they are staggering crops for year-round production.

"The basic or intermittent work forces won't be affected too much. But the seasonals, who are primarily students, will feel the impact strongly."

The union's members got a scare some three years ago when Libby, McNeill & Libby decided to get out of pineapple production in Hawaii.

However, Dole stepped in and acquired Libby's plantation and cannery (the latter was sold and is now used as a warehouse).

At the opening of pineapple contract talks in December 1971, company spokesman Bernard Ellerts pointed out the cutbacks which were already underway in the industry and warned:

"It would be wrong to interpret these cutbacks in planting as signaling any ideas of going out of business. Quite the opposite. They are a matter of necessarily trimming production to sales in order to stay in business—you can't pay wages from unsold pineapple."

The pineapple industry had just gone through a traumatic experience because of the West Coast dock strike, which had lasted for 100 days (and was going to be resumed the next month by the ILWU for another 35 days).

The longshore strike, which began July 1, 1971, came during the peak canning season. The industry was unable to ship its products to the Mainland until October.

Pineapple deliveries dropped \$21 million from the previous year.

The estimated dollar loss sales to supermarket operators and wholesalers was \$9.5 million.

The cost of additional transportation (shipping pineapple from the West Coast to



Gulf ports via charter vessels) came to about 80 cents a case, or \$813,000.

The pineapple industry went through another strike-induced economic jolt late last year, when the Masters, Mates & Pilots tied up shipping from Oct. 25 to Dec. 7.

The specter of another longshore strike hangs over the industry this coming June, when both the West Coast and Hawaii dock contracts expire.

And that's not the end of the labor problems facing the industry.

The present pineapple contract expires Jan. 31, 1974, that means that negotiations probably will get under way in late November or early December of this year.

Next in *The Advertiser*: Why the high cost of producing Hawaiian pineapple?

#### ISLE PINE PROBLEMS: JUST WHO IS TO BLAME? (By Charles Turner)

If you ask a pineapple-company executive to tell you the fundamental problem facing the industry in Hawaii, he'll probably say it's the cost of production.

If you ask the State Department of Agriculture, which prepared a report on the subject, it will say there are several problems, including inadequate tariff protection—failure of the U.S. Government to protect Hawaiian pineapple adequately from low-priced, poor-grade foreign imports—and production costs.

But the ILWU, which represents the pineapple workers, will tell you that production per man-hour is the highest in history.

Industry brings up the "output per man-hour" issue at every negotiating session with the union.

Bernard Eilerts, spokesman for the pineapple companies in the last negotiations, said in his opening statement:

"The only way we in Hawaii can hold our own against foreign pineapple—even in our own domestic, Mainland U.S.D.A. market—is to increase our productivity, to increase our output per man-hour and cut our costs per case."

Hawaii pineapple growers employed 5,500 persons on a regular basis last year, with the total statewide work force climbing to 18,000 or more at the peak of the season.

The payroll was \$52 million, and the combined canned solid fruit and juice packed was about 28 million cases.

Pineapple workers were making \$2.49 to \$4.44½ an hour before the contract was renewed for a two-year term on Feb. 1, 1972.

The new contract provided for wage hikes which brought the range to \$2.78 for the lowest paid workers and \$4.77½ at the top.

The ILWU's international vice president, George Martin, came from his San Francisco headquarters to help out in the negotiations. After they were completed, he called it "an excellent settlement" and told the ILWU negotiating committee:

"You can be proud of your negotiators for doing such a good job in the antilabor atmosphere of the times."

Whether intentionally or not, the State Government's report on "The Impact of Foreign Pineapple Production on the Hawaii Pineapple Industry" makes one recommendation which is sure to get a cold reception when the next negotiations are held later this year.

The recommendation:

"As wage increases occur, it may be possible to hold student, seasonal labor to lower increases. Labor, industry and the State should explore possible approaches."

The *Advertiser* asked Tommy Trask, chief ILWU negotiator for pineapple, if he felt his union's wage demands had contributed to the problems of the industry.

"Our contracts have not been to blame for the decline of pineapple," he replied. "These people have been mechanizing and modernizing over the years for the sole purpose of making more profit and they

began reducing the work force long before the ILWU was in existence."

Trask pointed to the Ginaca machine, a revolutionary device invented in 1912, as an example of mechanization in the industry.

"It is the most important piece of labor-saving equipment in the pineapple industry," Trask said. "It was developed before I was born."

Trask conceded that the ILWU's aggressive organizing drives in pineapple may have spurred the industry to make improvements.

"Undoubtedly, the organizing of pineapple workers caused the companies to intensify modernization," he said. "But production per man-hour is higher today than ever before."

"We don't believe the workers should subsidize an industry. Moreover, the record shows we have cooperated with agriculture in Hawaii when we were convinced that sacrifices were necessary."

Trask recalled that the ILWU negotiated wage cuts for five sugar plantations "when wages throughout the nation—and the then-Territory of Hawaii—were increasing."

The union made the concessions in the late 1940s.

#### SELF-COMPETITION HURTS ISLE PINE, TOO—III (By Charles Turner)

It costs pineapple producers 17 cents an hour for each man on the harvesting payroll on Taiwan.

In Hawaii, it costs a minimum of \$2.79 an hour.

