EXTENSIONS OF REMARKS

MICHIGAN FARMER ON FARM CREDIT BOARD

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. GERALD R. FORD. Mr. Speaker, I had the pleasure the other day to be present at the installation of Elton R. Smith, a distinguished citizen of my district, as a member of the Federal Farm Credit Board.

This was a significant occasion. It placed an outstanding Michigan farmer on the 13-member Board which sets the policies for the Farm Credit System and its supervising Federal agency, the Farm Credit Administration. I take pride in that fact. Elton Smith's appointment underscores again the farmer-ownership aspects of the Farm Credit System which today provides nearly one-fourth of all credit used by American farmers and ranchers and almost two-thirds of the credit used by their cooperatives.

Mr. Smith was appointed to the Board, effective March 7, by Secretary of Agriculture Earl L. Butz, to serve as his representative.

Mr. Smith operates a 600-acre farm near Caledonia. He is currently serving his eighth term as president of the Michigan Farm Bureau and is active in his community, including in several farmer cooperatives.

In addition to the presidency of the Michigan Farm Bureau, Mr. Smith also heads its affiliate companies—Michigan Agricultural Cooperative Marketing Association and Farm Bureau Services, Inc. He is also a member of the board of directors of the National Council of Farmer Cooperatives.

A Gurnsey breeder, Mr. Smith has received a Dairyman-of-the-Year Award and holds a Distinguished Service Agricultural Award from Michigan State University. He is a trustee of the Michigan 4–H Foundation and was a member of USDA's National Agricultural Research Advisory Committee until his appointment expired at the end of last year.

He graduated from public schools in Caledonia and attended a 2-year concentrated agricultural course at Michigan State University.

With this record and this experience, Mr. Smith illustrates the wisdom of President Dwight D. Eisenhower when he signed into law the act by which the Federal Farm Credit Board was established.

That law, which President Eisenhower put into effect provided for the extension of borrower control of the Farm Credit System from the local to the national levels and paved the way for the banks and associations to retire the seed capital which the Government had invested in them.

The cooperative Farm Credit System is now completely owned by its borrowers. Guided by those borrowers—as in this case through the Federal Farm Credit Board—the banks and associations of the system have set the pace in agricultural finance.

This is important since American farmers and their cooperatives are continuing to increase their borrowings. This is indicated by the records of the Farm Credit System lending units during the last calendar year. The amount of loans made during the year totaled $16.8 billion, a 16.7-percent increase over the $14.4 billion made in 1971. Loans outstanding at yearend stood at $18.3 billion, a 12.3-percent increase from the $16.2 billion outstanding a year earlier.

A point that is very significant, Mr. Speaker, is this: this credit program is an entirely self-sustaining, nongovernment lending operation, although it started out years ago with Government help.

The securities from which they obtain their loan funds have earned a reputation among investors second only to those issued by the United States, helping to assure agriculture of a continuing source of adequate credit.

Built on the legislation President Eisenhower signed in 1953 and on the subsequent legislation put into effect in 1971 by President Richard M. Nixon to update the Farm Credit charter, the farmer-character of the Federal Board today is as follows: T. Carroll Atkinson, Jr., general crop farmer of South Carolina; James H. Dean, farmer cooperative executive of Kansas; Luther W. Jennejahn, fruit and dairy farmer of New York State; E. Riddell Lage, fruit grower of Oregon; Kenneth N. Probasco, farmer cooperative executive of Ohio; J. Homer Remsberg, dairy farmer of Maryland; E. G. Schuhart II, cattle and grain operator of Texas; Melvin E. Sims, grain and livestock farmer of Illinois; Elton R. Smith, dairy farmer of Michigan; Earl S. Smittcamp, fruit grower of California; C. Everett Spangler, grain and livestock farmer of Nebraska; Ernest G. Spivey, farmer cooperative official of Mississippi; and Alfred Underdahl, grain and livestock farmer of North Dakota.

From this record it is evident that the Congress and the successive Presidents have had, and still have, faith in the agricultural producers of this Nation—a faith that has proven justified many times over.

KEEPING UP WITH FORMER CONGRESSMAN THOMAS B. CURTIS

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. SPENCE. Mr. Speaker, I know that my colleagues are always interested in the activities of former Members of this House, especially when they may be devoting themselves to other forms of public service.

I refer to Thomas B. Curtis, former Congressman from Missouri and presently chairman of the board of the Corporation for Public Broadcasting. As many of my colleagues may know, Tom Curtis is also vice president and general counsel for Encyclopaedia Britannica and the Encyclopaedia Britannica Educational Corp.

In his work in public broadcasting, aside from his duties as chairman of the board, Mr. Curtis devotes many arduous hours to visiting local public broadcasting stations, both to get a better sensing of the public's views of, and hopes for, public broadcasting, and to explain some of its present problems. He recently visited South Carolina at the invitation of Henry Cauthen, general manager of the South Carolina Educational Television Commission, to speak at a dinner given by the commission for members of the South Carolina General Assembly.

The State and the Columbia Record devoted some of their space on March 8 to Mr. Curtis' comments, in which he complimented the South Carolina Educational Television Commission on its leadership in public broadcasting and called it "a true pioneer in providing a tremendously impressive range of services to the citizens of South Carolina."

So that his former friends and colleagues here can keep up with Mr. Curtis' activities and learn more about our excellent public broadcasting system in South Carolina, I insert both of these newspaper articles in the RECORD at this point:

[From the Columbia (S.C.) Record, Mar. 8, 1973]

SPEAKER URGES STRONG LOCAL TV PRODUCTION SUPPORT

(By Walter Putnam)

Thomas B. Curtis, chairman of the Corporation of Public Broadcasting, in Columbia last night urged strong local support for local program production throughout the nation's public broadcasting facilities.

Curtis, speaking at a S.C. Educational Television Commission banquet, also said the country is "on the verge of great things" in visual communication.

He predicated that soon messages like calling home from the office or placing a grocery order will be made via visual telecommunication devices.

In making his plea for local support of public broadcasting, Curtis praised achievements of the S. C. T. V. system, saying it has demonstrated that it "can meet the needs of the people."

Curtis said the future of public broadcasting calls for local program production, primarily to fulfill local needs. But he indicated that many local programs could be of national benefit.

Curtis, a former U.S. Representative from Missouri who made his last political race against Sen. Thomas Eagleton, also made a pitch for resources for public radio.

He said public radio is well suited to broadcast important hearings, meetings, public speeches and drama.

Actor Cameron Mitchell, who is co-starring in a movie being made at Clemson, was a special guest for the banquet.

[From the Columbia (S.C.) State, Mar. 8, 1973]

CURTIS: PUBLIC TV VITAL

The chairman of the board of directors of the Corporation for Public Broadcasting

Wednesday night said the development of strong local public television stations was crucial to the development of public television nationally.

Thomas B. Curtis, speaking to the S.C. Legislature, called for the development of local public television programs which could then be made available to other parts of the nation.

"President Nixon has specifically called for public broadcasting to strengthen itself on the local level, for the benefit of the whole system, and you in South Carolina have shown how this can be done," he said.

The occasion was a special dinner session of the legislature held by the South Carolina Educational Television Commision.

"Your own state system is a true pioneer in providing a tremendously impressive range of services to the citizens of South Carolina," Curtis told the legislators, public television officials and guests.

He went on to say that all segments of public broadcasting must do more, and he promised the support of CPB to such organizations as the South Carolina ETV Commission . . .

The CPB chairman said that too often in the past, public broadcasting had proceeded on a hit or miss fashion in determining programming.

He said that in the future, he would look to each public broadcasting licensee to develop a plan for service of their local communities, and that armed with these, CPB would have a firm mandate for providing the kind of support that would be most effective on a national scale.

"These needs are going to be different from place to place," he said.

"I believe we should encourage this local option for method of service."

Curtis reported to the audience that the CPB Board had voted to seek $10 million more in federal funds than the level recommended by President Nixon. The President's budget asks $45 million in 1974, but Curtis said that the Board felt that this was not enough, and that a concerted effort would be made to increase next year's sum, and that for 1975.

"It is sometimes difficult to translate one dollar spent to one dollar of value given," Curtis said, "but I think that public broadcasting is able to do this better than most enterprises.

"When we consider that 'Sesame Street' costs about one penny a day per child, we can have some idea of what can be accomplished by the pooling of funds for the good of everyone."

The Corporation for Public Broadcasting is a non-profit, private corporation created by the Congress, but independent from it, and charged with the task of developing a strong public broadcasting system for the nation.

THE COMMUNITY SCHOOL CENTER DEVELOPMENT ACT

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BROWN of Michigan. Mr. Speaker, today I have reintroduced my version of a measure entitled the "Community School Center Development Act."

As I said when I introduced this bill in the 92d Congress, I am deeply indebted to Dr. John Sandberg, dean of the College of Education at Western Michigan University and his staff for the assistance they provided in drafting this proposal.

In addition, I would like to thank Mr. Gerald C. Martin for his interest in this legislation. Mr. Martin is the director of the Community School Development Center at Western Michigan University, which is precisely the kind of institution that this bill is contemplating. I am informed by Mr. Martin that there are presently some 50 school systems in southwest Michigan which have community education programs in existence. The Western Michigan Community School Development Center played a major part in the initiation of most of these programs and continues to provide in-service education to the directors of the community programs.

I trust that the good work of the Western Michigan effort will serve as a testimonial to the great possibilities of this concept.

Turning briefly, then, to the bill itself, its fundamental purpose is to focus local attention on community schools as centers of community action of all kinds. Such attention would be engendered, it is hoped, through the use of grants to institutions of higher education for the purpose of development programs in community education which will train people as community school directors. Grants would also be available to local educational agencies for their particular community school programs. Finally, an advisory council and a research and development center would be created at the national level, within HEW, to formulate national policy and to accumulate and disseminate information to the local educational authorities.

Let me conclude by saying that this bill, in my opinion, is precisely the type of legislation that is most needed at this time in our history—it encourages maximum local initiative in allocating the use of existing local resources while reserving to the Federal Government only those functions for which a type of national "economy of scale" exists. In short, it is a limited remedy for a real problem, and yet one that I think will work and I urge favorable consideration of this measure by the Congress.

TRIBUTE TO THE ROTARY CLUB OF DIBOLL, TEX.

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. CHARLES WILSON of Texas. Mr. Speaker, this evening in the Piney Woods of east Texas, in the city of Diboll, an important event will occur, once again drawing attention to this great city. Tonight the Diboll Rotary Club will receive its charter from Governor Jerry K. Johnson of Nacogdoches, Tex. The principle address of the evening will be given by Dr. Charles L. Allen, pastor of the First Methodist Church, Houston, Tex.

On this important occasion the object of Rotary should be noted. That object is to encourage and foster the ideal of service as a basis of worthy enterprise and, in particular, to encourage and foster: First, the development of acquaintance as an opportunity for service; second, high ethical standards in business and profession; the recognition of the worthiness of all useful occupations; and the dignifying by each Rotarian of his occupation as an opportunity to serve society; third, the application of the ideal of service by every rotarian to his personal, business, and community life; fourth, the advancement of international understanding, goodwill, and peace through a world fellowship of business and professional men united in the ideal of service.

On this occasion of a tribute to the charter members of the Diboll Rotary Club, I include the list of charter members in the RECORD of April 12, 1973:

Mr. Vernon Burkhalter, Mr. Perry Carter, Mr. Howard E. Daniel, Mr. Paul Durham, Mr. Joe W. Elliott, Mr. David G. Foster, Mr. Burl K. Griffin, Mr. Richard G. Hendrick, Dr. C. M. Harbordt, Dr. Russell W. (Woody) Ingram, Mr. Frederick Wiliam Kanke, Jr., Mr. Spencer Knutson, Mr. Bert D. Lindsey, Mr. Ray G. Lloyd, Mr. James L. Love, Mr. Jimmy L. Lovelady, Mr. Robert G. Luttrell, Mr. W. J. (Bill) Oates, Mr. Ray Paulsey, Mr. C. A. (Neal) Pickett, Mr. Kelsie O. Roach, Mr. Charles J. Schmidt, Mr. Arthur Temple III, Mr. Arnold G. Tompkins, Mr. Arthur F. Walton, Mr. Herb White, Jr., Mr. Ben Hite Wichersham.

MEAT BOYCOTT AND FARMERS

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. MARTIN of Nebraska. Mr. Speaker, the misguided women who are conducting the meat boycott have little or no idea of the problems confronting agriculture.

Agriculture is the most important and the largest industry in America today. Total agriculture assets in 1971 equals two-thirds of the value of the assets of all corporations in the United States. Farmers spend over $40 billion per year, for goods and services to produce crops and livestock, and these costs are at an all time high; another $16 billion per year for the same things that city people buy; $4.2 billion per year on fuels, lubricants, and machinery maintenance—using more petroleum than any single industry; agriculture uses 32 billion kilowatt hours of electricity per year; or more than is used annually by the following cities: Baltimore, Chicago, Austin, Detroit, and Washington, D.C.

Farmers also use 6½ million tons of steel each year in the form of machinery, trucks, cars, fencing, and building materials—this is two-thirds as much as the entire auto industry uses. Three out

of every 10 jobs in private industry are related to agriculture; 1 hour of farm labor produces nearly seven times as much food and other crops as it did in 1919–21; farmers paid real estate taxes totaling $2.5 billion in 1970 and personal property taxes of $446 million; Federal and State income taxes of $1.9 billion, and sales taxes of approximately $350 million.

Continuation of the meat boycott and a proposed rollback in prices to January 10, 1973, will create economic chaos in the Nation resulting in bankruptcy for hundreds and thousands of cattle and hog producers and create shortages and black markets in meat.

The housewife should have some understanding and tolerance of the farm situation.

STUDENT AID

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. QUIE. Mr. Speaker, much confusion has been generated about student assistance appropriations for next fall under the Higher Education Act. Today, I am introducing a bill to remove some of that confusion. Last year, as part of the compromise necessary for a conference report on the Education Amendments of 1972, we agreed to certain levels of appropriations which must be made before students may receive payments under the new basic education opportunity grant program—BOG.

Specifically, section 411(b)(4) of the Higher Education Act requires the Congress to appropriate at least the following "threshold" amounts prior to making payments under the BOG program: $130,093,000 for the supplemental education opportunity grants—SEOG—$237,400,000 for the college work study program—CWS—and $286,000,000 for national direct student loans—NDSL. This forces the Appropriations Committee to recommend no less than $653,493,000 before it can recommend anything for the very important new BOG program.

The President's budget request asked for $622 million for BOG and $250 million for work study, but nothing for SEOG or NDSL. This might be subject to a point of order in the House if the Appropriations Committee followed the budget recommendation.

Several members of the conference committee, including myself, opposed tying the hands of the Appropriations Committee and the Congress instead of allowing each year's experience with these programs to guide us in putting together the proper mix of Federal student aid. Because SEOG and CWS have been advance funded, but NDSL has not, there is confusion as to exactly what section 411(b)(4) requires in any one appropriations act. Students and college officials are naturally confused about the discrepancy between this provision and the budget request.

Soon after the budget was received, several Members felt the administration should seek to change the law through the Education and Labor Committee rather than the Appropriations Committee. Last week the administration did just that and transmitted to the Congress a simple one-sentence repealer of section 411(b)(4). That is what I am introducing today.

Of course, this bill does nothing to the basic authorizations of the SEOG, CWS, and NDSL programs. They remain unchanged in the law. Congress can still appropriate money—as it should—for any or all of these programs. But the bill would allow the Appropriations Committee and the Congress the flexibility to evaluate the progress of these programs and the new Basic Education Opportunity Grant program and to determine freely the best level of funding for each one.

Mr. Speaker, while this bill would eliminate some of the confusion down the road, it is unlikely to help the student assistance funding crisis that is immediately before us. Colleges are right now having to make aid commitments to students applying for enrollment next fall. Unlike previous years—because of the budget request and the existence of a major new grant program—the colleges do not have even estimates of funds in these programs upon which they can make tentative commitments.

It is imperative, in my judgment, that the Congress pass a 1973 supplemental bill for student assistance before the end of this month. If need be, we should pass a separate supplemental dealing only with student assistance. To delay longer will seriously jeopardize the implementation of the BOG for next fall and make much more difficult wise planning on the part of our colleges, let alone the tremendous anxiety this would cause hundreds of thousands of students and their parents.

I believe the President should be commended for his strong commitment to increasing the student assistance budget. My first priority is the same as his—to fund the Basic Education Opportunity Grant program at a substantial level. Given the confusion that exists and the lateness in the year, it also seems prudent to fund the existing programs for next fall as well.

Then, Mr. Speaker, I hope we can make wise judgments about the 1974–75 school year without the constraints of specific forced levels of funding of certain of these good programs. The bill I am introducing today will allow just that.

ONLY SIGNS OF FONDNESS—"DIXIE" AND THE CONFEDERATE FLAG

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. CHAPPELL. Mr. Speaker, just recently, a U.S. district judge banned the use of the Confederate flag; as well as the name "Rebels" for a high school nickname; and a group of citizens protested the playing of the song: "Dixie" in a high school.