It goes without saying that if the Taiwanese can get their pineapple to American markets, they will have a tremendous advantage over Hawaii's pineapple producers.

That is one of the reasons the State of Hawaii is so concerned about foreign competition, and why it asked the Department of Agriculture to prepare a report on the impact of foreign pineapple on the local industry.

The report notes that labor costs account for about half of total production costs, whether in Hawaii or elsewhere.

"The implication of having available extremely low-cost labor for production in foreign countries is clear," the report said. "That cost must be offset by other advantages, or production will erode to the low-cost areas."

Tommy Trask, ILWU international representative, was asked whether he thought competition from foreign countries is a major problem facing the Hawaii growers.

"It is one of the basic problems," he said. "But a substantial part of the 'competition' comes from their own operations in foreign countries."

Trask said he was informed last year that Dole Co., Hawaii's largest pineapple producer, "was fast approaching its Hawaiian production" in its Dole-Phil agricultural operation in the Philippines.

He noted that Del Monte Corp. was in the Philippines "long before Dole."

"They are marketing their products from foreign countries—under their own labels—in American markets," Trask said.

He was asked by *The Advertiser* whether it is possible to deal with the foreign competition by sending teams from Hawaii to organize workers in those problem areas.

"The ILWU has shown it could organize foreign workers," he said. "We did it in Canada. But there is no such plan at this time (for the Far East)."

"Besides, there already are unions in the Philippines. Dole has five unions on its plantations."

The Agriculture Department's report says that the challenge of foreign competition can best be met by "cost-reduction measures through technology..."

"It is unrealistic to expect decreases in hourly wages," the report said. "This would

not be acceptable to the employees, and the pineapple companies would experience great difficulty in hiring workers in direct competition with other employers paying better wages."

In addition to the problems raised by the cheap foreign labor, the report points out that duties and quotas on foreign pineapple haven't been increased because industry has not been able to agree on steps needed to protect Hawaii's production.

Trask was asked by *The Advertiser* whether tightening up tariff duties would hurt the Hawaii pineapple growers who have foreign operations, such as Dole and Del Monte.

"No," said Trask. "They are still paying outrageously low wages in those operations. It will only mean reduced profits."

Trask said "the American housewife is label-conscious."

"She basically doesn't look for grade-labeling (which experts feel would help Hawaii's prime-grade pineapple) but a label she believes to be of good quality."

Trask said the identifying symbols on the Dole and Del Monte cans are what attract the housewife.

"She doesn't look at the small print to see whether the pineapple came from Hawaii or elsewhere," he said.

Despite the hesitancy by the American producers to seek increased duties on foreign pineapple, U.S. Sen. Hiram L. Fong has introduced a bill in Congress which would raise the tariff on canned pineapple from three-fourths of one cent per pound to nearly four cents a pound.

He also proposed raising the duties on juice concentrates from five cents a gallon to 35 cents.

The proposed new rates would be the same as those now imposed by the United States on foreign citrus products.

There has been no immediate reaction from the union or industry on Fong's tariff proposals.

#### TOO LITTLE TOO LATE

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the President's imposition of a ceiling on beef, lamb, and pork prices on March 30, is again a case of the administration's acting too little and too late. The President sounded as though he had just learned on Thursday that meat prices were getting out of hand and immediately took action to stop it. In fact, he placed the ceiling at the highest level of prices this country has known in its history—prices that have been steadily and dramatically escalating for the last 2 months.

The President should not have "temporarily" ended the wage and price controls which had been in effect until January 15. At that time, I predicted that since he stated the lifting of controls was "temporary," prices would be raised substantially in an effort to get as much as possible before controls were slapped on again. The results of phase III bear this out.

Meat prices are not the only ones to have gone up—although they have been the most dramatic. All food prices are higher, and rents in many areas have skyrocketed. Other items have also risen, but food and housing are the two elements that are vital necessities for day-to-day living and existence.

Increases in wages have not kept pace

with rising costs. Inflation is rampant. The stock market is extremely jittery. Unless there is an almost immediate and dramatic turn in the economic situation, I believe the country now has little alternative left. Going in and out of the marketplace with controls on selected foods or economic areas will not stem the uncertainty in the public mind, bring stability to the marketplace, or halt inflation.

Mr. Speaker, I believe we must return to an across-the-board freeze at the levels that were in effect on January 15. The Banking and Currency Committee is now marking up the legislation to extend the Economic Stabilization Act and I will support the committee's recommendations for the continuation of controls. These controls should remain in effect until the administration can arrive at a solution.

#### CRIME COMMITTEE MAIL

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, several letters supporting the past and present activities of the Crime Committee have come to me since the agreement was reached transferring our work to the House Judiciary Committee. I submit them for the RECORD today and thank their authors as I have the hundreds of others who wrote or wired the House expressing their views on the work of the Crime Committee:

MIAMI, FLA.

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

DEAR MR. SPEAKER: As a Director of the Crime Commission of Greater Miami for approximately two years now, I believe I have acquired a greater realization than the average citizen of the very serious extent of our nation's crime problem. I am convinced that this is a major problem for our nation and that the answer will be found only with the fullest understanding and the closest cooperation among the Executive, Legislative and Judicial branches of our federal and state governments.