What absurdity. It seems to me that groups are having to reach pretty far to find something to protest about when they attack these symbols. It appears that the protesters and judge have preconceived notions about what is in the hearts of those who cherish these symbols. All the Southerners I know think of "Dixie" and the Confederate flag as typifying our home. It is ridiculous to think that our affection for this song and flag have anything to do with race, slavery, or discrimination; it is purely and simply our expression of attachment and hope for a section of the country that we dearly love.

Mr. Speaker, at a time when more people than ever before are trying to live in brotherhood and peace, it is a chance for the court or groups of people to latch on to songs or flags to cause more dissention. If the real concern is about this country and its future, they could have banned the parading of the enemy flag or the burning of our own American flag. It all seems such nonsense at a time when we need to be turning our thoughts to the preservation of a great nation and the solution to many of the real problems that confront us.

MINORITY VIEWS OPPOSING CREATING AN ATLANTIC UNION DELEGATION

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BURKE of Florida. Mr. Speaker, I ask that all Members carefully read the minority views opposing creating an Atlantic Union delegation. House Joint Resolution 205, as stated in the minority views, "is by no means as innocuous as its sponsors would have us believe." The minority views forthrightly state the principal pitfalls and dangers inherent in such a resolution:

MINORITY VIEWS—HOUSE JOINT RESOLUTION 205

Our opposition to H.J. Res. 205—as to H.J. Res. 900 (its predecessor in the 92d Congress—is based largely on practical considerations. Although we support the concept of Atlantic cooperation and such worthy objectives as "strengthening common defense, while cutting its cost", "facilitating commerce of all kinds", and "enhancing the welfare of the people of the member nations"—we fail to see how adoption of this far-reaching proposal could contribute toward the attainment of these goals.

There is, in fact, no higher priority at this stage in American-European relations than the effort to reach a mutually beneficial accommodation with the nations of Western Europe—especially with the European Economic Community which the United Kingdom has now joined. President Nixon has said that 1973 will be the "year of Europe", and it is apparent that much difficulty, painstaking negotiation lies ahead for both sides.

Atlantic cooperation is indeed essential if continued crises in the monetary field are to

be avoided in the future. It is also very much in the interest of the United States to reach an agreement with the EEC nations on trade—an agreement which is equitable—which grants fair access to the European market for American products and at the same time safeguards legitimate European interests. However, even the most optimistic leaders on both sides of the Atlantic agree that the search for a viable compromise on these difficult and complex issues will not be easy.

The prospect of extending such collaboration—if it can be realized at all—to include some form of "federal union" is quite obviously remote. The development is simply "not in the cards." In fact, an *attempt* now to form such a union or even to *explore the possibility* could very well boomerang to the disadvantage of all concerned.

This is a point worth emphasizing. Proponents of H.J. Res. 205 have consistently argued that what is being proposed here is merely a tentative, exploratory effort to ascertain whether, in fact, there is any interest in the proposal to transform NATO into "a more perfect Union". No commitment is being made at this stage, they assert, and *only* if sufficient interest is shared by those participating and if agreement can be reached on specific proposals, will further authorization be sought from the appropriate national legislative bodies. *At worst*, they contend, nothing will come of the idea, and therefore the resolution is *harmless*. It is this very line of reasoning, however, which we consider to be of questionable validity. For years, it may be recalled, the French balked at the prospect of British entry into the European Community—in part because of fears that the United States might thereby increase its economic influence in Europe. The United Kingdom, it was argued by traditional opponents of British membership in the EEC, represented the U.S. "Trojan Horse" on the European Continent.

Such fears have been at last assuaged and British membership has become a reality. But passage of H.J. Res. 205 would offer those critics a new opening and a new opportunity. Once again, the charge may be heard that the United States by sponsoring this proposal has developed an ill-conceived device for re-establishing U.S. "hegemony" in Western Europe . . . via the "backdoor." We seriously question whether an attitude by the U.S. of this kind and at this time would promote the cause of Atlantic unity and cooperation. It might well lead instead to Atlantic discord and recrimination.

Our misgivings include especially the semi-official character of the proposed Atlantic Union "delegation". The eighteen "eminent citizens" composing such a delegation, are to be appointed by the Speaker of the House, the President of the Senate, and the President of the United States. This gives them the formal sanction of the U.S. government.

So much for our primary objection to this Atlantic Union proposal. We fell that H.J. Res. 205 represents a *noble, early post-war idea whose time has long since passed*—a utopian concept *which is long on idealism and short on realism* . . . More importanly, this resolution also contains elements of real danger. H.J. Res. 205 is by no means as innocuous as its sponsors would have us believe.

Let us examine some of the specifics: The European nations which are to be asked to send delegates to an Atlantic Union convention do not include all the Members of NATO, but only such "parliamentary democracies as desire to join in the enterprise." Greece, presumably, is not presently qualified to join because of the nature of its present government. "Other parliamentary democracies" may however, be invited to participate from outside the "Atlantic" area. One can only surmise about which "other countries" might receive invitations—Japan? Australia? New Zealand? Mexico? Any democratic country in Africa or Latin America?

Despite this vagueness in language and haziness as to its purpose, the resolution nevertheless indicates that what is sought, eventually at least, is the development of a federal union to replace existing ties between friendly nations, most especially those in the North Atlantic Treaty alliance. What is sought is a "common defense" policy . . . a single "stable" currency, a single policy regarding international trade, and an agreement as to how this new federal union might increase its aid to developing nations. These decisions, it should be emphasized, are to be made by the union. They will be binding on all members of the Union, regardless of the feelings of individual member nations. In other words, adherence to such a union necessarily involves an impairment of national autonomy.

How feasible are such goals? How desirable are they? At this stage in world affairs, it is likely that friendly nations would recognize their growing interdependence by opting for a formal union?

Assuming a decision could be reached that a federal union should be established, how would that goal be clearly defined? And what is meant by the search for agreement on a "timetable" to achieve that end?

Would all delegates be "free from official instructions" or only the American delegation? Would voting be by individuals or by delegations? And what is meant by a commission to facilitate "advancement by stages" to a federal union?

The sponsors of H.J. Res. 205 may argue that all of these questions can be answered in due course, during the convention's deliberations. However, *before* authorizing an American initiative of this character and magnitude, such questions need to be thoroughly discussed. Furthermore, we are highly skeptical that such a convention would *ever* become a reality, even if Congress were incautious enough to suggest that the United States should take the lead in promoting it.

L. H. Fountain, Lee H. Hamilton, Abraham Kazen, Jr., Roy A. Taylor, William S. Mailliard, Peter H. B. Frelinghuysen, H. R. Gross, Edward J. Derwinski, Vernon W. Thomson, John H. Buchanan, Jr., J. Herbert Burke.

LIBRARY OF CONGRESS POLICE SALARIES

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. SKUBITZ. Mr. Speaker, I am today introducing a bill whose enactment will correct a longstanding wrong and undo an injustice.

I refer to the pay schedules for policemen operating under the control of the Library of Congress as compared to the salaries of police officers who work for us here in the U.S. Capitol, those who work under the General Services Administration, and those who work for the National Zoological Park.

For example, the starting salary for a Library of Congress policeman is $8,722 and no matter how long he may be employed, that remains his salary level. By contrast, a Capitol policeman starts at $9,520 and may move up eventually to $13,600 per annum. A GSA police officer starts at $7,951 and his maximum salary can become $10,264. A National Zoo policeman begins with a salary of $9,520 and may reach $10,788. This same inequity and unfairness obtains in the pay scales in all the ranks from sergeant through captain for the Library of Congress officers.

In my judgment, no basis exists in law or in the scope of duty for this discrimination. I believe it should be remedied promptly. I hope that the measure I am introducing will be considered promptly by the House Committee on Administration, who has responsibility in this field.

A table of comparison follows:

COMPARISON OF STARTING AND ENDING SALARIES OF LIBRARY OF CONGRESS AND OTHER POLICE AS OF FEB. 20, 1973

Rank	Library of Congress		GSA		U.S. Capitol		National Zoological Park	
	Starting	Ending	Starting	Ending	Starting	Ending	Starting	Ending
Private	$8,722	$8,722	$7,951	$10,264	$9,520	$13,600	$9,520	$10,788
Sergeant	9,716	9,716	9,520	12,373	12,784	16,864	10,528	11,932
Lieutenant	10,788	10,788	11,614	15,097	15,504	19,584	11,614	13,162
Senior Lieutenant	12,775	13,162						
Captain	12,775	14,479	13,996	18,190	18,496	22,576	12,775	14,479
Major			16,682	21,686				

WELFARE SCANDAL—IX

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, examples of the inefficiency and waste of our present welfare system continue to mount. The truly needy aided by these programs are just as united as concerned taxpayers in the conviction that the system must be tightened up and public confidence in its humanitarian mission restored.

Miss Gene Cunningham and Mr. Stuart Wilk, investigative reporters for the Milwaukee Sentinel, have completed a 3-month investigation of the Milwaukee County Welfare Department. The results of their study is shocking. They estimate that $28 million was lost in Milwaukee last year due to fraud and mismanagement implicit perhaps in the present welfare system.

Today I am inserting the ninth segment of this series. The article deals with sloppy accounting procedures by which recipients are paid, and paid again, for items authorized by the welfare department. This type of noncontrol clearly

indicates, to me, that a greater measure of accountability must be built in to our welfare system.

BILLS PAID—AND PAID AGAIN

(By Gene Cunningham and Stuart Wilk)

If a welfare client doesn't pay his bills, the Milwaukee County Welfare Department sometimes pays them—even though the department has already given the client money to pay the bills.

As a result, some clients have run up gas bills of several hundred dollars—knowing the department will end up paying them.

Some have received grants for as many as three refrigerators in less than four months—knowing that if they don't use the money for a refrigerator, if they use it for some other purpose, such as vacation money, the department will simply issue another grant.

Some buy new furniture and appliances "on time"—knowing that if they don't keep up with the payments, the department will pay them if the cost is less than buying the client another bed or another washing machine.

[The department has a policy of buying only used appliances for clients.]

And some take out loans—putting up furniture or other items as collateral—knowing that the department will pay off the loan rather than buy the client another house full of furniture.

A former accountant with the welfare department confirmed that clients run up big gas bills that the department eventually pays.

He said he has seen gas bills as high as $1,200—for a single client—and has seen numerous gas bills in the $500 to $1,000 range.

The department, he said, routinely pays these bills.

How do they get so high?

The Wisconsin Gas Co. and the welfare department have an "agreement" whereby the gas company will not cut off service for any welfare client.

Clients know this and some take advantage of it. If they don't feel like paying their bills, they don't.

Under this system, they have nothing to lose. In fact, they have something to gain—extra pocket money.

As the system stands, clients can use the department as their personal financier. And the department uses county tax dollars to oblige them.

Department employes told reporters of a woman who was given $590 to pay an overdue gas bill and then spent the money for something else.

DATA GOES TO SQUAD

The matter was referred to the Sheriff's Department Fraud Squad, which subsequently discovered that the woman was receiving aid under two different names.

Employes also told of gas bills that ran as high as $1,300 and turned over to reporters a client gas bill for $967.45.

If a client has not paid a gas bill for two months, the department will automatically pay the arrearage and start making voucher payments directly to the gas company instead of to the client. At least that's what the department says.

But some cases, slip through and don't get put on vouchers.

[The gas company refused to give out any information concerning welfare clients' gas bills or the agreement the company has with the welfare department for the payment of bills.]

Asked about the $500 to $1,000 gas bills, James Schiller, the welfare department's assistant business manager, admitted, "Those kind of animals are missed" and aren't put on voucher.

He acknowledged that he had "heard there are some (bills) that size."

Last year, he said, the department paid out $88,133 for 1,587 unpaid gas bills.

That's money that the department has paid twice—once to the client and once to the gas company.

There is no state or federal sharing on the second payments. Its 100% county money.

In addition, Schiller said, the department paid $544,112 for 4,091 bills with "excess charges" in 1972.

The state and federal governments share these costs, however.

"AVERAGE" PAYMENT

The excess charges come about because the department includes an "average" anticipated gas payment in the monthly welfare grant of some of the clients. If the client uses more than the average amount of gas, the department pays the excess.

Welfare Director Arthur Silverman said the excesses develop in extremely cold winters, when more gas is used than expected.

But caseworkers and aides told reporters that some welfare clients are careless about the gas they use because they know they won't be penalized.

A caseworker said he made a visit to one family and noticed that the gas stove burner was on, although nothing was cooking at the time. When he asked why, he was told that a member of the household smoked cigarettes and "we haven't got any matches."

The family kept the stove burning "12 hours a day," the caseworker said.

HELPED HEAT HOME

In another case, a family kept a stove burning full blast to help heat the upstairs of the ramshackle, poorly insulated home in which they lived.

Silverman told reporters that the $1,000 gas bills might exist at the time that a person was applying for welfare but denied that bills run that high while a person is a welfare client.

If a client has a large bill at the time he applies for welfare, "we negotiate with the company" for payment, he said.

According to Silverman, the Wisconsin Gas Co. refuses service unless payment is made on prior arrearages—even if the company is assured of full payment once the client becomes a welfare recipient.

If the client is to get heat, the department is forced to pay off the prior debts.

WATER BILLS TOO

Apparently, water bills also reach large amounts for some welfare clients.

"Ever see a $500 water bill?" asked a deputy with the Sheriff's Department Fraud Squad. "I've seen it on a receipt."

He said the receipt was for the bill of a welfare client.

In addition, thousands of dollars are spent on multiple grants.

One client received grants for 10 refrigerators, 10 stoves and 7 washing machines in just over three years.

She received grants for two refrigerators in less than one month and for 10 beds in less than three months.

In six months, she received grants for 14 beds, which by no stretch of floor space could have fit into her apartment.

She didn't buy all of the items for which the department gave her special grants, but the department continued to issue grants, a caseworker said.

She took almost $500 in grant money and used it for a vacation, he said.

SOUGHT SITTERS

And, he said, she even applied to the department for babysitters to take care of her children while she was vacationing.

The welfare department, he said, will not refuse to give a client a grant even if it knows that previous grants have been given for the same purpose and spent for something else.

But a state official said that the "county has discretion on how they handle these cases."

The official is Lowell D. Trewartha, director of the Bureau of Program Planning and Development, Division of Family Services, State Department of Health and Social Services.

Trewartha said that if a client does not buy a refrigerator or other designated item the "first time" he is given a grant, "it could be fraud."

Asst. Dist. Atty. Allan Love agreed.

Love said that if a person is given multiple grants for appliances and doesn't buy them he can be prosecuted for fraud. Love handles welfare fraud and nonsupport for the district attorney's office.

HARD TO PROVE

He further pointed out that the "prosecution is a damn expensive procedure. It's difficult to prove a fraud beyond a reasonable doubt."

Another way to beat the system is to use a grant as a down payment on a more expensive item.

One client, a welfare worker said, received a $100 grant for a washer and a $50 grant for a stove. The client bought a washer for $113 and used the remaining money as a down-payment on a $279 stove.

When the store complained about the balance due on the stove, the department paid the balance, the worker said.

The department spends about $60,000 a year for washers and dryers, according to the sheriff's fraud squad.

There are numerous instances of clients buying furniture and appliances on time, not making payments and having the department pick up the tab.

Some furniture stores, workers said, do the bulk of their business in such transactions.

RARE CASE

Silverman said that "in rare instances, to avoid repossession" the department will pay amounts due on appliances and furniture if that amount is equal to or less than the replacement cost.

But Frank Pokorny, financial assistance supervisor for the department, said:

"One policy I've firmed up is that no way will we pay off payments for clients" on time purchases.

"I said no way are we going to pay off the repossession type stuff," Pokorny declared. "This used to go on before I came—in quantity."

Pokorny has held his present post for about two years.

Clients who take out loans can also get the department to make payments for them.

Some clients take out loans from finance companies using their household goods as collateral, case aides said. The department pays the companies rather than having clients' furniture repossessed.

Silverman acknowledged that "we will pay a loan company if it is necessary to prevent repossession."

He added that "it's a rarity."

COUSINO HIGH SCHOOL SURVEY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HUBER. Mr. Speaker, the American history class of Cousino High School in Warren, Mich., recently conducted a survey on the issue of Presidential impoundment of funds. Those polled were asked about President Nixon's impoundment of some of the funds for the Clean Water Act of 1972. The respondents, therefore, were questioned about the subject of impoundment only insofar as it relates to the Clean Water Act. This fact

should not be overlooked when one takes into account the result of the survey.

Nevertheless, the students have done a considerable amount of work on the poll; they interviewed 462 people and invested a great amount of time in the project. They are to be commended for their concern and involvement with such an important governmental issue. I am, therefore, including for the consideration of my colleagues, the results of the poll conducted by the students at Cousino High School.

THE CLEAN WATER BILL OF 1972

QUESTIONNAIRE

Earlier this year Congress approved a national $5 billion water pollution appropriation. But President Nixon has said he would release only $2 billion of that money to the Nation's cities.

We would appreciate your cooperation by checking one of the following:

Yes, I feel that President Nixon should release the other 3 billion dollars to help clean up our waters.

No, I do not feel that President Nixon should release the other 3 billion to help clean up our waters.

I have no feelings toward this subject.

Open to any comments that you may have.

Thank you.

ANSWERS

As students of American History at Cousino High School in Warren, Michigan, we conducted a survey concerning Public Law 500 of the 92nd Congress, which is the Clean Water Bill of 1972. We are concerned about the use of Presidential power to over-rule Congress. Here are the results of the survey out of 462 taken:

	Yes	No	No feeling	Void
Students	326	43	37	17
Teachers	17	6	1	0
Residents	24	1	0	0

As you can see by the results of our surveys, the majority of people feel that President Nixon should release the other three billion dollars to aid on the cleaning of our waters.

We would like you, as Representative of Michigan, to make the results of our survey known. We have worked a considerable length of time conducting this survey, and we feel that it represents a good cross-section of the people who live in Warren, Michigan.

I. F. STONE ON WAR POWERS LEGISLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ZABLOCKI. Mr. Speaker, I. F. Stone, an able and respected journalist observer and commentator of the Washington scene, has written a probing and intelligent analysis of the war powers issue. The entire article appeared in the New York Review of Books, a publication for which Mr. Stone is now a contributing editor. However, the Sunday Star and Daily News reprinted an excerpt from that article in its edition of April 8.

Because it analyzes so clearly the complex issues involved in this important subject I place his article in the RECORD at this point and recommend it to the careful reading of my colleagues:

[From the Washington Star and Daily News, Apr. 8, 1973]

ALL WAR POWER TO THE WHITE HOUSE

(By I. F. Stone)

In a landmark case during the Korean war, a liberal majority of the U.S. Supreme Court refused to allow Truman to seize the nation's steel mills. The court rejected the White House claim that such action was constitutional under the so-called war powers of the President. "Power to legislate for emergencies," Justice Jackson then wrote in one of those brilliant concurring opinions for which he is famous, "belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its hands."

This case was the first to deal squarely with presidential claims of "inherent" war powers in the sweeping form that still plagues us in the skies over Indochina.

As a result of the long agony over Vietnam, the longest and most costly "undeclared war" in our history, Congress has been trying for three years to frame new legislation which would restrict the war powers of the Presidential and restore those of Congress. The course of the long debate in Congress has reflected a widespread desire in both parties to curb presidential powers and yet a curious reluctance to grapple with the problem where it is most urgent in the Indochinese war itself.

Two kinds of war powers legislation await final action in the Senate and the House. One would establish strict limits on the President's power to take the country into war without specific authorization by Congress, in pursuance of the power to "declare war" given to the Congress by the Constitution. The other, more urgent, would use congressional power to prevent the Executive from taking us into a third Indochinese war. Almost all attention has been focused on the former. The latter has been shelved even while the danger of resumed bombing and intervention has grown.

The dispute over presidential war powers has been classed with impoundment, executive privilege, and freedom of the press as one of the four major questions on which a constitutional crisis has been developing between the White House and the Congress. But this may understate the complexities of the war powers problem. It may run deeper than the Constitution into the mores of the American Republic and people, and this may explain the reluctance of a frustrated Congress really to face the problem, especially where action is most immediately needed.

"Abuse of power by Presidents," said the historian Henry Steele Commager in his perceptive testimony at the opening of the Senate Foreign Relations Committee hearings on war powers legislation in March, 1971, "is a reflection, and perhaps a consequence of abuse of power by the American people and nation." Certain political "four-letter words" have been avoided in the long debate. The "not nice" terms are "imperialism" and militarism." Yet they need to be plainly uttered if we are to begin to understand the full dimensions of the problem subsumed under the war powers of the President.

To begin with, the President's war powers fall into two quite separate categories, one constitutional, the other physical. Attention has been focused on the former. The distinction may be illustrated by the case of Iceland. So far as I know the President of Iceland may have the most sweeping power to take his little country into war whenever he sees fit. But since Iceland has neither an army nor a navy, the war powers of its president remain an abstract problem for its constitutional scholars. Even if he became intensely concerned about Allende's violation of ITT's property rights in Chile or the crushing of free enterprise by Castro in Cuba, his ability to do anything about it is limited by the fact that the only force at his disposal is a fleet of six armed fishery protection vessels.

The form taken by the war powers controversy in our country is constitutional. But its roots lie in the enormous growth since World War II in the physical means of warmaking at the President's disposal. It is the swift expansion of the American military establishment and of U.S. imperial pretensions since the cold war began under Truman that has made the problem acute. It is not difficult to find instances of brief military or naval actions which can be termed "undeclared presidential wars" almost as far back as the earliest days of the Republic. But these were no more than brief forays and a minor problem so long as American ambitions and military power were limited.

Presidential war-making powers did not become a substantial threat to the congressional power to declare war until this century with the appearance of what used to be called "gunboat" or "dollar diplomacy" in our relations with our neighbors in Central America and the Caribbean. They termed it Yanqui imperialism. Then, too, as with the undeclared war in Vietnam, this was a bipartisan phenomenon. As summed up three years ago in an eloquent but futile report of the Senate Foreign Relations Committee, that earlier experience looks like a dress rehearsal for our involvement in Indochina.

In that earlier period, too, we made and unmade governments to enforce "respect," Godfather and Nixon fashion. The Foreign Relations Committee report recalled:

"President Theodore Roosevelt used the Navy to prevent Colombian forces from suppressing insurrection (which we had arranged, the committee might have added, in order to seize the Canal Zone in the province of Panama) and intervened militarily in Cuba and the Dominican Republic. Presidents Taft and Wilson also sent armed forces to the Caribbean and Central America without Congressional authorization. . . . President Wilson seized the Mexican port of Vera Cruz in 1914 as an act of reprisal, in order, he said, to 'enforce respect' for the government of the United States."

Where earlier presidents used gunboats, Nixon used and still uses B–52s. The problem has become chronic with the emergence of the United States after World War II as the biggest military power of all time, claiming—in "the free world"—to be the protector and policeman of virtually the whole globe outside the Soviet bloc and China.

As the means, the secret commitments, and the occasions for intervention have grown, the power of Congress to make the final decisions of war and peace has dwindled. Until the problem is attacked as a function of imperialism and militarism, constitutional and statutory tinkerings with war powers are likely to prove ineffective. Here and there, in the voluminous hearings, reports, and debates on the pending legislation, this truth occasionally surfaces. The Senate Foreign Relations Committee said some of this when it reported out the Javits-Stennis-Eagleton war powers bill last year.

If the United States, the committee report said, "is to be continually at war, or in crisis, or on the verge of war, or in small-scale, partial or surrogate war, the force of events must lead inevitably toward Executive domination despite any legislative roadblocks that may be placed in the Executive's way." Senator Javits also touched on the more fundamental factors when Senate debate on the measure began last year:

"The Founding Fathers were deeply distrustful of 'standing armies'. At the time of the ratification of the Constitution, the United States Army consisted of a total of 719 officers and men. On the eve of the Civil War it was only 28,000 and in 1890 it was only 38,000. Even in 1915, the Army numbered less than 175,000. However, since 1951 (the Korean War) the size of our 'standing' armed

forces rarely has dipped below 3,000,000 men. These forces under the President's command are equipped with nuclear weapons . . . and they are deployed all over the world. . . . It is the convergence of the President's role of conducting foreign policy with his role as Commander-in-Chief of the most potent 'standing army' the world has ever seen that has tilted the relationship between the President and Congress so far out of balance. . . ."

The imbalance will be tilted even further by the completion of the new all-volunteer army, which puts all the Armed Forces on a professional basis and relieves the President and the Pentagon from the need to rely on the draft except in the case of a major war. The army will no longer be a citizens' army but a professional force largely enlisted from among the poor and desperate.

The character and course of the war powers legislation in Congress show the same weaknesses that have allowed presidential power to grow so strong in the past. One difficulty is that of foreseeing the contingencies under which war may arise. When the Constitution was being written, Congress was first given the power to "make" war, but this was changed to "declare." The purpose of this change was twofold: to allow the President to repel sudden attacks and to free him as commander in chief from interference by Congress in the day-to-day operations of the armed forces once war had been declared. Too specific a spelling out of presidential powers would either restrict his powers too greatly or give him a blank check in advance for actions that might go far beyond legitimate limits.

Last year both houses of Congress passed war powers bill, but they died with the session when the differences between them could not be reconciled. Each passed with majorities big enough to override a veto. The Javits-Stennis-Eagleton bill passed the Senate by a vote of 68 to 16 on April 13, 1972. The Zablocki bill passed the House 344 to 13 last August 14.

The lopsided votes testify to the wide discontent in Congress. It is not often that Democrats as *different* as Stennis and Eagleton can agree with a Republican like Javits to merge their respective bills. In the House there are more than a dozen bills to limit the President's war-making powers. Their sponsors range from Ronald Dellums, the black militant Democrat from California, to John Rarick of Louisiana, who has been described as a Birchite with a Southern accent. But the coming legislative battle will be between revised versions of the Javits-Stennis-Eagleton bill in the Senate and the new Zablocki bill in the House, as they emerge from committee shortly. The contest will be over which bill will prevail in a showdown or fare best in a compromise.

Both bills were extremely cautious in their draftsmanship, though in quite different ways. The House bill in its original form won such wide support because it sought to do so little. It merely required the President promptly to inform Congress whenever he committed U.S. military forces to armed conflict abroad "without specific prior authorization by Congress." A salutary provision of the bill is that it applied not only to the commitment of troops to actual hostilities but also to their deployment abroad, though with a loophole: "except . . . for humanitarian or other peaceful purposes." Our purposes are always peaceful. As we shall see, this House bill has been strengthened.

The Senate bill sought to disarm White House opposition by exempting the Indochina war; it does not apply to "hostilities in which the Armed Forces of the United States are involved on the effective date of this act." Whether it would apply after the Vietnam cease-fire and troop withdrawal remains a cloudy question. The bill contains enough loopholes to allow a wide range of future "undeclared" presidential wars. The President is allowed to use troops abroad without a declaration of war in order to repel an attack upon the United States outside the United States, or "to forestall the direct and imminent threat of such an attack," or to evacuate citizens from an area in which they are endangered. The last was the excuse for the invasion of the Dominican Republic by Lyndon Johnson.

Such "undeclared" presidential wars are limited to 30 days unless authorized by Congress and may be terminated sooner by act or joint resolution (the latter is not subject to veto) unless the President certified in writing that "unavoidable military necessity respecting the safety" of these armed forces requires their continued use "in the course of bringing about a prompt disengagement." Nixon's disengagement from Indochina is still incomplete after four years.

These loopholes could make the situation worse by giving advance congressional authority to presidential actions of dubious constitutional validity or even patent usurpations. When the bill was reported by the Senate Foreign Relations Committee, Senator Fulbright noted in his "Additional Views" that the provisions authorizing the President "to forestall the direct and imminent threat" of an attack could have been used to justify the Cambodian invasion of 1970 and the Laotian invasion of 1971, "both of which were explained as necessary to forestall attacks on American forces." Fulbright feared that under these provisions a future President might cite secret or classified data "to justify almost any conceivable military initiative."

He warned that this authority could be construed "as sanctioning a preemptive, or first, attack solely on the President's own judgment." Since such a first strike might be nuclear, Fulbright suggested that the bill be amended (in accordance with a proposal advocated by the Federation of American Scientists) to forbid a nuclear first strike under any circumstances "without the prior explicit authorization of Congress." But this was not accepted by the Senate.

Another weakness in the Javits-Stennis-Eagleton bill is that it does not automatically provide for calling Congress into session once an "undeclared" war begins. The bill says that such "undeclared" wars shall not continue for more than 30 days without specific authorization by Congress. This could prove quite a loophole. Twenty-nine days of sustained bombing would be enough to cripple many a small country which had provoked the chief executive's ire. Congress could terminate hostilities sooner than 30 days by bill or joint resolution (the latter not subject to presidential veto) unless the President had certified that "military safety for prompt disengagement" made continued fighting necessary. That is another big loophole.

Sen. John Sherman Cooper would have substituted for all these elaborate 35-day procedures a simple joint resolution requiring the President to notify Congress whenever he used the Armed Forces abroad in an undeclared war or "believes" that such use is "imminent." Congress, if not already in session, would convene itself within 24 hours and proceed immediately to decide whether to authorize such use of the Armed Forces "and the expenditure of funds for purposes relating to these hostilities or imminent hostilities." This would avoid the labyrinthine booby-traps and loopholes of the Javits-Stennis-Eagleton bill and confront Congress immediately with the question of whether it concurred or disapproved.

Cooper said there was doubt whether Congress could constitutionally limit hostilities to 30 days "or any period of time, except by the denial of funds." But he said there was no question that "a prompt meeting and consideration by the Congress of any involvement in hostilities is the power and the duty of the Congress." The Cooper approach would avoid many constitutional problems and also the danger of providing new loopholes for undeclared presidential wars.

Cooper's suggestions are not in the Senate bill, but roughly the same approach is taken in the newly revised version of the Zablocki bill, the main bill in the House. This is a far stronger bill than last year's version and may be preferable to the complicated Rube Goldberg contraptions of the Javits-Stennis-Eagleton bill. It reaffirms the congressional right to declare war, recognizes that the President has "in certain extraordinary and emergency circumstances" authority to defend the country and its citizens, but limits the exercise of this authority to two kinds of cases. One is to "respond to any act or situation that endangers" the United States or its citizens (but not their property) abroad when the necessity to respond does not allow time for advance congressional authorization. The word "endangers" may be far too broad. The other class of cases is pursuant to specific prior authorization by Congress.

"But at the same time," the Zablocki bill says, "nothing in this resolution should be construed to represent Congressional acceptance of the proposition that executive action alone can satisfy the constitutional process requirement contained in the provisions of mutual security treaties to which the United States is a party." Since these treaties cover some 43 separate nations it is important to make clear—it is dangerously vague now—that they cannot be used to authorize war without specific congressional authorization. Otherwise they become blank checks for undeclared presidential wars.

A similar provision (Sec. 3141) of the Senate bill would in effect recall the many blank checks outstanding in existing treaties by requiring specific congressional authorization for the use of troops under them. But both bills leave untouched the special blank checks for war in the Formosa, Middle East, and Cuba resolutions, leftovers from the Eisenhower and Kennedy Administrations.

The new Zablocki bill requires the President to report to Congress and ask its approval not only when he commits armed forces to conflict but when he "commits military forces equipped for combat to the territory, airspace or waters of a foreign nation" or "substantially enlarges military forces already located in a foreign nation." These contingencies are not covered by the Javits-Stennis-Eagleton bill.

If Congress is not in session, the President under the Zablocki bill must convene it. This differs from the Cooper proposal in that the latter would have the President pro tempore of the Senate and the Speaker of the House reconvene Congress if it were not in session. A President in time of undeclared war might refuse to reconvene Congress on the claim that this provision was unconstitutional or on some other pretext.

Lest this be thought far-fetched we call attention to the war powers testimony of Charles N. Brower, acting legal adviser of the Department of State, before the House Foreign Affairs Committee on March 13. He objected to any legislation that would require the President to reconvene Congress in the event of undeclared war. "A decision to convene Congress," Mr. Brower told the House committee, "constitutionally lies within the discretion * * * circumstances prevailing at the time." The Framers would have been startled to hear it argued that the President has a constitutional right not to reconvene Congress under circumstances nullifying its constitutional power to declare war.

The reconvening of Congress to deal with an undeclared war would merely be the beginning of the battle. No legislation restricting "undeclared wars" can be any better than the will of Congress to stop them. It is the will that has been lacking in the past.

Generally speaking Congress has been alert in preventing the last war and slack in dealing with the next one. None of these war

powers bills, if enacted, will make much difference if Congress is as supine as it has been in the past.

Sen. Cooper, in his "individual views" appended to last year's Senate Foreign Relations Committee report, recalled that as early as 1954, when the Korean Defense Treaty was under consideration, Sen. Stennis, former Senator Watkins, and himself warned that the Senate should make clear in all these so-called mutual defense treaties that the term "constitutional processes" used in them should not be used to send troops into combat without a declaration of war by Congress. These misgivings were brushed aside by the Senate Foreign Relations Committee and the Senate. Later as the blank check war resolutions came up on Formosa, the Middle East, Berlin, Cuba, and Tonkin Gulf, reservations to the same effect were offered in committee and on the Senate floor and rejected. The record showed that Congress had consistently voted away its own constitutional war powers.

The record was put into longer perspective and in a cynical but more searching light by Secretary of State Rogers during the Senate Foreign Relations Committee hearings on the war powers bills in 1971. Rogers recounted with smug satisfaction the "undeclared" presidential actions as far back as the Mexican war, which triggered American imperial expansion at the expense of our Latin neighbors. He paused especially to savor the undeclared war in which the U.S. Marines occupied and governed Nicaragua from 1926 to 1933. This history, Rogers said, shows an increasing use of presidential powers, "and yet," he observed, "there was remarkably little complaint from the Congress."