As a Marine Reserve Officer, I have had the privilege of performing several tours of military training duty in Washington, D.C., in recent years. Upon reporting in on each occasion, I was shocked to receive cautions against walking alone about the city during evening or early morning hours. I'm sure it has been said before and I know you agree that something is very wrong when authorities find it necessary to offer suggestions bordering on combat conditions to visitors to our nation's capitol.

I have watched the work of the Select Committee on Crime, and I feel that under the chairmanship of Congressman Claude Pepper, it has taken a strong first step in the right direction towards a solution. Yet, there are many more steps that must be taken in this direction for the good of our nation and the reasonable safety of our citizens.

Mr. Speaker, I know that you have our nation's best interest at heart. May I respectfully urge you to give every consideration to the establishment of a permanent Select Committee on Crime to do the job that needs to be done for all of us.

Sincerely,

THOMAS F. MOORE,  
Colonel, USMCR, Retired.

MIAMI, FLA.

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

DEAR MR. SPEAKER: The South Florida area and the nation as a whole have, in my judgment, benefitted substantially from the work of the Select Committee on Crime under the leadership of the Honorable Claude Pepper.

I sincerely hope that the House will find it possible to continue the active existence of the Select Committee. The impact of crime on our society is so great that it merits the special attention of the Congress as well as that of the Executive branch of the government.

I shall appreciate your giving favorable consideration to the continuation of the Congressional initiative in the vital fight against crime.

Sincerely,

R. V. WALKER,  
President, First Federal Savings and  
Loan Association.

MIAMI BEACH, FLA.

HON. CARL ALBERT,  
Speaker of the House,  
U.S. Congress,  
Washington, D.C.

DEAR MR. SPEAKER: On behalf of the hundreds of the members of our club I urge you to use the strength of your office to assure the continuance of the committee now chaired by the very able Congressman Claude Pepper investigating the cancerous illness, crime and its related sources of power, so that the excellent work of this committee shall not be for naught. We pray that this committee be authorized to function on in its democratic fashion and enlighten both the public and the members of Congress on the strangulation hold Crime apparently has on some of our people, public officials and government agencies. It cannot be argued that this committee has not served well.

Respectfully,

LOUIS KROLL,  
President.

MIAMI, FLA.

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

DEAR MR. SPEAKER: I am very sorry to learn that the Select Committee on Crime is to be terminated.

I strongly believe that this Committee has done a good job. And I feel that it is of grave importance that the Committee continue the work they are doing.

Thank you.

Sincerely,

MS. MARY MEYLACH,

MIAMI, FLA.

HON. CARL ALBERT,  
Speaker of the House, Rayburn House Office  
Building, Washington, D.C.

DEAR SIR: It was with deep regret that I read about the disbandment of the House Select Committee on Crime after June 30th.

I am writing to you with the hope that something can yet be done to keep this Committee Active past that date.

When Crime is such a problem in the United States, we must all do everything in our power to combat it. The forming of the House Select Committee on Crime was a step in the right direction.

Please do whatever you can to keep this Committee functioning.

Sincerely,

HERC ARONSON.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 10 minutes, today, and to revise and extend his remarks and include extraneous material.

Mr. GROSS, for 10 minutes, today.

Mr. SEIBERLING, for 30 minutes, today.

(The following Members (at the request of Mr. ROBERT W. DANIEL, JR.) to revise and extend their remarks and include extraneous material:)

Mr. MOSHER, for 10 minutes, today.

Mr. ESCH, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 10 minutes, today.

Mr. YOUNG of Alaska, for 5 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. HANSEN of Idaho, for 20 minutes, today.

(The following Members (at the request of Mr. JONES of Oklahoma) to revise and extend their remarks and include extraneous material:)

Mr. O'NEILL, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 5 minutes, today.

Mr. MATSUNAGA, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. CULVER, for 5 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mr. BIAGGI, for 10 minutes, April 4.

(The following Members (at the request of Mr. BRECKINRIDGE) and to revise and extend their remarks and include extraneous matter:)

Mr. BRADENAS, for 5 minutes, today.

Mr. McFALL, for 5 minutes, today.

Mr. METCALFE, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GROSS, and to include extraneous matter.

(The following Members (at the request of Mr. ROBERT W. DANIEL, JR.) and to include extraneous matter:)

Mr. SCHERLE in 10 instances.

Mr. DICKINSON in two instances.

Mr. MYERS.

Mr. McKINNEY.

Mr. KEATING.

Mr. HEINZ in two instances.

Mr. FRELINGHUYSEN.

Mr. CARTER in two instances.

Mr. WYMAN in two instances.

Mr. THOMSON of Wisconsin.

Mr. QUILLIN.

Mr. CRANE in five instances.

Mr. ZWACH.

Mr. ASHEROOK in three instances.

Mr. BUCHANAN in three instances.

Mr. KEMP.

Mr. RAILSBACK in two instances.

Mr. COLLIER in three instances.

Mr. HUDNUT.

Mr. FORSYTHE.

Mr. STEELE.

Mr. SHRIVER.

(The following Members (at the request of Mr. JONES of Oklahoma) and to include extraneous matter:)

Mr. MOAKLEY in five instances.

Mrs. GRIFFITHS.

Mr. OWENS in five instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. KASTENMEIER in two instances.