"It is interesting to speculate," the secretary went on, "why this is so. It seems to me there may have been several possible factors. In the first place, I suppose that Presidents were acting in the context of a generally popular consensus in the country that the United States should assume a posture consistent with its emerging power, particularly in the Western Hemisphere." Indeed "big stick" tactics toward our weaker neighbors have been generally popular in our history, and attacks upon this attitude have been a lonely exercise as far back as Lincoln's opposition, while a congressman, to the Mexican war.

"Secondly," Rogers said, "a large majority of the nineteenth, and early twentieth-century presidential actions occurred in the Caribbean, where this country's power was so predominant that there was little or no chance of forcible response to our action."

Tough tactics were applauded, so long as we dealt with nations too weak to hit back. A third element, on which the secretary did not touch, is that almost all of these actions in the Caribbean and Central America were designed to collect debts for American banks and enforce the will of American sugar, fruit, and other interests to which Congress is sensitive (and beholden) both at home and abroad.

In every generation there have been Americans to protest imperialism but they have been in a minority. Henry Steele Commager at the same hearings showed that presidential "undeclared wars" have almost always been used against "small backward and distraught peoples. He asked, "Does it really comport with the honor and dignity of a great nation to indulge its chief executive in one standard of conduct for the strong and another for the weak?" The answer seems to be that the country rather enjoys it, unless—as in Korea and Indochina—the victim shows an unexpected capacity to resist.

There is no reason to believe that under any of the pending war powers bills—had they then been on the statute books—Truman could not have obtained congressional authorization for the Korean War or Johnson for the Vietnam war. As Arthur Schlesinger, Jr., told the House Foreign Affairs Committee the other day, "All wars are popular the first 30 days."

Javits, the principal sponsor of the Senate war powers bill, still accepts conventional cliches about the Vietnam war and only turned against it when it became too expensive. As recently as last May 1, in a speech in Chicago, he said:

"It is not in the interest of the United States to allow the ARVIN to be overrun, and the Thieu government to be overthrown by this current North Vietnamese offensive. But we have already done in Vietnam all that any nation could ever do for an ally in terms of our own casualties and treasure spent . . . . If the South Vietnamese people want a country, they can have it, because we have equipped them for the purpose. But . . . we cannot continue for the indefinite future to underwrite the survival and security of South Vietnam."

This embodies the conventional and propagandistic view which identifies the Thieu dictatorship with the people of South Vietnam, and paints our purpose there as one of benevolent concern for their self-determination. It is only the cost that separates Javits from Nixon.

In fact, the more one studies the record the more one feels that it is neither lack of power nor lack of information that has led Congress to acquiesce in the war powers of the President but the fact that it usually shares much the same outlook.

CONGRESSMAN DOMINICK V. DANIELS HAILS BAYONNE JEWISH COMMUNITY CENTER, NATIONAL BASKETBALL CHAMPIONS—KRUPP AND GALLAGHER LEAD JEWISH FIVE TO VICTORY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, Sunday, April 1, 1973 was a great day for the members of the Bayonne, N.J., Jewish Community Center varsity basketball team. On that day, they defeated the team from New Haven, Conn., by a score of 56 to 47, in the final round of competition. Earlier they had defeated Newburgh, N.Y., by a score of 47 to 43.

I would like to take this opportunity to commend Coach William Broderick and his assistant Jeffrey Rothman for their outstanding dedication and coaching ability, which motivated the team to victory.

I extend my congratulations to the fine athletes on the team for the courage and stamina they displayed under such great pressure. These players include: Gerry Dubin, Jay Eckhaus, Connie Gallagher, Mark Gilbert, Marc Jacobs, Steven Krupp, Jay Piskin, William Paster, Jeffrey Payton, David Rosenthal, Marc Tillis, and Barry Tuman.

I wish to commend Kenneth Eisler and Steven Cutler, team managers, for their efforts in helping to bring the National Championship to Bayonne.

Mr. Speaker, at this time, I would like to insert in the RECORD an article from the April 2 issue of the Jersey Journal, a leading newspaper from the 14th district:

BAYONNE JCC WINS NATIONAL JWB TITLE

(By Tom Lauenstein)

NEW HAVEN, CONN.—Bayonne's jet propelled Jewish Community Center cagers are the proud possessors of their second National Jewish Welfare Board Tournament championship.

Coach Bill Broderick's basketeers nailed down the title by toppling the host J.C.C. team, 56–47, yesterday on the loser's court after outlasting Newburgh, N.Y., J.C.C.C. by a 47–43 count Saturday night in the semifinals at Quinnipiac College.

Bayonne was led by tournament MVP and all-star squad selection Steve Krupp, and Connie Gallagher, who also gained a berth on the tourney's dream team.

The Bayonne Centermen, who had won national laurels here in 1955, made its return to the scene of its glory a memorable one by capturing the crown in a pressure packed final quarter.

Bayonne maintained a slim 39–37 edge entering the fourth period. Then Gallagher pocketed two field goals and Mark Gilbert scored on a tap-in to open the stanza and give Bayonne a more tenable eight-point advantage.

Gilbert pumped in seven markers and Gallagher six in the decisive stanza as Bayonne finished off New Haven with a 17–10 burst. Bayonne led, 11–10, after one period and 24–23 at halftime.

Krupp was Bayonne's top pointmaker with 16, while Gallagher dumped in 15. Krupp also notched 10 assists and hauled down six rebounds to make him a solid MVP choice.

Broderick's combine hit the bullseye on only 23 of 72 floor shots and was .500 from the charity stripe with eight singletons. Five of them resulting from 11 shots in the fourth quarter. Krupp and Gallagher were six for 14 each from the field.

Bayonne's board game glittered against a taller New Haven quintet with a 40–30 supremacy. Gerry Dubin grabbed 11 caroms, Gilbert had 10, and Mark Jacobs six.

Dave Zied netted 12 points, Gary Smirnoff 11 and Ross Brownstein 10 for New Haven, who gained the final round with a 72–50 rout of Allentown Saturday night.

Dubin spearheaded Bayonne's scorers in the semifinal win by potting 16 points. Jacobs sifted in 12 and Gallagher 11.

Bayonne zoomed to an 18–6 bulge in the first quarter but Newburgh cut that gap to 11 markers by intermission. Newburgh was behind, 37–27, after three chapters and dominated the fourth period, 16–10, only to fall short.

Tourney tidbits—Broderick was thoroughly doused in the showers by his jubilant team, but Bill beamed through the traditional ceremony . . . Broderick was ecstatic over Krupp's three-game performance. "He was unbelievable," the elated skipper professed. "Steve's floor play, leadership and hustle made him a clear choice for MVP." . . . Bayonne was honored at the tournament banquet following the championship game . . . Broderick was lofty in praise of his team. "It was a long season and they showed they had what it takes." . . . The Bayonne Centerman compiled an overall 20–2 mark, including the national tournament action, and finished with a 10-game win skein.

The box scores:

BAYONNE			NEWBURGH		
G	P			G	P
11	4	Gallagher	R. Reigler	6	12
0	0	Gilbert	M. Reigler	2	4
4	12	Jacobs	Marks	0	0
2	6	Payton	Spiritos	1	2
6	16	Dubin	Thompson	3	7
1	2	Krupp	McMahon	7	14
0	0	Eckhaus	Norvell	2	4
0	0	Newell			
0	0	Paster			
0	0	Piskin			
0	0	Rosenthal			
0	0	Tillis			
0	0	Tuman			
17	47			21	43

Bayonne	18	10	9	10	47
Newburgh	6	11	10	16	43

BAYONNE			NEW HAVEN	
G	P		G	P
6	15	Gallagher		
4	9	Gilbert		
4	8	Jacobs		
1	2	Payton		
3	6	Dubin		
6	16	Krupp		
0	0	Eckhaus		
0	0	Newell		
0	0	Paster		
0	0	Piskin		
0	0	Rosenthal		
0	0	Tillis		
?	?	Toman		
			Smirnoff	4 11
			Herzgog	2 5
			Zeid	6 12
			Brownstein	5 10
			Kroup	4 9
24	56			21 47

New Haven	10	13	14	10	47
Bayonne	11	13	15	17	56

REMARKS BY DICK WILSON, TRIBAL CHAIRMAN OF THE OGLALA SIOUX TRIBE ON WOUNDED KNEE

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ABDNOR. Mr. Speaker, I have spoken in behalf of Mr. Dick Wilson, chairman of the Oglala Sioux Tribe in South Dakota, in the recent controversy at Wounded Knee. I did so because the media was not giving Mr. Wilson, the elected representative of nearly 11,000 Sioux on the Pine Ridge Reservation, the opportunity to speak for himself.

At last Mr. Wilson has been given the opportunity to state his position and his reasons for opposing the American Indian Movement on his reservation. I ask that his remarks, printed in the Todd County Tribune be reprinted in the CONGRESSIONAL RECORD for the benefit of my distinguished colleagues.

The article follows:

WILSON STATES POSITION TO TRIBAL CHAIRMEN

Dick Wilson, chairman of the Oglala Sioux Tribe, Pine Ridge, read a press release to a gathering at Pine Ridge which included tribal chairmen from the Upper Midwest and other Indian affairs officials.

Included in the group were Marvin Franklin, assistant to the Secretary of Interior in charge of Indian Affairs; Harlington Wood, Assistant U.S. Attorney General; Sioux Tribes and the Cheyenne River tribe; Jim Henry, president of both the Aberdeen Area of National Tribal Chairmen's Assn. and the Turtle Mountain Reservation in North Dakota; Leon Cook, National Congress of American Indians chairman; Webster Two Hawk, chairman of both the National Tribal Chairmen's Assn. and the Rosebud Sioux Tribe; Wyman Babby, Aberdeen Area Director of the Bureau of Indian Affairs and Chairmen of tribes from Ft. Berthold, N. Dak.; Lower Brule; Sisseton-Wahpeton; Standing Rock and Winnebago, Nebr.

Attending the session from Rosebud along with Two Hawk were Leo Cordier, Rosebud tribal secretary, and Sherman Wright, Rosebud tribal information specialist.

Following is the text of Wilson's speech:

First, I want to say I appreciate this opportunity to address this national audience personally. I feel that there are many issues involved in this so-called Wounded Knee crisis that have not been made public, although the National Press has been on our reservation for nearly three weeks.

I cannot conduct a course in Oglala Sioux history on this broadcast, but it is important to state at the beginning that no one who is not familiar with the history of my people can fully understand what is happening here.

Over one hundred years ago our land was invaded by the white people of this country. Our warriors fought a series of bloody and expensive wars with the United States Army. And both sides lost; lost in terms of money and in lives and human suffering and in compassion for the other race. In 1877 our people negotiated for peace with the United States. And for more than half a century my people were ruled by an occupation government. That outside rule lasted for a long time—until 1934 when the United States Congress passed a law which gave the Indian tribes the right to set up their own tribal governments. There was much opposition to that move. Men and women who were over 50 years old had lived all their lives without being allowed to make any decisions for themselves. Because at that time, the Agency Superintendent was the mayor, the city council, the governor, the chief judge, and the chief of police—all rolled into one man. Many of my people at that time were fearful of making any changes. They had never made a decision in their lives, and they were afraid to make that one.

But the majority of the Oglala Sioux people wanted self-government; they wanted to be able to control their own lives. The vote was close, but the important point is that the Tribe voted, and the decision of the majority ruled. 1,348 Oglala Sioux Indians voted for self-government and 1,041 voted against.

That was in 1935. In January of 1936, the Oglala Sioux Tribe adopted a constitution that was approved by the United States Government. For 37 years the Oglala Sioux Tribe has governed itself under its own constitution and by-laws, under its own laws and its own courts.

There is no royalty here. And in spite of what you have heard in the news and read in the papers for the past three weeks, Dick Wilson is no king. I was recently elected by the majority of the people on this reservation to serve the Tribe for two years as the president of this tribal council. One year is up. In less than a year, I will have to run again for this office. And I will run on my record. Each member of the council will also have to run for his office again. There are no political parties. Each candidate runs on his own, from his district on the reservation.

That is the background of my position in tribal government (this so-called Wounded Knee crisis). Now let's take a look at what has happened at Wounded Knee, and what is happening.

You all know that I am not fond of AIM, the American Indian Movement. The press has made sure you know that. But I would like to express my reasons tonight for my dislike of AIM.

The leaders of AIM are a group of grown men who do not work, who will not work, but who always have plenty of money. They have not grown up on reservations; they do not know anything about life on this reservation, and they do not want to learn. They just want to come in with guns and take over. When these same men took over the headquarters of the Bureau of Indian Affairs in Washington, they stood before the cameras and said they were prepared to die. But when the government offered them 67 thousand dollars to leave town, they were suddenly ready to live again, at least as long as the money lasted. They say they want to improve conditions for Indian people, but I cannot help wondering if that 67 thousand dollars improved anyone but them.

From Washington they traveled to South Dakota, where they disrupted the entire town of Custer, South Dakota. They burned the Chamber of Commerce to the ground and tried to burn down the courthouse. They created a riot in Rapid City, South Dakota and tore up five drinking places in that city.

They do not live in Washington, D.C., or in Custer, South Dakota or in Rapid City. But thousands of other Indian people do. And those Indians who must live in the cities and towns that AIM vandalizes must suffer the embarrassment and the humiliation and the resentment of those communities. The leaders of AIM say they represent a Trail of Broken Treaties. All I see is a Trail of Ruined Buildings and Broken Beer Bottles.

And now they have come onto this reservation and taken over an entire town and they claim to speak for the Oglala Sioux people. They brought in women and children and put them out of sight while they wave their guns before the cameras and say they are prepared to die. I assure you that they do not speak for the people on this reservation. The Oglala Sioux never used women and children as a shield for their actions.

The entire nation, and maybe the world, is watching the activity at Wounded Knee and hoping it will be settled without loss of life. No one is more concerned than I am that women and children may be needlessly injured in this childish wild west drama. Because, remember, the people of this reservation elected me to be their president. I am responsible to the people of this reservation to protect their lives and their property.

But who are those people at Wounded Knee? They are not even members of this tribe. None of the leaders was born here and none ever lived here. One of them is Oglala, but he never lived on this reservation. He never returned to ask what he could do for his people. He never returned at all until he came back with a gun to take it over. The other leaders are from different states. And their followers come from all over the country. I have no doubt that, of all the 200 men, women and children in Wounded Knee, less than 15 are members of the Oglala Sioux Tribe.

That raises the question of: What right do they have to be here? And answer is that they have no right to be here. Everyone knows what they are demanding, but not many know what their actions are costing the people of this reservation. I want to tell you about only a few of those costs.

The Oglala Sioux Tribe is losing almost 15 thousand dollars a day as a result of AIM's activities at Wounded Knee. The AIM group and the federal roadblocks surrounding them are cutting off one of the main roads across the reservation. The school buses cannot go through and 40 percent of the school children on this reservation are being deprived of their education by AIM's activity here. In July, when they should be playing ball and fishing, those children will still be in school, making up this lost time. The Oglala Sioux Tribe is acting as a general contractor for a 387-unit housing development program on the reservation. Because of this thing at Wounded Knee, the program is completely shut down. The tribe is losing $3600 per day in interest on that program as long as it is closed. And this winter there will be hundreds of Indian families on this reservation without the adequate housing they would have had if this program had not been disrupted. Over ¾ of the tribal employees are on administrative leave because they cannot get to work or because their job sites are unsafe as long as an armed camp is allowed to remain in rebellion on this reservation. The cost for keeping federal marshals here is about $13,500 per day, and the F.B.I. presence costs almost $15,000 per day. We who live here are worried that those expenses will come from the Bureau of Indian Affairs budget for the Pine Ridge Reservation next year.

Then there is the cost that cannot be measured in terms of money. The human suffering that this is causing cannot be calculated. Before this armed invasion, there were 65 families living peacefully in the village of Wounded Knee. They cannot go into

or out of their homes until this is over. Over 40 of those families are now living in Pine Ridge with their families and friends.

A young woman came into my office yesterday and asked me if she could go home yet. She lives in Wounded Knee. I had to tell her I don't know. It depends on the federal marshals if they want to let her in. She said she is tired of this. She has a home and she wants to go home. She does not want to have to live off her relatives. But now she has to because AIM, this movement that says it is helping Indians, has taken over her home. And the homes of 64 other families as well.

That brings up the question of why isn't something done about it? And that is the question I have. When AIM first took over the town, I requested law enforcement assistance from the United States Marshals' service. Then the FBI and the Justice Department came in. I thought they were coming in to restore order and to protect the lives and property of the people who live here. But, instead, they chose to negotiate with them.

Sometimes I am sure that Indians are smarter than white people. Indians learn from their mistakes. The federal government negotiated with AIM in Washington and let them go after they ruined a government building. Then AIM terrorized two cities in South Dakota, and the state of South Dakota negotiated with them and let them go. Now they have taken over a town on this reservation and forced hundreds of people to leave their homes for three weeks. They have closed schools, destroyed property, and cost an already poor people hundreds of thousands of dollars. And the Federal Government is negotiating with them.

I have said before and I say now there is nothing to negotiate with these people. They have come in here with guns in violation of our laws; they have looted homes, closed churches and schools, and I say they should be arrested for breaking the law and prosecuted to the fullest extent of the law.

I do not understand why the federal government refuses to fulfill its responsibility to the people of this tribe and this reservation. Warrants have been issued for the arrest of the leaders of AIM, but they have not been arrested. Tonight, one of the leaders of AIM is going on a nationwide television talk show to tell the audience about his criminal exploits while the federal government sits on a warrant for his arrest.

Much is heard about the civil rights of those occupying Wounded Knee. I am concerned about the civil rights of those who have been kept out of school, out of work, and out of their homes while this group of armed insurrectionists is allowed to totally disregard the laws of this country, this tribe, and the rights of others. The only conclusion I can make is that AIM is once again blackmailing the United States and this entire tribe is being held as the hostage.

The government of the United States has a solemn trust responsibility to protect the rights, lives and property of the American Indian Tribes. And I demand that they fulfill that responsibility. The federal responsibility here is to the Indian tribe that lives here and not to a bunch of armed bandits who have openly declared their hostility to all constituted law and order in this country.

The federal law enforcement officers here have conducted themselves with enormous restraint, and I am most grateful that no one, Indian or White, has been killed in this confrontation. But this has gone on too long already. The people who live in the village of Wounded Knee have a right to return to their homes. The children on this reservation have a right to attend school. The employees of this tribe have a right to get to their jobs. And the federal government has a responsibility to protect those rights. I call upon and demand that the federal government either fulfill its responsibility and move with whatever force is necessary to evict the armed intruders from the village of Wounded Knee—or—that it leave this reservation and let the Indian people who live here handle this problem themselves.

You have all heard about the claims of a sovereign state of Wounded Knee. There is a sovereign Oglala Sioux nation, and its laws and the decisions of its courts have been upheld by the Supreme Court of the United States. But the small band of hoodlums from all over the country who have taken over a village at gunpoint does not represent the Oglala Sioux nation. They do not speak for the Oglala Sioux people. They do not even belong to the Oglala Sioux Tribe.

The Oglala Sioux Tribe is a sovereign nation, recognized by the United States, and governing its own affairs. We have laws and we have regulations, and we abide by them. According to the constitution of the Oglala Sioux Tribe, the Tribal Council, elected by the people of the Tribe, has the power to negotiate on behalf of the Tribe. The negotiations you hear about on the news every day do not involve the Oglala Sioux Tribe. These negotiations are between a federal government that apparently prefers to abdicate its responsibility to the lawful and law-abiding inhabitants of this reservation and a group of militant dissidents who have never learned any responsibility and take what they can get at the point of a gun while hiding behind women and children.

The tribal council is the duly elected, lawful representative of the Oglala Sioux. And the council is ignored in these so-called negotiations. Consequently, the members of this tribe cannot and will not be bound by any agreement reached between the federal government and members of AIM.

The tribal council has not been consulted by the federal law enforcement officers or by the justice officials. We have been simply ignored while two groups of outsiders have sealed off a large part of our reservation and exchange idle threats and ultimatums. Those negotiations are meaningless and any attempt to recognize AIM as a legitimate organization is and will be considered by the tribe as ridiculous.

This situation is no different than if a group of Black Panthers took over a village in the Congo and declared themselves a sovereign African state.

What is really happening at Wounded Knee is a group of unemployed Indians from cities all over the country are trying to create a reservation by sealing off part of the land that belongs to this tribe and holding it by threat of force. It is absurd and would be considered ridiculous if they had not dispossessed dozens of law-abiding citizens.

HOW CAN YOU KEEP THE LADS ON THE FARM?

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ZWACH. Mr. Speaker, there has developed a substantial trend of migration into our big cities leaving our countryside behind.

In the Congress the need for rural development has been recognized, but the going is slow. Presently, rules and regulations are being developed by the Department of Agriculture, and the House Appropriations Committee is working on the needed funding.

Mrs. Madonna Kellar, editor of the Heron Lake News, a weekly newspaper in my sixth district of Minnesota, writes about why rural America is the place to be. Her description provides yet another argument for reversing the migration to the cities and provides incentive to keep the lads on the farm.

Mr. Speaker, I would like to insert Mrs. Kellar's editorial into the RECORD and commend its reading to all my colleagues:

HOW CAN YOU KEEP THE LADS ON THE FARM?

While traveling the highways in the natural business of newspapering, one is reminded of the author who wrote "The House With Nobody In It." Nothing looks worse and more depressing than empty farm houses void of windows, porches falling off and perhaps a torn shade at a window which has once housed a happy family.

High weeds grow rampant in the spring and summer and each year the building deteriorates more. This doesn't contribute very much to our environmental picture. It would seem that owners of such property would raze such buildings to make way for new structures or just well-mowed grass.

Each empty farm house designates another family who has given up the struggle for economic success as tillers of the soil. They have either been too small an operator to survive or have found the going too rough because big enterprise has made it so. What a pity that a family is deprived of a decent subsistence in an area of independence and natural life!

What a joy for children to live where they can have pets, belong to 4-H, build tree houses without complaints of neighbors, build dams across the farmstead creek, build snow huts in the winter time and whatever other pursuits the liberty of farm living will allow.

There doesn't seem to be any way to stem the tide of migration from the farms and hope for a reversal in present trends is very dim. However, with the great 4-H and FFA programs becoming more progressive every year, perhaps there are more young people becoming interested in following agricultural pursuits than there were a few years ago.

If there was a way of keeping the sons of today's progressive farmers on the farm it would build the forces of young farmers to a great extent. Making agriculture as attractive as can be will cause the young man just out of high school to consider farming ahead of moving to a metropolitan area. The lure of high wages is hard to combat with the promise of long and grueling hours of working with livestock and gambling against the odds of bad weather, but the amount of satisfaction and personal freedom weighs heavy in the balance.

THE CRIME COMMITTEE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. LEHMAN. Mr. Speaker, an article appeared in the April 7 issue of the New Republic regarding the Select Committee on Crime. The article points up the excellent record of the select committee and does not neglect to mention the jurisdictional problems that the creation of the select committee sought to overcome.

I commend this article to the attention of my colleagues:

THE CRIME COMMITTEE

The House Select Committee on Crime, formed in May 1969, was charged to look into "all aspects and elements of crime" in the United States and to present the House "such recommendations as it deems advisable."

The House went outside its standing committee structure in large measure because of the widespread feeling that the Judiciary Committee, then chaired by Representative Emanuel Celler (D, NY), had failed to use its investigatory powers to probe criminal activities. The select committee mechanism also had the virtue of by-passing the jurisdictional dilemma almost sure to result had one of the standing committees sought to preempt the field. Although "crime" might appear to be a natural for Judiciary, crime in the schools lies in the province of Education and Labor, and heroin trafficking would belong to Interstate and Foreign Commerce. The Select Committee on Crime, a temporary body initially given a two-year mandate, thus provided the House with a means to investigate what Americans had defined as our number one problem without provoking the sort of border war which could have been started had jurisdictional lines been crossed by a standing committee. In 1971 Chairman Claude Pepper (D, Fla.) won for his committee a second—and, as it turned out, final—two-year mandate.

Because a select committee cannot frame legislation, its principal function is informative. But Congress is so glutted with paper from its own committees, the executive branch and private groups its does not have the time to read, let alone digest, all of it. So information and recommendations by themselves must be regarded as ineffective vehicles for change, as the dust gathering on the reports of so many presidential commissions will attest. Precluded by charter from wielding legislative power, the crime committee chose to present Congress and the American public with a close-up look at crime in the United States, in the hope that factual and dramatic inquiries and reports would create a public demand for changes in law and its enforcement. To this end the committee succeeded, perhaps too well.

Following hearings in San Francisco and Washington in 1969, the committee issued its report on amphetamines. Because controls on the drug were so lax, American pharmaceutical houses and wholesalers were selling about eight billion doses a year when the legitimate medical need for this drug could be measured in thousands of doses. Export controls were essentially nonexistent. The committee found that Bates Laboratories of Chicago had shipped about 15 million doses of amphetamine to the post office box of a fictious drug store in Tijuana, Mexico. Elsewhere millions of doses of the drug seized by federal officers in the United States still bore the brand name of the Mexican subsidiary of Pennwalt Corporation's Strasenburgh Prescription Products division. Because of such incidents Pepper sought to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to require that the drug be manufactured and sold under the strict security and recordkeeping controls of Schedule II of the act. Drug lobbyists and their congressional allies teamed up to kill the amendment. Two years later the Nixon administration put amphetamines under Schedule II and cut annual production quotas 82 percent; this year they were cut 60 percent from last year's level.

In its report on the heroin trade, the committee examined the records of corporations and retail outlets which sold products used to dilute and package heroin. Committee investigators found one drug store in Harlem which over a three-year period had sold four tons of mannite (a laxative compound often used to cut heroin), 40,000 ounces of quinine hydrochloride (another heroin diluent), 47 million small "glassine" envelopes (heroin "bags") and 55 million small gelatin capsules. Under questioning by committee members and counsel, the wholesalers and retailers were disingenuous: if the products were themselves "legal," they asked, why shouldn't they sell them? Today 34 states have laws controlling heroin paraphernalia which were patterned after the committee's model law.

The committee held hearings in seven cities to learn about drugs in the elementary and secondary schools and found that barbiturates were as easy to buy at some schools as notepaper. Because virtually all such drugs originate in American pharmaceutical houses, the committee recommended that the nine fast-acting barbiturates, which are the ones most prone to abuse, be put under the strict controls of Schedule II of the 1970 drug law. These hearings also led the committee to conclude that TV advertising glorifying the magic of legitimate drugs could have harmful psychological effects on children. When it became known that the committee would recommend banning all TV drug advertising during the hours children would be most likely to see them, the networks, which would stand to lose hundreds of millions of dollars in painkiller ads, arrayed their guns against the committee.

The committee investigated two cases involving the conversion of worthless securities into cash and found that two of the nation's greatest business firms had, through their negligence, misled the investing public. The firm of Dun & Bradstreet, for example, had verified the nonexistent assets claimed by the fraudulent Baptist Foundation of America: an imaginary $19 million. In the other case, the committee learned that the accounting firm of Peat, Marwick, Mitchell and Company had accepted, without scrutiny, an outside auditor's report on Dumont Datacomp Inc. The auditor was later found to have been in collusion with the company in its illegal stock manipulation.

The House Select Committee on Crime collected powerful enemies. The lobbyists, of course, needed help on the inside to do the committee in, and they found no dearth of willing allies. Petty jealousies over the publicity the committee received, the ambition of the new Judiciary Committee chairman, Rep. Peter Rodino (D, NJ), and heavy axwielding by the House leadership combined to produce the not-so-clean kill.

NATIONAL JEEP SEARCH AND RESCUE WEEK JUNE 21–24, 1973, IN MISSOULA, MONT.

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. SHOUP. Mr. Speaker, I am pleased to announce Missoula, Mont., which is in my First Congressional District, has been chosen the site for the 13th annual National Jeep Search and Rescue convention.

The National Jeep Search and Rescue Association is a national organization dedicated to the support of law enforcement and distinguished service to the community. The association is equipped to handle almost any emergency, whether it is a lost child, downed aircraft, military or civilian, traffic control or riots.

Because of our increased use of leisure time the people of our great Nation have become more mobile than ever before in our history. Thousands of people each year are visiting our great outdoors and consequently emergencies often occur resulting in immediate action of professional rescue teams. The association was founded in 1960 for the purpose of providing professional assistance in searching for lost individuals or other emergencies requiring their expertise.

The members of the association receive no compensatory reward, and purchase their own supplies and equipment. These dedicated men are well trained in their work and are prepared to respond for any emergency, any time of day or night. Many times lives depend on the speed in which they respond. With their professional training and experiences, one may assume, without reservation, they are the most efficient search and rescue organization in the world—dedicated to the conservation of human lives.

The aims and objectives of the National Jeep Search and Rescue Association are:

First. To associate jeep posses or patrols, loyal to the United States and interested in recreation and public service.

Second. To serve the public welfare in any disaster, catastrophe or emergency.

Third. To render aid when called upon, to local governmental law enforcement and governing agencies.

Fourth. To render aid and assistance to all persons in difficulties or in distress when met on the road or in the field.

Fifth. To coordinate local jeep posses or patrols to the end that techniques and applications are exchanged and/or consolidated to strengthen the local as well as the national association.

Because of the very nature of the dedicated service to others in time of need, it is strongly recommended that the members of this professional association be recognized, in that they shall be able to continue their excellent efforts on a high qualitative level in the future as they have in the past.

Therefore, I would like to take this opportunity to propose the concurrent resolution proclaiming the week of June 21–24, 1973, as National Jeep Search and Rescue Week.

I have been advised by the White House that the President would be interested in acting on this resolution once it is passed. So I urge my colleagues to act favorably and swiftly on this important resolution.

The resolution follows:

H. CON. RES. 180

Concurrent resolution requesting the President to proclaim June 21 through 24, 1973, as "National Jeep Search and Rescue Days"

Resolved by the House of Representatives (the Senate concurring), That the President is requested to issue a proclamation designating the days of June 21 through 24, 1973, as "National Jeep Search and Rescue Days," and calling upon the people of the United States to observe such days with appropriate ceremonies and activities.

SEND OUR WIVES TO WASHINGTON

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. DERWINSKI. Mr. Speaker, a recent column in the Palos Regional of March 22, a publication serving the growing communities in southwest suburban Cook County, is noteworthy because of the imaginative, delightful, yet practical commentary on the subject of international currency strength. The

column was written by Vic Thorton, a civic leader who lends his talents to this unique column. I insert it into the RECORD for the enlightment of the Members:

SEND OUR WIVES TO WASHINGTON

(By Vic Thorton)

The American dollar is down. The Dutch guilder is up. And the Japanese yen is floating. It is all very bewildering to those of us unschooled in international finance.

Such things as "tariff cuts", "revaluation", "trade deficits" and "balance of payments" are way over our heads. As for the "classicist theory" versus the "monetarist theory", well, don't ask us about that, either.

And we scarcely know much more about "devaluation", although it must be the thing to do, because President Nixon—as we read it—has twice devalued the dollar in 14 months.

But if devaluation of the dollar is going to be our country's course, then we say we ought to have someone making the decisions who really knows something about devaluation.

We mean, people like Professor Shultz and the other three guys who make up the White House economic quadriad are O.K., but what do they really know about devaluation, say, compared to a woman?

Furthermore, in this day and age of women's lib and equal rights, why shouldn't there be a female on the council?

There should, of course, and that brings us to our nominee: the wife.

Now, here is a gal who, as long as we've known her, has held the dollar in utter contempt. To her, dollars are just dirty pieces of green paper that should be disposed of as fast as possible. And if this isn't devaluation, what is?

And she not only devaluates them, she demeans them, dismembers them, denudes them, decimates them, desecrates them, dissipates them and disowns them. She is, in the jargon of the economics, "a class devaluator"; and we contend she should be attending those high-level monetary meetings in Washington these days.

And not only attending the meetings and helping make fiduciary policy at a salary of 40,000 devalued dollars a year, but also winning that top medal the President occasionally awards to some of the nation's outstanding civilians.

And why not?

Here is a trendsetter—an American citizen who was advocating devaluation of the dollar long, long before the president got around to doing it. She has to be by all monetary measures some kind of super patriot!

Hopefully, the medal she so much deserves is one of solid gold. For with gold going at $90 an ounce these days, the melting down of the medal and selling it in Switzerland when she isn't looking, would go a ways—at least—toward replenishing some of those family greenbacks she has been banishing so mercilessly all these years.

PROTECTION OF DOLPHIN AND PORPOISE NEEDED NOW

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. WHITEHURST. Mr. Speaker, an article in the April 1973 Sports Afield magazine has come to my attention which reveals the immediate need for congressional action to extend protection to the dolphin and porpoise. Literally hundreds of thousands of these ocean mammals are needlessly slaughtered and dumped overboard at sea. Indeed, techniques apparently are being used which maximize the number of these animals killed while harvesting fish.

Such action is hardly the shining point of the tuna industry. The porpoise, one of the most intelligent creatures on earth and a record of friendship toward man, is becoming fearful of man's activities. And well he should. Boats are used to force porpoises into large nets in an effort to increase the catch of tuna. The porpoise, unable to surface and breathe, is drowned.

The tuna industry, faced with a need to increase productivity, has turned to the use of huge nets. But I believe action can be taken to substantially reduce these needless deaths, and possibly eliminate them altogether.

I have introduced a bill, H.R. 5753, which could provide help to both the porpoise and dolphin, and the fishing industry. The bill has been referred to the Merchant Marine and Fisheries Committee, 1334 Longworth Building. Section 2 of the bill calls for an immediate moratorium on the killing of these animals in all territorial waters of the United States. The moratorium would be in effect until a study of the dolphin and porpoise is completed and appropriate legislation implemented.