Mr. JAMES V. STANTON.



Mr. BURTON.  
Mr. REID.  
Mr. BEVILL.  
Mr. PEPPER.  
Mr. FISHER in three instances.  
Mr. CLAY in three instances.  
Mr. FRASER in five instances.  
Mr. ROE in two instances.  
Mr. RODINO.  
Mr. RUNNELS.  
Mr. REES in two instances.  
Mr. MOSS.  
Mr. DULSKI in six instances.  
Mr. RANGEL in 10 instances.  
Mr. ANDERSON of California in two instances.  
Mr. FUQUA.  
Mr. ROGERS in five instances.  
Mr. SEIBERLING in two instances.  
Mr. NIX.  
(The following Members (at the request of Mr. BRECKINRIDGE) and to include extraneous matter:)  
Mr. WOLFF.  
Mr. WILLIAM D. FORD.  
Mr. BRASCO.  
Mr. WON PAT.  
Mr. DONOHUE.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1021. An act to amend section 301 of the Federal Meat Inspection Act, as amended, and section 5 of the Poultry Products Inspection Act, as amended, so as to increase from 50 to 80 percent the amount that may be paid as the Federal Government's share of the costs of any cooperative meat or poultry inspection program carried out by any State under such sections, and for other purposes; to the Committee on Agriculture.

S. 1235. An act to amend Public Law 90-553 authorizing an additional appropriation for an International Center for Foreign Chanceries to the Committee on Public Works.

#### ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 4, 1973, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

714. A letter from the Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report on the adequacy of pay and allowances of the uniformed services, pursuant to 37 U.S.C. 1008(a), together with a draft of proposed legislation to amend title 37, United States Code, to refine the procedures for adjustments in military compensation and for other purposes; to the Committee on Armed Services.

715. A letter from the Assistant Secretary of the Air Force (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize, with respect to certain officers of the Army Reserve or Air Force Reserve their employment as, and retention in an active status beyond 28 or 30 years if they are, Army

Reserve or Air Reserve technicians, and for other purposes; to the Committee on Armed Services.

716. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to remove certain limitations on annual operation and maintenance expenditures applicable to the U.S. section of the International Boundary and Water Commission, United States and Mexico, and for other purposes; to the Committee on Foreign Affairs.

717. A letter from the Acting Administrator of General Services, transmitting the annual report of the General Services Administration on the status of public building projects authorized for construction and alteration, covering 1972, pursuant to 40 U.S.C. 610(a); to the Committee on Public Works.

#### RECEIVED FROM THE COMPTROLLER GENERAL

718. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness of vocational rehabilitation in helping the handicapped; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HOLIFIELD: Committee on Government Operations. A report on Special Problems of the Rural Aging; (Rept. No. 93-103). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 337. Resolution providing for the consideration of H.R. 5693. A bill to amend the Rural Electrification Act of 1936, as amended, to establish a Rural Electrification and Telephone Revolving Fund to provide adequate funds for rural electric and telephone systems through insured and guaranteed loans at interest rates which will allow them to achieve the objectives of the act, and for other purposes; (Rept. No. 93-104). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:  
H.R. 6481. A bill to provide for control of meat prices through limitation on exportation of meat products from the United States; to the Committee on Banking and Currency.

By Mr. BIAGGI:  
H.R. 6482. A bill to amend the Urban Mass Transportation Act of 1964 to authorize increased and additional grants to improve mass transportation service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. BIAGGI (for himself, Mr. HARRINGTON, and Mr. CORMAN):

H.R. 6483. A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of grants to States for the development of child abuse and neglect prevention programs in the areas of treatment, training, case reporting, public education, and information gathering and referral; to the Committee on Education and Labor.

By Mr. BINGHAM (for himself and Mr. ASPIN):

H.R. 6484. A bill requiring congressional authorization for the reinvolverment of American forces in further hostilities in Indochina; to the Committee on Foreign Affairs.

By Mr. BRECKINRIDGE (for himself, Mr. CARTER, Mr. STUBBLEFIELD, Mr. PERKINS, and Mr. SNYDER):

H.R. 6485. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. BRINKLEY:

H.R. 6486. A bill to amend the Internal Revenue Code of 1954 to provide a trade or business deduction to firemen for meals which they eat while at their post of duty overnight; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 6487. A bill to authorize the Administrator of General Services Administration to contract for the construction of certain parking facilities on federally owned property; to the Committee on Public Works.

H.R. 6488. A bill to amend title 38 of the United States Code to remove the time limitation within which programs of education for veterans must be completed, and restore on behalf of certain veterans educational assistance benefits which had previously terminated; to the Committee on Veterans' Affairs.

By Mr. CONTE (for himself, Mrs. CHISHOLM, Mr. FORSYTHE, Mr. FRENZEL, Mrs. HECKLER of Massachusetts, Mr. HORTON, Mr. MINSHALL of Ohio, Mr. RIEGLE, and Mr. SARASIN):

H.R. 6489. A bill to authorize appropriations for certain transportation projects in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. CORMAN (for himself, Ms. ASHUG, Mr. BADILLO, Mr. CLAY, Mr. DIGGS, Mr. GIBBONS, Mr. MOSS, Mr. STARK, Mr. THOMPSON of New Jersey, and Mr. TIERNAN):

H.R. 6490. A bill to broaden the income tax base, provide equity among taxpayers, and to otherwise reform the income and estate tax provisions; to the Committee on Ways and Means.

By Mr. CORMAN (for himself and Mrs. BURKE of California):

H.R. 6491. A bill to extend unemployment insurance coverage to employers employing four or more agricultural workers for each of 20 or more weeks; to the Committee on Ways and Means.

By Mr. CRONIN:

H.R. 6492. A bill to amend the Economic Stabilization Act of 1970, to stabilize the retail prices of meat for a period of 45 days at the November 1972 retail levels, and to require the President to submit to the Congress a plan for insuring an adequate meat supply for U.S. consumers, reasonable meat prices, and a fair return on invested capital to farmers, food processors, and food retailers; to the Committee on Banking and Currency.

By Mr. CULVER:

H.R. 6493. A bill to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6494. A bill to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6495. A bill to provide a tax incentive for industrial development for the Indians on certain reservations in order to improve conditions among the Indian people on such reservations, and in other communities, and for other purposes; to the Committee on Ways and Means.

By Mr. DAN DANIEL:

H.R. 6496. A bill to exempt small pork producers from the provisions of the Meat Inspection Act; to the Committee on Agriculture.

H.R. 6497. A bill to amend title 10 of the

United States Code in order to authorize assistance in providing facilities and services abroad for the American Legion when the President finds such assistance to be necessary in the national interest; to the Committee on Armed Services.

H.R. 6498. A bill to limit the amount of personal funds an individual may contribute to candidates for Federal office in connection with the campaigns of those candidates; to the Committee on House Administration.

H.R. 6499. A bill to authorize the expansion of the boundaries of the Appomattox Court House National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATTEN:

H.R. 6500. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. DAN DANIEL:

H.R. 6501. A bill to increase the penalty with respect to certain offenses involving the commission of a felony while armed with a firearm; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia (for himself and Mr. WILLIAM D. FORD):

H.R. 6502. A bill to amend title 5, United States Code, to correct certain inequities in crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DAVIS of Georgia (for himself, Mr. MOSHER, and Mr. BLACKBURN):

H.R. 6503. A bill to amend the National Bureau of Standards Act of 1901 in order to broaden activities in the field of fire research and training, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DAVIS of Wisconsin:

H.R. 6504. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 6505. A bill to make it a Federal crime to murder or assault a fireman or law enforcement officer engaged in the performance of official duties by any person traveling in interstate commerce or using any facility of interstate commerce for such purposes; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 6506. A bill to reestablish and extend the program whereby payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of Alabama:

H.R. 6507. A bill to amend the Export Administration Act of 1969, to require the reporting of export sales of grain and soybeans and to provide for the dissemination by the Secretary of Agriculture of such data in order to provide essential information for domestic grain and soybean industries; to the Committee on Banking and Currency.

H.R. 6508. A bill to amend the Social Security Act to provide for medical, hospital, and dental care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. ESCH (for himself, Mr. ROBISON of New York, Mr. ANDERSON of Illinois, Mr. BROYHILL of North Caro-

lina, Mr. ERLBORN, Mr. ARCHER, Mr. BAFALIS, Mr. BAKER, Mr. BEARD, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. BURGNER, Mr. BURKE of Florida, Mr. BUTLER, Mr. CEDERBERG, Mr. CLEVELAND, Mr. COHEN, Mr. CONABLE, Mr. COUGHLIN, Mr. DERWINSKI, Mr. DICKINSON, Mr. FISH, Mr. FORSYTHE, Mr. FRENZEL, and Mr. FREY):

H.R. 6509. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

By Mr. ESCH (for himself, Mr. ROBISON of New York, Mr. ANDERSON of Illinois, Mr. BROYHILL of North Carolina, Mr. ERLBORN, Mr. GILMAN, Mr. GOLDWATER, Mr. GOODLING, Mr. GROVER, Mr. GUBSER, Mr. HAMMER-SCHMIDT, Mr. HANRAHAN, Mr. HARSHA, Mr. HARVEY, Mr. HASTINGS, Mr. HILLIS, Mr. HORTON, Mr. HOSMER, Mr. HUDNUT, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of Colorado, Mr. KEATING, Mr. KEMP, Mr. KETCHUM, and Mr. LATTI):

H.R. 6510. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

By Mr. ESCH (for himself, Mr. ROBISON of New York, Mr. ANDERSON of Illinois, Mr. BROYHILL of North Carolina, Mr. ERLBORN, Mr. LENT, Mr. MCCOLLISTER, Mr. MAILLIARD, Mr. MOSHER, Mr. NELSEN, Mr. O'BRIEN, Mr. REGULA, Mr. SCHNEEBELI, Mr. SKUBITZ, Mr. SMITH of New York, Mr. J. WILLIAM STANTON, Mr. STEIGER of Arizona, Mr. TEAGUE of California, Mr. THOMSON of Wisconsin, Mr. THONE, Mr. VANDER JAGT, Mr. VEYSEY, Mr. WARE, Mr. YOUNG of Florida, and Mr. YOUNG of Alaska):