The study would be made by the Secretary of the Interior, in cooperation with the States. It would take into consideration, among other things, the distribution, migrations, and population of these mammals and the effects of hunting, fishing, disease, pesticides and other chemicals, and food shortages on them, for the purpose of developing adequate and effective measures, including appropriate laws, regulations, and international agreements, to conserve the mammals, and insure humane treatment.

The fishing industry would also benefit from the results of the study, gaining a better understanding of the mammals and their function in the ocean.

Recommendations from the Department of the Interior, including suggested legislation, are to be submitted to Congress by January 1, 1977.

I ask those interested in protecting these intelligent creatures of the ocean to voice their views to industry and government.

I insert the Sports Afield article at this point in the RECORD.

PORPOISES

In our December *Sports Afield* Almanac, we called attention to the fact that commercial tuna fishermen in the Pacific Ocean had killed so many porpoises that this once-friendly animal is now avoiding humans for the first time in the memory of man.

The most reliable figures from the Department of the Interior and from the tuna industry itself, indicate that the porpoise mortality rate is in excess of 200,000 annually. They are not, however, being hacked to death to free them from nets, as was reported.

Instead, they are drowned because they become entrapped in huge purse seines. Unable to breathe as they are hauled in with a catch of tuna, they die and are tossed overboard at the rate of about 60 in each set of the seine.

According to an article in *Christian Science Monitor*, the porpoise mortality rate in recent years was an estimated 315,000 in 1970, and more than 200,000 in 1971. Further, an item in *Science News* pointed out that the problem arose in the early 1960s when the tuna fleet converted from pole-and-line fishing to the massive seines.

So, it is not illogical to assume that upwards of a million have died in the nets of commercial tuna boats since they discovered that porpoises and tuna tend to travel together because they feed on the same fish. To augment the catch of tuna, with an accompanying higher mortality of porpoises, seiners employ high-speed motorboats to herd the porpoises into the seines knowing the tuna will follow.

It is not the intent of *Sports Afield* to unfairly indict the tuna industry. Through educational programs, uses of a special release net and a "backing down" maneuver to assist porpoises to escape, the industry is taking steps to reduce porpoise mortality.

It is, however, the intent of *Sports Afield* to call public attention to the fact that the Marine Mammal Protection Act allows the continued killing of porpoises while a study is being made to see what can be done to reduce the mortality.

Also, we would like to point out that the nation's tuna industry is a powerful segment of our economy with retail sales of over $600 million annually, and a fleet valued at some $400 million.

It comes down to the question of what value we place on the porpoise—possibly the world's most highly-intelligent creature—and historically a friendly ally of man.

The porpoise has no multi-million dollar lobby to speak for it in Washington, so we choose to speak out for it in *Sports Afield*. We contend that the world could easily find a substitute for a can of tuna, but it would be a much smaller, colder, calloused planet if the porpoise were decimated.

If you agree, write to your representatives in Washington. Tell them you'd like to see the killings of porpoises stopped *now*, not after interminable studies are being made and pondered in committee rooms.

VA PROMOTES VOCATIONAL TRAINING FOR YOUTH

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. GOLDWATER. Mr. Speaker, every now and then there occurs a fortuitous coincidence of events, which, when brought together in the right manner, will not only provide solutions to problems at hand, but will create benefits even beyond those solutions.

One of these events has just started to happen in Los Angeles. There the VA has entered into an agreement with the William S. Hart High School to help with the vocational training of young men. The project got underway on March 13.

This new project resembles another earlier venture where the VA, in cooperation with several other Federal and State agencies, and a San Jose high school district had a program of training young men and women of the Neighborhood Youth Corps in repairing and renovating single family residential properties. The San Jose project was remarkably successful.

The new project will afford a sheltered work experience format for young men and, perhaps later on, young women, selected from socially and economically

disadvantaged backgrounds. VA makes available properties acquired from defaulted GI loans, and the young men, working under skilled supervision, learn how to paint, fix floors, and make minor repairs. VA also pays for all the equipment and materials. Any other expenses are being borne by the school district. The participating students are volunteers.

Based on earlier experience, the new project should soon become a beehive of activity, with the participating students learning basic skills and the care and use of tools. The young men can be expected to work enthusiastically and learn quickly.

In the San Jose project, the efforts and energy displayed by the young people was infectious and the neighborhood soon saw clean up, painting and other chores being performed by the owners and occupants of nearby homes. In short, the project was successful in all respects and there should be no need to expound upon the implications of social gains. The self esteem gained by the students, the useful skills acquired, the learning to cooperate with others in a useful endeavor, and the instilling of pride in the neighborhood added up to an exercise in good citizenship.

The VA anticipates expanding the program to other school districts as arrangements can be made. This latest project has every chance of success, and, having no small importance in such prospect is the fact that skilled supervision will always be present. Mr. Gordon Elliott, Director of the Los Angeles VA Regional Office, has had first hand knowledge in overseeing such programs, having been associated with the San Francisco VA Regional Office, at the time of the San Jose project.

The VA is highly enthused about the potential afforded by such projects which afford the opportunity of being a participant in activities providing for public needs.

MAN CANNOT LIVE BY BREAD ALONE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HUNGATE. Mr. Speaker, the meat boycott has inspired Art Buchwald, who suggests a means of lowering costs of telephones, gasoline, and electricity. I am sure one suggestion is just as sensible and/or ridiculous as the other.

The article follows:

MAN CANNOT LIVE BY BREAD ALONE

(By Art Buchwald)

It was the fifth day of our meat boycott and the family was sitting around the dining room table wiping up the gravy from the cheese and turnip casserole that my wife had prepared for us. You could see the pride in the children's faces. They had survived almost a week without meat—and they knew they had struck a great blow for lower food prices.

"I don't even miss meat," my daughter Jennifer said.

"I don't even miss chicken," my daughter Connie agreed.

My son Joel said, "The voice of the consumer has been heard in the land."

"Then you all agree," I asked, "that boycotts are the best way of showing our discontent over high prices?"

Everyone agreed.

"The reason I raise the question," I said "is that the telephone company is thinking of doubling the price of a call from 10 to 20 cents. This would be an increase of 100 per cent and I think if they do it we should boycott the telephone system."

The family looked at me as if I had gone mad.

"Boycott the telephone company?" Jennifer said. "But how could I talk to my friends?"

"You could write them letters," I suggested.

"No one writes anyone letters anymore," Connie said.

"Even if they did," Joel said, "they'd never be delivered."

My wife, who never knows when I'm kidding, said, "Are you serious about boycotting the phone company?"

"Dead serious," I said. "We've got to bring them to their knees. We've got to bring the cost of a telephone call down, down, down."

"I won't do it," Jennifer shouted. "I won't give up the telephone."

"You gave up meat," I said.

"Meat is just food," she shouted. "The telephone is my life."

Connie yelled, "We'd die without the telephone."

Joel agreed. "Man has to communicate by phone or his ear will wither away."

My wife said, "I'll give up one or the other but I won't give up both meat and the telephone."

"Nevertheless," I said, "if we're going to stick by our principles we will have to boycott the telephone company, just as we will have to boycott the gasoline stations when they raise the price of gas."

"Raise the price of gas?" Joel said. "What am I going to do with my car?"

"Keep it in the garage until the gasoline companies see the error of their ways."

"How do I get to school?" Connie said.

"Take the bus."

"What's a bus?" Connie demanded.

"Don't be smart," I said. "If we're going to give up meat because they raised the prices on us, we're going to give up the telephone and gasoline. And if they raise electricity we'll give up airconditioning."

"But we have to have airconditioning," Jennifer said.

"Look, prices are going up on everything. Why should we just sock it to the farmer? If we really want our voices heard we've got to sock the phone company, the gasoline companies, the power companies and anyone else who thinks they can horse around with our household budget. I say we're either in the boycott business for real or we get out of it altogether. Now what do you say?"

My wife sighed, "I'll order a pork roast from the butcher tomorrow morning."

SOVIET JEWRY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. WALDIE. Mr. Speaker, Soviet Jewry remains under constant attack and harassment.

At present, a trial is taking place in Russia involving a Soviet Jew.

The circumstances surrounding the trial are not pleasant nor do they indicate a relaxation of the policy of harassment of Soviet Jews.

The information follows:

SOVIET JEWRY

Isaac Shkolnik is a Soviet Jew. He sought to emigrate to Israel under his rights guaranteed by article 13(2) of the Universal Declaration of Human Rights to which the Soviet Union is a signatory and which states, "Every person has the right to leave any country, including his own, and to return to his country."

Today, Isaac Shkolnik is standing trial in the Soviet Union for the charge of treason under Article 64 of the Soviet criminal code. It is a charge punishable by death or by 10 to 15 years imprisonment with confiscation of property and with or without additional exile for 2 to 5 years. A man stands condemned possibly to die or to face long years imprisonment with his people in Israel. His trial began on March 29.

Isaac Shkolnik is a 36 year old mechanic from the Ukrainian city of Vinnitsa. He is married and has one daughter. In 1966–1967 Shkolnik made friends with a group of Englishmen who were working at a neighboring chemical plant in Vinnitsa installing some equipment that the Soviets had purchased in England. The Soviet secret police (the KGB) warned him not to become too friendly with the foreigners. The crime of treason was eventually based on the claim that the visiting card of one of the British businessmen was found in Shkolnik's apartment and thus he was accused of "Industrial sabotage."

Suspiciously, it was not until July 17, 1972 that Isaac Shkolnik was arrested . . . five years after the alleged crimes, and only after he stated his desire to emigrate to Israel. Originally, he was charged with Article 190 (slandering the Soviet state and Social order). Later, the charges were changed to Article 64 (Treason), and Article 70 (anti-Soviet agitation and propaganda) for which Shkolnik faces an additional sentence of up to 7 years with or without exile of two to five years. Jewish sources in the Soviet Union pointed out that Shkolnik, working as a mechanic, did not possess either the training or the opportunity to commit the offense with which he was charged. Additionally, his wife asserts that her husband always met the Englishmen in completely open places.

There are many strange circumstances surrounding the trial. As evidence of his "crime", the KGB confiscated a transistor radio which they claimed was tuned into a "hostile station", the Voice of America. Additionally, they cited his invitation from his relatives in Israel to join them as evidence of his being guilty of the "crimes". Shkolnik, never received his invitation because it was confiscated by the state. Witnesses were called and pressured by the KGB to give evidence of the accused "anti-Soviet activities"; many were threatened with dismissal from work or charges of refusing to give evidence or of giving false evidence, if they did not cooperate with investigators. When he was first arrested, an attempt was made to place him in a mental hospital for these "crimes". When he was first charged, he was accused of spying for the British. Now that has evidently been changed to spying for the Israelis. The trial is actually being held in the form of a military tribunal. It is a closed trial with his own family being barred from the courtroom. The attorney Mrs. Shkolnik found for her husband was rejected for "not having appropriate credentials". The court appointed an attorney for her husband's defense a man who formerly served as a prosecutor. His attorney has been complaining bitterly that it is difficult to defend Shkolnik because he refuses to cooperate and admit his guilt. This is the defense of a man on trial for his life.

In view of the facts of this case, one has to rethink the question of increased trade benefits for the Soviets very seriously. Can we remain silent when a nation is guilty of such a miscarriage of justice.

INTRODUCTION OF LEGISLATION TO ESTABLISH A NEW ENGLAND REGIONAL COMMISSION AND FOR RELATED PURPOSES

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HARRINGTON. Mr. Speaker, I feel that the extension of the Public Works and Economic Development Act is especially essential to economic growth since general revenue sharing is only in its test period, special revenue sharing legislation is uncertain, and the Rural Development Act cannot be fully implemented for a number of months.

The section of the Public Works and Economic Development Act that is of special importance to me is title V, which established the New England Regional Commission.

Yet it has become clear that the New England Regional Commission has failed totally to accomplish any of its objectives.

High unemployment, aging industries and astronomical energy costs are only a few examples of the problems that have not been solved. The Commission is riddled with overpaid employees who were appointed to its staff with no thought given to their experience or competence. The Commission has become a convenient vehicle for the handing out of expensive rewards for political favors.

However, I feel that regionalism is an excellent and viable concept in eliminating the economic difficulties which face us today.

The problems of New England are not restricted to any one State. They are unique to the region as a whole. Therefore, I believe the New England Regional Commission can solve this fundamental crisis which confronts us if the following changes are made:

First. The Executive Committee should be required to approve all grants and programs of the Commission and all executive staff appointments—$10,000 or more and salary;

Second. Monthly meetings of the Executive Committee and quarterly meetings of the Commission should be mandated;

Third. All staff appointees must pass appropriate civil service examinations and shall be paid in accordance with civil service salaries; and

Fourth. The programs approved by the Commission must be geared specifically to improve the economic development of the region and must be chosen on a priority rating system.

Fifth. Congressmen from New England must become more involved in the activities of the Commission.

I would now like to present the background of the Commission, why it failed, and expand on what can be done to improve the situation.

BACKGROUND

The New England Regional Commission—NERC—was established under title V of the 1965 Public Works and Economic Development Act. The regional commissions are charged with developing long range comprehensive programs for the region, coordinating Federal and State economic activity, and increasing private investment. Action is required by law in two areas—legislation and planning. According to the NERC 1972 annual report, programs are chosen on the basis of three main concepts:

First, preference is given to programs that are regional in nature and respond to the common problems of the six States;

Second, programs are stressed which have a direct impact on employment and income of New England residents, and which make significant improvements in the services and facilities to support development; and

Finally, the Commission tries to use its resources as a catalyst for new ideas and programs.

They have failed in all three areas.

WHY THE FAILURE?

As of last November, NERC had the largest staff—38—and paid the highest salaries—the average is $19,000—of all the regional commissions. Yet the Commission is a failure. It has failed totally in two areas where action is required by law—legislation and planning.

We owe a debt of gratitude to the Boston Globe Spotlight Team for uncovering some of the glaring failures of NERC and expanding our knowledge of the problem.

According to the Globe, the Commission has spent less than one percent of its Federal funds on business development and this program called the New England Industrial Resource Development—NEIRD—had failed by October of 1972 to produce one new company or job.

Most of the money has gone to ongoing programs which are initiated by other agencies and have little or no regional impact. For example, the publication of "Venture Capital" by the New England Industrial Resource Development. The publication costs $59,000 and contains information on 100 firms which are in the business of lending money to prospective entrepreneurs. There was a similar book by a Chicago firm called "Guide to Venture Capital Sources" which had listed 86 of the 100 firms in "Venture Capital."

Until recently, the Commission has been run sporadically by the six Governors of New England. They have not exercised any real control over the Commission. Referring to the lack of oversight, Governor Licth of Rhode Island said, "I have a feeling that many things are being studied to death"—Providence Journal account of a meeting held July 7 at Mystic, Conn. This situation has been corrected, but we must be watchful and make sure past problems do not recur.

There are only three staff members with backgrounds in economics or planning.

All technical problems and research are done by highly priced outside consultants. There is no civil service exam requirement with the result that there is no staff expertise. The Commission had to spend $100,000 to have its long overdue 5-year economic plan drawn up by four outside consultants. A review of the Commission prepared for the U.S. Commerce Department by A. D. Little, Inc., found uniform negative results stemming from token Federal funding, rapid staff turnover, blurred lines of authority and mutual indifference between Commission and Federal funding agencies. The review found that the Commission's programs have little or no followup.

Of all the regional economic development plans in the country, NERC was the last one completed. This long overdue economic plan is filled with inaccuracies and inconsistencies. The plan called for 127,000 new workers which must be immigrated into New England before economic development can begin and then later in the report said that labor force is sufficient to handle any economic expansion.

The plan asks for $1.5 billion for the next 5 years. This is an increase of 5,000 percent.

WHAT CAN BE DONE?

Blame for the failure of the Commission lies in two places. One is with the executive branches of both the Federal and State governments. NERC has never been taken seriously by either of these groups. It is just a high level political payoff, a sophisticated pork barrel. NERC, it seems to me, was never considered an important tool to use in solving the major problems of the region.

Responsibility for NERC's failure also rests with Congress, especially with the members of our New England delegation. We offered little leadership or guidance—set no priorities. By ignoring the Commission, we allowed it to deteriorate into the kind of organization it became.

It would be a mistake to simply abandon NERC. New England's problems call for the kind of regional solutions that NERC can help coordinate. In my view, one of the most important functions for the Commission is to encourage the attraction of growth industries to New England. The First National Bank of Boston has already laid the groundwork by identifying the kinds of industries that would contribute to the region's economic health. The Commission should work toward creating an economic climate that would encourage the attraction of these industries.

This effort should include programs designed to make the cost of energy in the region more competitive with other regions of the country; and a job bank with job placement and manpower training programs to coordinate and provide the kinds of skills needed by new industries. Other ideas the Commission might concern itself with would include a regional development bank, equalizing rail rates as compared to other areas of the country, strengthening the New England Energy Policy Staff, and legislation to offer tax breaks for firms which locate in severely depressed areas.

A second equally important area the Commission should devote its resources

to is a regionwide land use policy, especially a coastal zone management policy. One of New England's greatest assets, both from an aesthetic and economic viewpoint, is its seacoast. Any program of economic expansion must go hand-in-hand with an equally well-developed program of environmental protection and land managment.