H.R. 6511. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

By Mr. ESCH (for himself, Mr. ROBISON of New York, Mr. ANDERSON of Illinois, Mr. BROYHILL of North Carolina, Mr. ERLBORN, Mr. SARASIN, Mr. YOUNG of Illinois, Mr. ZWACH, Mr. CONTE, Mr. BROYHILL of Virginia, and Mr. WYDLER):

H.R. 6512. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

By Mr. FISH:

H.R. 6513. A bill to establish the Van Buren-Lindenwald Historic Site at Kinderhook, N.Y., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6514. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

By Mr. GERALD R. FORD:

H.R. 6515. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that

they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

By Mr. FORSYTHE (for himself, Mr. BRINKLEY, Mr. ADDABBO, Mr. BAFALIS, Mr. CLEVELAND, Mr. COLLIER, Mr. CRONIN, Mr. DERWINSKI, Mr. EILBERG, Mr. FISHER, Mrs. HANSEN of Washington, Mr. HELSTOSKI, Mr. HUDNUT, Mr. KETCHUM, Mr. MACDONALD, Mr. PEPPER, Mr. PICKLE, Mr. WALSH, Mr. WARE, and Mr. YOUNG of Florida):

H.R. 6516. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H.R. 6517. A bill to prohibit discrimination against locally recruited personnel in the granting of overseas differentials and allowances, equalize the compensation of overseas teachers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON:

H.R. 6518. A bill to enforce the provisions of the 14th amendment to assure the proper conduct of elections; to the Committee on the Judiciary.

By Mr. JARMAN (by request):

H.R. 6519. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL (for himself and Mr. RANGEL):

H.R. 6520. A bill to amend the Economic Stabilization Act of 1970 to establish a temporary Price-Wage Board, to provide temporary guidelines for the creation of price and pay rate stabilization standards, and for other purposes; to the Committee on Banking and Currency.

By Mr. MEZVINSKY:

H.R. 6521. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 6522. A bill to establish a Trade Adjustment Assistance Administration, to transfer to such Administration certain functions and duties of other departments and agencies relating to trade adjustment assistance, to establish a comprehensive program of trade adjustment assistance, and for other purposes; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. PEPPER, Mr. WINN, Mr. ROBISON of New York, and Mr. HASTINGS):

H.R. 6523. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN (for himself, Mr. BARRETT, and Mr. WIDNALL):

H.R. 6524. A bill to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known floodprone communities to participate in the program, and for



other purposes; to the Committee on Banking and Currency.

By Mr. PEYSER, (for himself, Mr. CONTE, Mr. ANDERSON of Illinois, Mr. CLAY, Mr. PODELL, Mr. LEHMAN, Mr. MOAKLEY, Mr. FREY, Mr. WALSH, Mr. MALLARY, Mr. ADDABBO, Mr. FISH, Mr. MONTGOMERY, Mr. GILMAN, Mr. GERALD R. FORD, Mr. ADAMS, Mr. PRITCHARD, Mr. McFALL, Mr. STRATTON, and Mr. COHEN):

H.R. 6525. A bill to protect collegiate and other amateur athletes; to the Committee on Education and Labor.

By Mr. PEYSER (for himself, Mr. YOUNG of Georgia, Mr. LENT, Mr. BLACKBURN, Mr. DERWINSKI, Mr. REES, Mr. RONCALLO of New York, Mr. TIERNAN, Mr. GUNTER, Mr. HINSHAW, Mr. ROSENTHAL, Mr. RAILSBACK, Mr. FORSYTHE, Mr. BUCHANAN, Mr. HUNT, Mr. COLLIER, Mr. MATTHIAS of California, Mr. CONYERS, Mr. VANDER JAGT, Mr. METCALFE, and Mr. YOUNG of Alaska):

H.R. 6526. A bill to protect collegiate and other amateur athletes; to the Committee on Education and Labor.

By Mr. PEYSER (for himself, Mr. WIDNALL, Mr. HEINZ, Mr. MOSS, Mr. EDWARDS of California, Mr. FORSYTHE, Mr. ROE, Mr. DAVIS of South Carolina, Mr. BROWN of California, Mr. HOLTZMAN, Mr. MAZZOLI, Mr. DANIELSON, Mr. ABzug, Mr. FRENZEL, and Mr. GUBE):

H.R. 6527. A bill to place Methaqualone on schedule II of Controlled Substances; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 6528. A bill to help preserve and improve low- and moderate-income housing; to the Committee on Banking and Currency.

By Mr. RANGEL:

H.R. 6529. A bill to stabilize wholesale and retail food prices at acceptable levels by amending the Economic Stabilization Act of 1970 in order to establish a Food Price Stabilization Commission; to the Committee on Banking and Currency.

H.R. 6530. A bill to temporarily prohibit the imposition of quotas on certain meat and meat products; to the Committee on Ways and Means.

By Mr. RODINO (for himself and Mr. HUTCHINSON):

H.R. 6531. A bill to amend section 215, title 18, United States Code, Receipt of Commissions or Gifts for Procuring Loans, to expand the institutions covered; to encompass indirect payments to bank officials; to make violation of the section a felony; and to specifically include offerors and givers of the proscribed payments; and for other related purposes; to the Committee on the Judiciary.

H.R. 6532. A bill to prohibit the unauthorized possession within any Federal penal or correctional institution, any substance or thing designed to damage the institution or to injure any persons within or part of the institution, and for other purposes; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 6533. A bill to prevent the unauthorized manufacture and use of the character "Woody Owl", and for other purposes; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 6534. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 6535. A bill to amend the Agricultural Fair Practices Act to require that handlers of agricultural products bargain in good faith with respect to the price, terms of sale, compensation for commodities produced under

contract, and other contract provisions, with associations of producers of such products, and for other purposes; to the Committee on Agriculture.

H.R. 6536. A bill to amend title 18 of the United States Code to permit the transportation, mailing, and broadcasting of advertising, information, and materials concerning lotteries authorized by law and conducted by a State, and for other purposes; to the Committee on the Judiciary.

By Mr. VANDER JAGT (for himself, Mr. KEMP, Mr. STEIGER of Wisconsin, Mr. RIEGLE, Mr. BROOMFIELD, Mr. MINSHALL of Ohio, Mr. HORTON, Mr. BRADEMAS, Mr. DINGELL, and Mr. WILLIAM D. FORD):

H.R. 6537. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to provide for a Great Lakes Basin conservation program; to the Committee on Agriculture.

By Mr. WAGGONER:

H.R. 6538. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. WOLFF:

H.R. 6539. A bill to promote the employment of unemployed Vietnam veterans; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 6540. A bill to authorize the appropriation of \$150,000 to assist in financing the arctic winter games to be held in the State of Alaska in 1974; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of South Carolina:

H.R. 6541. A bill to authorize the Secretary of the Interior to convey certain mineral interests of the United States to the owner or owners of record of certain lands in the State of South Carolina; to the Committee on Interior and Insular Affairs.

H.R. 6542. A bill to authorize the Secretary of the Interior to convey certain mineral interests of the United States to the owner or owners of record to certain lands in the State of South Carolina; to the Committee on Interior and Insular Affairs.

By Mr. DAN DANIEL:

H.J. Res. 475. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of judges of the Supreme Court and of inferior courts; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.J. Res. 476. Joint resolution proposing an amendment to the Constitution of the United States guaranteeing to the States the power to enact laws respecting the life of an unborn child from the time of conception; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 477. Joint resolution proposing an amendment to the Constitution of the United States providing that the Supreme Court may not render an opinion or decision in cases in which less than a certain number of Justices concur; to the Committee on the Judiciary.

H.J. Res. 478. Joint resolution proposing an amendment to the Constitution of the United States with respect to freedom of choice in attending public schools; to the Committee on the Judiciary.

By Mr. TRENN (for himself, Mr. BLACKBURN, Mr. BOWEN, Mr. BURGNER, Mr. CASEY of Texas, Mr. COHEN, Mr. ROBERT W. DANIEL, JR., Mr. DELLENBACK, Mr. DERWINSKI, Mr. DOWNING, Mr. DRINAN, Mr. FISHER, Mr. HARRINGTON, Mr. HUBER, Mr. KETCHUM, Mr. PRITCHARD, Mr. RABICK, Mr. SIKES, Mr. WAGGONER, Mr. WHITEHURST, Mr. WON PAT, and Mr. YOUNG of Alaska):

H. Con. Res. 173. Concurrent resolution relating to the U.S. fishing industry; to the

Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of Illinois (for himself, Mr. GIBBONS, Mr. CLEVELAND, Mr. FRASER, Mr. DERWINSKI, Mr. FRENZEL, Mr. RHODES, Mr. ESCH, and Mr. STEIGER of Wisconsin):

H. Res. 338. Resolution to amend clause 32(c) of Rule XI of the House of Representatives to provide the minority party, upon request, with up to one-third of a committee's investigative staff funds; to the Committee on Rules.

By Mr. CRONIN:

H. Res. 339. Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer; to the Committee on Rules.

By Mr. HALEY:

H. Res. 340. Resolution authorizing additional investigative authority to the Committee on Interior and Insular Affairs; to the Committee on Rules.

By Mr. ROSENTHAL (for himself, Mr. MATSUNAGA, Mr. ANDERSON of California, Mr. BYRON, Mr. DE LUCA, Mr. FAUNTROY, Mr. FRASER, Mr. GIBBONS, Mr. GUNTER, Mr. HARRINGTON, Mr. HAWKINS, Mr. KEMP, Mr. LEHMAN, Mr. LONG of Maryland, Mrs. MINK, Mr. RANGEL, Mr. RINALDO, Mr. RIEGLE, Mr. RODINO, Mr. TIERNAN, and Mr. WHITEHURST):

H. Res. 341. Resolution creating a select committee to conduct an investigation of matters affecting, influencing, and pertaining to the cost and availability of food to the American consumer; to the Committee on Rules.

## MEMORIALS

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

125. By the SPEAKER: A memorial of the Legislature of the State of Connecticut, relative to servicemen missing in action in Vietnam; to the Committee on Armed Services.

126. Also, memorial of the General Assembly of the State of New Jersey, relative to the legal services program; to the Committee on Education and Labor.

127. Also, memorial of the Legislature of the State of Connecticut, relative to the situation in Wounded Knee, S. Dak.; to the Committee on Interior and Insular Affairs.