Last March, I testified before your committee on the New England economy. At that time, I stressed the need for an agency—like NERC—one that could coordinate the activities of numerous Federal, State, local, and private groups toward the attainment of specific goals.

I still believe we need that kind of agency in New England. New England's economic problems are unique. We are at a natural economic disadvantage in such areas as climate, location and lack of resources.

For example, all States shared in the Nixon recession of 1970 and most are now recovering rapidly. New England's economic recovery, however, is proving laggardly at best. Although the national unemployment rate in December declined to around 5 percent, it was 5.7 percent in Connecticut, 6.4 in Maine, 4.3 in New Hampshire, 5.8 in Rhode Island, and 6.1 in Vermont. Massachusetts had the highest of the New England States at a 7.1 unemployment rate.

New England has the highest electrical costs in the country. Our area is making gains in new durable industries—that is, electrical machinery, scientific instruments—at a rate only one-half as much as the rest of the country and most of these are on the precarious base of Federal purchases.

But New England can and must be helped. A recent study by the First National Bank of Boston pointed out that right now New England enjoys a comparative advantage in the fields of pollution control devices, biomedical technology, and the computer peripheral industry.

These industries have one thing in common—they are unlike traditional manufacturing industries which manufacture goods primarily bought by the individual consumer for their individual needs. The products they help produce are called social goods in that they benefit the whole society rather than an individual consumer.

New England is an ideal candidate for regional development. It is a microcosm of the United States. Three States are heavily metropolitan, three States are characterized by small towns in a rural setting. The region suffers from all of the problems that affect the Nation as a whole. Its air and water are polluted in many areas. Its infrastructure is growing obsolete—new roads, rapid transit systems, port facilities, electric generating units, all are badly needed. There is room available for the creation of new towns to relieve urban congestion. And most important, there is a highly skilled labor force that can adopt to meet these new priorities.

Only an intergovernmental body, operating with a broad and flexible mandate, will be able to coordinate the activities of many diverse agencies, governments, and industries, to achieve meaningful results.

However, I believe that it is necessary to make certain structural changes in the management and operation of the Commission for it to be truly worthwhile. The principle fault with the NERC has been a lack of supervision and direction from the New England governors and the congressional delegation. These groups must play a more active role in the day-to-day operations of NERC.

We must devise a mechanism to permit and encourage congressional input into Commission policy; this would have the effect of strengthening the Commission's position with the committees of Congress responsible for its authority and appropriation.

Finally, all staff appointees must pass appropriate civil service exams and shall be paid in accordance with civil service salaries. This reform should increase the technical qualifications of the staff and make their pay more reasonable and more in line with the pay of similar professionals elsewhere in society—thus making the Commission staff a less appealing political payoff.

The reforms I have suggested will not solve the problems of the Commission in and of themselves. To reserve the downward trend of New England's economy it is necessary that the public, political, and business communities become aware of and accept the basic concepts on which the Commission was formed. But the reforms I offer will create the opportunity of a more productive Regional Commission which we all recognize as something that is sorely needed.

A SHOT OF PENICILLIN FOR OUR SCHOOLS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. QUIE. Mr. Speaker, this morning Dr. Dale Parnell, Oregon State superintendent of public instruction, testified before the General Education Subcommittee of the Committee on Education and Labor in support of H.R. 5163, a bill I introduced March 5, 1973, to amend title I of the Elementary and Secondary Education Act of 1965. Dr. Parnell's statement is clear, concise, and easily readable. I commend it to your attention:

STATEMENT BY DR. DALE PARNELL

Mr. Chairman, Ladies and Gentlemen of the Committee, and Distinguished Guests:

This opportunity to comment upon H.R. 5163 at the invitation of your chairman is much appreciated. I am happy to explain my reasons for strongly supporting these amendments to Title I of the Elementary and Secondary Education Act of 1965. My remarks are based upon my experiences and observations as a father of five, a first grade teacher, teacher and administrator at other levels, community college president, state superintendent, and chairman of the National Advisory Council on Equality of Educational Opportunity. (I should note that I am not speaking on behalf of the Council, but in my capacity as an individual who was recently appointed chairman of the Council.)

The introduction to Congressman Quie's bill has a self-contained rationale for supporting this measure; it really says it all: H.R. 5163 would "provide for a more concerted and *individualized* attack on educational disadvantage based upon *assessments* of educational proficiency." (Emphasis mine.)

This bill would do for educational problems what penicillin does for medical problems: it would strike directly at the source of the infection of nonachievement in the specific and absolutely crucial areas of reading and mathematics. The original Title I of ESEA was more similar to aspirin in its approach to student nonachievement. It diffused medicine in terms of doses of dollars about the same unspecific way in which aspirin "works"—sometimes it gets to the source of the pain and sometimes it doesn't, and nobody really knows why or how.

No one underrates the value of aspirin, and in no way am I underestimating the value of Title I, ESEA, as it has developed over the past 18 years. However, I want to state at the outset that I believe this nation now has reached the point when pencillin is indicated in the form of H.R. 5163.

Title I monies have brought about some noteworthy, even startling, improvements in public and private schools. The record shows that students did make grade level gains in reading and language arts in many projects. Varying degrees of success in improving student self-concepts and attitudes toward learning are reported. Title I staff can cite case history after case history of individual students who have moved from stagnant educational backwaters to clear streams of academic success. One spectacular success story in our own state involves a Title I remedial reading program in a big-city high school wherein students who were entering high school with fourth-grade reading ability in September gained four years in six weeks. For many this is the first academic success of their lives and has changed their whole attitude toward schooling. According to a University of Oregon expert * who has visited 200 programs in the United States, Europe, and other parts of the world, this one at Roosevelt High School in Portland is "the only successful high school remedial reading program I have seen." The rarity of such successful programs is in itself an indictment of the educational system's tolerance for nonachievement in the lower grades followed by frequent inability to remediate the problems in the upper grades. Remediation is the consequence of prior failure; instruction should be preventive so remediation as a technique is not needed. H.R. 5163 provides the tools for both prevention and remediation, as I will show later on in this discussion.

Besides the individual student benefits derived from Title I projects (whose value in human terms is incalculable), we can cite some other benefits that have accrued to the educational system as a whole. Through use of ESEA funds there have been noticeable changes for the better in teaching practices within many schools in our state. Programs, techniques, materials, and staffing patterns which had been developed in Title I projects have been adapted or adopted by the school districts. These changes include more individualized instruction, diagnosis and prescriptive teaching, experience approach to learning, use of teacher aides and other paraprofessionals, and additional curricular activities. Therefore, we salute the imaginative pioneers in Congress, in education, and among the American public who created and supported the Elementary and Secondary

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* Dr. Barbara Bateman, University of Oregon Department of Special Education, quoted in *The Oregonian*, Portland, March 13, 1972.

Education Act and all its ramifications. But, granting the gratifying improvements Title I has brought about, let us now discuss the logical next step: the further improvements that H.R. 5163 promises to bring about.

One of the important things we have learned from our experience with Title I programs and compensatory education generally is that the scatter-gun approach to complex problems is not enough. This approach was taken because the performance objectives were fuzzy and, therefore, the results were fuzzy. Congress never really gave clear signals as to what was expected. A Boy Scout in the woods knows where he's headed. If he doesn't, he's lost. Accountability was not built into the Elementary and Secondary Education Act to the degree possible.

What is accountability? Accountability, in education is, among other things, an attempt to build responsibility into the system so that it cannot be avoided. It means that educators should be answerable to parents for how effectively their children are being taught and answerable to taxpayers for how usefully their money is being spent. It means an end to passing the buck. Some educators fear that accountability simply means pressure for more effort on everybody's part to produce results—heavier workloads, tighter controls, and the like.

Actually, accountability means working smarter, not harder. How do we mobilize resources for most effective use? How do we reorder priorities to focus what we have on the big problems? How do we pick the right problems so that we don't go rushing off to costly solutions or gimmicks that don't really fit the problem? Most of the pitfalls center on the misunderstanding and misapplication of measurement and evaluation. This can be avoided by carefully matching the available measurement tools to the objective desired. Measurement is the handmaiden of instruction. Without measurement there cannot be evaluation. Without evaluation there cannot be feedback. Without feedback there cannot be good knowledge of results. Without knowledge of results there cannot be systematic improvement in learning. To make schools accountable, educators must determine not only to whom they are accountable, but for what they are accountable. It is easy to determine to whom schools are accountable: students, parents, taxpayers, the community, local, state, and federal governments. It is somewhat more difficult to determine exactly for what schools are accountable, and still more difficult to determine whether they are succeeding.

This one reason why I support H.R. 5163. This bill enables Congress to give clear signals to educators as to those areas for which schools will be held accountable. It will require us to zero-in on some specific targets. It has built-in provisions for measurement, evaluation, feedback, and improvement in learning—all factors that make accountability possible.

A most significant requirement in H.R. 5163 is testing of children between the ages of five and seventeen, in a scientifically valid cross-section of the school-age population, to measure their performance in reading and mathematics in terms of specific criteria. This is the measurement necessary to diagnosis. I look forward with great anticipation to the hard facts, heretofore only guessed at, which such measurement will produce and which we must have before we can be held accountable for needed improvements in the teaching-learning business. The National Assessment of Educational Progress now is involved in the first large-scale effort to develop a whole series of criterion-based test items of individual knowledge.

I am sure that passage of H.R. 5163 will stimulate great progress in the whole field of criterion-referenced testing. This will enable us to get away from the old IQ stereotypes rightfully resented by many groups in our population. I would caution that the kinds of criteria used in the testing will be of utmost importance; the success of the whole concept of H.R. 5163 hinges on this. Perhaps this bill could be strengthened by requiring each state to include in the state level implementation plan an outline of evaluation procedures. The U.S. Office of Education or the National Commission on Educational Disadvantage should also be required to provide technical assistance to the states in developing appropriate evaluation instruments and procedures. In evaluation of programs, as in testing of individual achievement, the state of the art may not be completely refined but that is little reason, in my opinion, to do nothing. Surely, if we had taken the negative ("it can't be done") approach to space exploration we would still be shoveling sand on Cape Kennedy. No, to get to the moon we had clear signals and we put our national resources behind the effort. The same can be done to remedy educational deprivation.

I particularly want to commend the authors of this bill for Part C, Section 131(4) requiring an individual diagnosis for each student and an individualized written plan including goals and objectives. Let me tell you why I am so enthusiastic about measurement and diagnosis as early as possible in every child's preschool or school experience.

After I took office as state superintendent of public instruction, I decided to fill a gap in my own educational preparation and work experience. My commitment as a teacher is to the teaching-learning process. I had never taught in a primary classroom and wanted to find out what really goes on there. After all, this is where the foundation for all subsequent learning is laid. How firm that foundation determines to a large extent what will happen to each individual. And we must always keep in mind that the individual student is what education is all about—not school systems, not budgets, bonds, and buses. So I spent a full month as a first grade classroom teacher in a small Oregon town.

My experience in that job reinforces everything I have always believed about the importance of primary education. The way we have downgraded the lower grades indicates our upside-down priorities. My compensation for teaching at the graduate level was far more than I would have received (had I been paid) for teaching first grade. Yet my work with first graders was harder and more demanding. The attitude that anything goes in a primary classroom contradicts everything we know about early childhood education. We must upgrade the "down" grades! Values and basic habit patterns are usually acquired by the time a child is eight years old. An experienced teacher can quickly identify students who will probably have difficulty in school and in their lives. But is our public education system able and willing to do something about these potential difficulties? Or are we like the doctor who, after diagnosing a patient, remarked, "You are very ill. I hope you can find help somewhere in this country."

I feel so strongly that positive action must be taken to give top priority to preschool and primary education that I recommend to this committee that H.R. 5163 be amended to earmark 75 percent of the appropriation for preschool and elementary school programs with the stress on prevention rather than remediation.

If we are ever to have zero rejects in our school systems, we must zero-in on prevention measures at the primary level. We need a system in every elementary school to provide diagnosis for each student, as is envisioned in this bill. The review of his learning abilities and accomplishments then becomes the basis for prescription for individualized instruction. We also need school staff members specifically assigned to keeping track of each student's progress in the skill-getting process and for seeing that each student has access to whatever special materials or help he needs to assure that there are no gaps in the learning process. Many learning problems arise because of two simple facts: family mobility means that some students are not physically in a class long enough to learn and, secondly, mobility creates tremendous continuity problems and gaps in the learning cycle. Perhaps another amendment is needed to require school districts to identify the individual responsible for assuring continuity and gap-filling efforts in the skill-getting process for each student as part of the ongoing diagnostic work.

My approach is that each child wants to succeed and can succeed. If any child fails, the school has failed to be imaginative enough, creative enough, or resourceful enough to meet the child's needs. With systematic diagnosis and prescriptive education there are no legitimate reasons for failure—only excuses.

This emphasis on prevention, by getting at the roots of a problem, also leads to a focus on those activities that will avoid later costly headaches. This means greater emphasis on early childhood programs, reading, and basic arithmetic. Properly implemented, such programs will avoid the enormous inefficiencies created at later stages as students try to catch up through expensive compensatory programs. Success at earlier stages in basic skills will drastically cut the waste involved in millions of students sitting in classes and learning little or nothing because they haven't mastered the prerequisites or of students going through material several times that they already have clearly mastered. The diagnostic emphasis of accountability will ensure these results.

Critics say accountability systems put too much stress on basic skills that are easily measured. Not so. We emphasize basic skills because students who master them develop pride and a positive self-image, and because they're prerequisites to all other learning. Those who don't master them are doomed to failure and the destructive self-image that goes with their awareness of failure. The basic skills are essential to survival in our society—it is as starkly simple as that. I have long held that a basic aim of education is to provide students the skills and knowledges necessary to survive in the main roles each will have in life: the role of a wage earner, citizen, consumer, family member, and lifelong learner as an individual.

I want to point out here that teachers did not invent the notion of failure. Teachers did not create (in fact, usually oppose) policies that permit students to advance without mastering skills they need for subsequent steps. The responsibility for these problems rests with all segments of society, including Congress.

Now, with H.R. 5163, Congress can give us a handle on one of the major problems in education: identifying those students who have not mastered the basic skills of reading and mathematics at levels to be determined as provided in this legislation.

The second major reason why I support this legislation is that, for the first time in the nation's history, all disadvantaged students will be included under the terms of H.R. 5163. Equality of educational opportunity to develop each individual's full potential is a noble ideal. But, under the provisions of Title I, ESEA, many disadvantaged students were not counted when a school district's eligibility for Title I funds was determined. This is because income level of families as indicated by census data was the determinant in allocation of funds for programs designed to correct conditions which prevent disadvantaged students from learning at their full potential. The emphasis was on economic poverty rather than on poor educational achievement. Perhaps the awkward fact is that it is easier to measure in-

come than to measure achievement. But we are educators, not accountants; our concern is the educational development of the individual child, not the parent's wage scale. I have never been convinced that data showing the correlation of family income to student performance provides sufficient basis for the expenditures of billions of dollars. Our own experiences in the classroom give us prima facie evidence that rich middle-income children can be as disadvantaged educationally as children from poverty-level homes. This is simply a matter of human observation which has been true before and since the prophet said in Proverbs: "Better is a poor and a wise child than an old and foolish king." If our goal is helping every child achieve, the unfairness of depriving the middle-income students with disadvantages other than financial is as inequitable as *depriving the* poor because they are poor.

A recent study of schools in poor neighborhoods, interestingly enough, told how these schools raised reading levels substantially in spite of all the external handicaps. The study said these schools succeed because—

They have strong academic leadership;

They expect their students to do well;

They operate in a purposeful atmosphere and make learning pleasurable;

They emphasize reading and related diagnosis; and

They individualize instruction and evaluate student progress carefully.

All these characteristics, by the way, should be stressed throughout any accountability system.

At any rate, we should not be confusing the issue by taking it for granted that money alone is the solution to better education for economically-deprived students or, in fact, for racial minority students. It is true that economic deprivation may be one cause of a student's lack of sufficient environmental learning experiences to enable him to do well in school, of course, but again we should not confuse race with different kinds of deprivation.

Really, the beauty of H.R. 5163 is that the parent-income factor, the race factor, the cultural heritage factor, and the home environment factor are all left out of the picture and need not add any complications or confusions to the clean simplicity of this legislation. Essentially, all the bill does is provide the machinery and the money to find out which of our students are educationally disadvantaged in terms of their abilities to read and compute and to provide programs to improve those abilities. It provides for preventive measures by testing students in the early grades and giving them what they need, and it provides remediation for students tested and found wanting in the upper grades. The only qualification for students to be tested is that they be between the ages of five and seventeen, inclusive. They can be any race or color, any income-level, and in public or private schools. The program will include migrant, non-English speaking, mentally handicapped, physically handicapped, seriously emotionally disturbed, institutionalized neglected or delinquent students.