128. Also, memorial of the Legislature of the State of Kansas, relative to daylight savings time; to the Committee on Interstate and Foreign Commerce.

129. Also, memorial of the Legislature of the Commonwealth of Virginia, requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States regarding attendance in the public schools; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAN DANIEL:

H.R. 6543. A bill for the relief of L. C. Benedict; to the Committee on the Judiciary.

H.R. 6544. A bill for the relief of George W. Spring, Jr.; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 6545. A bill for the relief of Lucinda C. Wormley; to the Committee on the Judiciary.

By Mr. WAGGONER:

H.R. 6546. A bill for the relief of Cloyd J. Slade; to the Committee on the Judiciary.

## PETITIONS, ETC.

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

124. By the SPEAKER: Petition of Richard H. Harrison, Woodridge, Ill., and others, rela-

tive to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

125. Also, petition of Hubert L. Myers, Mitchell, Ind., and others, relative to protection for law enforcement officers against

nuisance suits; to the Committee on the Judiciary.

126. Also, petition of Donald P. Laurika, Plumsteadville, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

## SENATE—Tuesday, April 3, 1973

The Senate met at 10:45 a.m., and was called to order by Hon. J. BENNETT JOHNSTON, a Senator from the State of Louisiana.

## PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty and everlasting God, by whose providence we have been brought to another day, prepare us in heart and mind and spirit that we may fitly serve Thee. Guide us in our deliberations, guard us in our conduct, nourish us with the truth, reward us with inner peace and uphold us in days to come. May we never be so hurried or harried as to crowd Thee out of our common life. Thus may we keep a serene and solemn sanctuary of the soul and at length be partakers of Thy kingdom which is above all earthly kingdoms and abides all time. Through Him who is King of Kings and Lord of Lords. Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., April 3, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. J. BENNETT JOHNSTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. JOHNSTON thereupon took the chair as Acting President pro tempore.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 3153) to amend the Social Security Act to make certain technical and conforming changes, in which it requested the concurrence of the Senate.

## HOUSE BILL REFERRED

The bill (H.R. 3153) to amend the Social Security Act to make certain technical and conforming changes, was read twice by its title and referred to the Committee on Finance.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 2, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the calendar.

There being no objection, the Senate proceeded to consider executive business.

The ACTING PRESIDENT pro tempore. The clerk will state the nomination.

## DEPARTMENT OF LABOR

The second assistant legislative clerk read the nomination of John H. Stender, of Washington, to be an Assistant Secretary of Labor.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be so notified.

## LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

## FOOD PRICES IN PERSPECTIVE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that some remarks made by Mr. Tony Dechant, president of the Farmers Union, be printed in the Record.

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

## FOOD PRICES IN PERSPECTIVE

When farm prices are low, farmers go bankrupt by the thousands. But now that one sector of the farm economy (livestock) has finally reached 100% of parity, cries of anguish are heard across the land and President Nixon orders price ceilings that will inevitably put the livestock producer again face to face with bankruptcy. Hardly a word of concern is expressed for the wheat farmer who is receiving 62% of parity in the "open market" or the feed grain farmer who is receiving only 63% of parity in the marketplace.

The farmer and rancher, of course, are the most convenient targets in the discussion over higher food costs. The public pressure against fair farm income started more than a year ago. It was in March, 1972 that a large retail supermarket placed an ad in an Eastern metropolitan newspaper which blamed the farmer for rising prices and advised its customers to "eat less meat."

At that time, the average price per hundredweight the farmer received for beef was a dollar less than it had been 20 years ago. But retail meat prices in the chainstores had doubled. In 1952, swiss steak was 85¢ per lb. but in 1972 it was \$1.69. In 1952, hamburger sold for 49¢ per lb. but in 1972 it cost 97¢ per lb. Somehow, the chainstore newspaper ad failed to mention the 100% increase in retail prices while the farmer's price had only inched back to the level of 20 years ago.

As long as retail food prices remained cheap and most income was going up, no one seemed to notice or care that the farmer's income was depressed and his cost of production was jumping by leaps and bounds. (A 2-row corn picker that sold for \$1,500 in 1952 increased by 300% to \$4,480 in 1972.) Only the farmer realized that the \$38 he received for prime cattle in 1972 was 91% of parity.

A House Agriculture committee staff report, released last week, shows that overall farm prices for food have increased only 6% above what they were 20 years ago. But at the same time, wholesale food prices have jumped by 20% and retail food prices are up 43% over the past 20 years. The study goes on to show that agricultural productivity per man hour has increased by 330%. That compares with an increase of only 160% per man hour in manufacturing industries.

In other industries, prices have been managed upward at a rather steady pace. Consumers have had years to become accustomed to steadily increasing prices on everything from light bulbs from General Electric to automobiles from General Motors. But because agriculture prices may fluctuate widely in the short run, as they have since the Russian grain deal, consumers are suddenly faced with large increases in food prices which they did not expect and did not plan for in their monthly budgets.

Last year the Price Commission found that livestock production and farming are highly competitive enterprises and there is no opportunity for "administered price" inflation as occurs in such concentrated industries as steel, automobiles, and farm equipment manufacturing. Perhaps the only way that producers can maintain fair prices is to create the market structure and marketing system which other sectors of the economy