What a tremendous leap forward this will be toward America's dream of universal education! For a long time, America's educational system was largely the captive of the academically elite with everyone else getting second best. Lately, we have been spending a great deal of money to try to enable some segments of the population to "catch up"—the poor, the migrant, the Black. With H.R. 5163 we will be making the first-ever nationwide attempt to reach all educationally disadvantaged students and give them a chance to acquire those basic skills needed for survival.

Meanwhile, I want to state again my support, with the amendments I have suggested, for H.R. 5163. Finally, instead of dispensing another bottle of aspirin for America's major educational problem—the child who cannot read or compute adequately—Congress has the shining opportunity to prescribe a healing shot of penicillin right when it will do the most good.

ENERGY CRISIS CAN BE ALLEVIATED—BUT ONLY IF INCENTIVES ARE ADEQUATE TO ENCOURAGE MORE PRODUCTION OF OIL AND GAS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FISHER. Mr. Speaker, emotional outbursts and the search for scapegoats will not and cannot solve the developing energy crisis. We have arrived at that point where we must face up to realities, examine the facts, remove the roadblocks, and take those steps which can be expected to cause more oil and gas to be produced in this country.

Energy is the basis for all man's economic—and much of his social—progress. This is particularly true here in the United States. The availability of "cheap" energy has created the industrial growth and affluence that has made this country the greatest power in the world. And, at least partly, that energy availability has enabled this Nation to progress within the framework of a competitive, free enterprise society—a society which, for all of its shortcomings—represents the freest expression of modern man's right to economic independence.

Today, however, the very structure of our society is threatened—not by an outside force attacking our borders—but by a lack of planning in the development of our energy resources. We are facing a serious—indeed, a possibly catastrophic energy crisis.

Visualize, if you will, this Nation without energy—factories closed, hundreds of thousands of people without employment, produce going to waste on our farms for lack of transportation, hospitals and schools dark. It is a frightening picture—and, hopefully, it will never become a reality. But is it possible that such a disaster could happen? I ask you to judge for yourselves.

Certainly many of our people are concerned—genuinely concerned—that this possibility does exist. Letters from constituents are coming into my office in increasing numbers. They express fear that—unless prompt action is taken—they will not have the gasoline to run their cars, trucks, and tractors; that their homes may have to go unheated; or that their income may be cut off, because of work stoppages resulting from fuel shortages. These are not crank letters. They are pleas from responsible businessmen and fellow citizens for their Government to take decisive action, before such a catastrophe does become a reality.

For years now, I—and a number of my colleagues in Congress—have been warning that just such a crisis could occur. But our warnings have gone unheeded.

Nor have the warnings of responsible spokesmen in the energy industries been heard—or, when they were, their concern was attributed to selfish reasons, not to sincere interest in preventing fuel shortages. The results have been both predictable and inevitable.

Our national energy policy—if the conflicting actions taken by some Government agencies could be construed as a "policy" at all—has increased the possibility of a serious energy crisis. The hodgepodge of conflicting governmental decisions affecting America's energy industries and their ability to meet energy demands is nowhere more apparent than in the petroleum industry.

WHEN OUR TROUBLES BEGAN

Where did it all begin? It is hard to pinpoint an exact date but, certainly, the historic—and highly controversial—judgment reached by the Supreme Court in the Phillips' case was a major contributor to the present energy shortfall. As I stated at the time, the decision requiring the Federal Power Commission to regulate natural gas producers by setting the wellhead price of gas in interstate commerce, would have an exceedingly adverse effect on gas production in the United States. It was logical then—and it is logical today—that restricting the profits of the gas producers to an unreasonably low level would discourage investment in natural gas operations from exploration through marketing. You can see the results.

In 1954, the year of the landmark ruling, domestic proved gas reserves were equal to almost 23 times production. By the end of 1972, proved gas reserves—exclusive of Alaska's North Slope—were down to eight times last year's production. When the price/cost squeeze began to be felt 2 years after that ill-advised decision, exploratory drilling was at its peak in the United States. In 1956, 16,200 such wells were drilled here. Beginning with the following year, the number of wells drilled began to fall off; and, in 1971, only 6,900 exploratory wells were drilled. No one needs to be told that there is a critical shortage of natural gas—it was felt even in parts of Texas, where oil and gas production is a major industry. But, apparently, some people still do not—or will not try to—understand that the artificially low wellhead price of gas is the major reason for these shortages. The evidence is there, for everyone who will take the time to look at it. Last year, in anticipation of a rise in wellhead prices of gas by the FPC, there was a slight increase in the number of exploratory wells drilled, but the total in 1972 was still well below 50 percent of the record 1956 number.

Now you would think that the Government—and I mean by that all three branches—executive, legislative, and judicial—could arrive at a sound and direct conclusion from the decline in reserves and drilling. That conclusion could only be: we need to encourage the petroleum industry in its search for and production of the oil and gas our citizens desperately need. Right? Well let us see what did happen.

In 1969, in the face of a growing energy shortfall, the Congress slashed the percentage depletion rate for oil and gas from 27½ to 22 percent. In addition, the so-called minimum tax on tax preferences became law, and—with other changes in the tax structure—Congress added $500 million annually to the petroleum industry's Federal tax burden. That is about the cost of 5,000 exploratory wells.

I was appalled by that action. It was clearly not in the interest of the public. At a time when we should have been working hard with the oil and gas industries to help them meet consumer needs, Congress took—instead—actions to discourage investment in petroleum activities. It seems to me ironic that, in an age when we can "take a giant step forward for mankind" on the Moon, we took a giant step backward for our fellow Americans on earth.

PRECISELY WHAT CAN BE DONE

Fortunately, that step backwards is not irreversible. We can act now—and I emphasize now, for time is quickly running out—to correct the errors of the past. It will mean, however, that all of us—in Congress, the administration, the courts, industry, and in private life—must reevaluate our thinking in national interest terms. There is no longer time for provincial thinking.

Government, for its part, must establish coherent, coordinated, and comprehensive national energy policies. And these policies must be designed to encourage private enterprise to search for additional conventional energy reserves, and to develop the new energy forms we will need in the years to come. It means that Government must remove the roadblocks that are slowing—and, in some cases, preventing—our energy industries from meeting consumer demands. For example, such policies should:

Balance the protection of our environment and the energy needs of America. This does not mean we have to sacrifice one for the other. But it does call for air, water and land conservation standards which are realistic. It would not do us much good, if we were to "save" the ecology, and destroy our ability to meet economic, social and environmental goals. Both energy and the environment are important—and we need people who recognize that, and will speak out. But, we must not let the few environmental extremists dominate the dialog.

Get our energy industries out of the stalemate that the dead hand of government control has created. Let us get on with actions that permit the construction of the trans-Alaska pipeline; open up the great potential of our offshore resources to systematic and substantial development; adopt policies allowing multiple use of our lands, where the public benefit warrants; and open our coastal and inland areas for needed construction of vital deepwater ports, storage areas, pipelines, and refineries.

Deregulate the wellhead price of natural gas. I take no satisfaction in having my warnings about the outcome of Federal pricing of natural gas come true. The American people have suffered too long already from the shortsightedness of such pricing. Congress must act now to correct this most unfortunate situation.

Reevaluate our tax structure in the light of energy needs, to include tax policies which make investment in our energy industries attractive to capital markets, and which permit profit levels that encourage expansion of exploration and development activities by energy industry companies.

Encourage and assist in research and development of nonconventional energy sources, in cooperation with—but not preempting—the work of the private sector.

And the public, for its part, should strive to use our limited energy resources wisely and efficiently—in their homes, by proper insulation; in their use of personal vehicles, by developing better driving habits, and keeping their vehicles correctly tuned; and in using public transportation, where mass transit is feasible. Other economies could be achieved in agriculture, business, and Government. And all of these are important. But make no mistake about it, these economies—commendable as they are—cannot be considered a substitute to development of potential energy resources.

It will take more—much more—oil and gas to meet the demands of our people in the years ahead. Right now, we are using daily—on the average—3 gallons of oil and 300 cubic feet of natural gas for every man, woman, and child in these United States. As we strive to improve the lot of the disadvantaged in this Nation, and to meet our environmental goals, that use will necessarily increase.

If we are to avoid overdependence on foreign sources of supply—imports which could be interrupted for military or political reasons, imports which will result in an even greater deficit in our balance of trade—we must undertake an immediate and extensive program of energy development here at home. We have waited long enough to recognize this need. Now let us get on with the job.

PROPOSED EDUCATION CUTBACKS WILL SEVERELY HURT GUAM

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. WON PAT. Mr. Speaker, on behalf of the American citizens of Guam, I rise to voice my disapproval of the Department of Health, Education, and Welfare's proposed plans to eliminate many vital programs from the Elementary and Secondary Education Act and to severely lower funding for others, including the Aid to Federally Impacted School Districts Act. Should HEW's efforts take place, Guam's ability to provide an acceptable level of education for our over 26,000 students would be gravely endangered. In light of the increasing complexity of our society, this country cannot afford to be spending less on our children's education. Accordingly, I recently was pleased to testify in support of Chairman CARL PERKINS' bill, H.R. 69, which authorizes the Secretary of Health, Education, and Welfare to continue all ESEA programs at their present level of funding which Congress ordered in earlier measures. At this time, I would like to submit the text of my statement in support of H.R. 69 before the House Committee on Education and Labor for inclusion in the RECORD:

IN SUPPORT OF H.R. 69, ESEA AMENDMENT AND EXTENSION ACT

(By ANTONIO B. WON PAT)

Mr. Chairman and members of this Committee, as the Territory of Guam's first Delegate to the United States House of Representatives, I am honored to have the privilege of testifying today in support of H.R. 69, a bill to amend and extend the Elementary and Secondary Education Act.

As I know that other Members of Congress wish to testify on this measure, and as I know most of you are familiar with the geography of Guam, I will not take your time with a detailed explanation of our history. It is sufficient to say that Guam is proud to have been a part of this great country since 1898, and that the American citizens of Guam share a common concern with parents everywhere that our children will receive a decent education. It is this concern over the future of our public school systems that brings us here today, of course. In past years, the legislation which came from this Committee has assured many students across the nation of a quality education. As a former teacher and principal on Guam, I speak from first-hand knowledge when I say that without substantial Federal aid our schools on Guam would still be woefully lacking in many areas.

Now it seems, however, that there are some within the present Administration who feel that Congress has been too free with educational funds—too quick, as it were, to allocate funds to improve the education of that most cherished asset—our children.

Personally, I cannot imagine a more important national priority than providing future generations with the best education possible. But a glance at the Federal education budget proposals for Fiscal 1974 reveals that many programs which have done so much to improve education in this country are going to be eliminated unless Congress acts soon. As this Committee knows, the Department of Health, Education and Welfare has proposed to reduce funding or entirely eliminate a number of excellent programs in elementary education. Among these are aid to libraries, aid to strengthen State Departments of Education, for public school equipment, ESEA Title V, aid to State educational management, and many others. HEW has also issued new regulations which will greatly decrease Federal payments under the Impacted School Districts program.

My friends, I am frankly concerned over the potentially destructive impact that the proposed cuts might have in Guam's future education budgets. Because of our unique status as a Territory, rather than a State of the Union, Guam's share of Federal funds has always been on the minimal side. Most legislation allocates the Territories a set percentage of the overall funding, and this amount is usually dispensed at the discretion of the Secretary of Education.

In some instances, Guam's smaller population does not generate funding requirements greater than that which we would receive. In many other programs, however, Guam's problem is identical with larger urban areas: we just do not have enough Federal funds coming in and there is not sufficient local revenue to do the job. Any additional cutback in the scale proposed by HEW could well be disastrous for us.

There are several other factors which compound Guam's difficulties in the area of edu-

cation. First, we are still in the process of building a modern school system. For many years, the Territory was not eligible for Federal aid to education. Although this problem has largely been eliminated in recent years, it will take time and money for Guam and other outlying American areas to catch up with mainland school systems.

Another stumbling block to establishing a comprehensive school system in the Island is the large percentage of our students who are dependents of military or civil service personnel associated with Guam's military bases. At present, these students number over one-third of our approximately 26,000 students. For years, Guam has been receiving substantial sums for these students under the Federal Impacted School Districts program. In Fiscal 1972, for example, Guam's total share was $2.35 million.

Then, last year, HEW issued new regulations with regard to certain type "B" category students, that is, those whose parents live off-base, and Guam's allotment fell to $1.8 million for FY 1973. Under the Administration's Education Revenue Sharing program, I am told by HEW officials that "B" category aid would be entirely eliminated, thus driving Territorial funding down to $1.6 million or lower for Fiscal 1974! At the same time, the number of military dependents entering our school system continues to waiver.

Although these funds help us provide decent schooling for these young people, the Federal Impact Aid still does not meet the entire cost of educating them, I am told by Government of Guam officials. And since Guam must meet mainland standards of education if these students, as well as our local young people, are to continue on with their education, a significant decrease in Impact Aid would certainly create fiscal havoc with our Territorial education plans. Simply stated, unless these funds are restored, the Governor of Guam said in a telegram to me, and I quote,

"It will be impossible for our Territorial Government to provide continued educational support for these students at acceptable maintenance level standards."

The Governor goes on to say that the decrease in funding "will necessitate fewer teachers, instructional materials, and the capital improvements necessary to meet school enrollment increases."

The same danger is evident with the possibility of cuts in other ESEA programs. Dr. Katherine Aguon, our Director of Education, and I might add Guam's first woman Ph. D., wrote in her letter to me that "the programs engendered have had an irreversible impact on strengthening both the 'kind and quality' of education within our system. No doubt," she adds, "to suspend and/or terminate this assistance at this time would only frustrate our search for relevant education for our children."

The exact amount Guam stands to lose is difficult to ascertain. As I mentioned previously, our funding under formula grant programs is not constant; the amounts vary, depending on overall program allocations and our success in convincing Federal officials of our requirements. Some indication is evident, however, in a table of statistics regarding HEW's FY 1974 budget as it applies to Guam. For the information of the Committee, I now present a copy of the budget tables. As you will see, Guam's funding in many programs will be ended starting next year. For example, in the category of grants to strengthen State departments, we received during the current year $79,000 under part A of the program, and $17,000 for Comprehensive Planning and Evaluation. During Fiscal 1974, we will receive nothing. Equally distressing is the stifling of library funds. Guam received a total of $131,000 during the current fiscal period for all phases of the ESEA Title II Library Resources program. Next year, our total will again be zero. Where we shall obtain the money to purchase books for our students is hard to imagine.

Of those programs which the Department has scheduled to be included in Education Revenue Sharing, here, too, Guam's level of funding is in doubt. Although I have asked HEW to provide me with accurate figures for the Territory, none were forthcoming. My staff was told that our allocations were not yet calculated. But with a bill that requests funding for fewer programs, I believe that our fear for the future is well-founded.

To summarize, then: the factors which I have just mentioned, together with the higher cost of doing almost anything on Guam due to our considerable distance from the mainland, make it imperative for this Committee and the Congress to prevent any further reductions in Federal aid to education. I therefore urge you to support H.R. 69 for the welfare of our school system on Guam and for the future of all our children.

Thank you.

OPIC DENIES ITT CLAIM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FASCELL. Mr. Speaker, the Overseas Private Investment Corporation today denied a $92.5 million insurance claim by the International Telephone and Telegraph Co. resulting from the expropriation of its properties in Chile. OPIC denied the claim because of an alleged failure on the part of the company to fully comply with provisions of its insurance contracts. Under the terms of the insurance contracts ITT has the right to submit the denial to arbitration.

The full text of OPIC's press release on this decision follows:

OPIC DENIES $92.5 MILLION ITT CHILEAN CLAIM

WASHINGTON, D.C., April 9.—The Overseas Private Investment Corporation (OPIC) announced today that, because of non-compliance with contractual obligations, it has denied the International Telephone and Telegraph Company (ITT) insurance claim of $92.5 million in connection with the expropriation of the Chile Telephone Company. This decision was made today by the OPIC Board of Directors. It is understood that ITT will exercise its contractual right to submit the matter to arbitration.

Bradford Mills, president of OPIC, the U.S. Government Corporation which insures against political risks of investment in developing countries, said that OPIC had advised ITT today of the decision in the case, Mills said, "ITT failed to comply with its obligation under the OPIC contracts to disclose material information to OPIC. In addition, ITT increased OPIC's risk of loss by failing to preserve administrative remedies as required by the contracts, and by failing to protect OPIC's interest as a potential successor to ITT's rights."

Since the matter will be submitted to arbitration, Mr. Mills said that OPIC will make no further public comment on the issues in the case.

Mr. Mills emphasized that OPIC's decision results from ITT's non-compliance with specific contractual obligations, and does not in any way affect the international legal right of ITT to receive prompt, adequate and effective compensation from the Government of Chile for its interest in the Chile Telephone Company. "If OPIC is ultimately required to pay any compensation to ITT," Mills said, "OPIC will then succeed to an appropriate portion of ITT's rights of recovery from the Government of Chile, and OPIC will pursue those rights vigorously."

Describing OPIC's handling of claims by U.S. investors in Chile, Mr. Mills noted that during the last 2½ years, 18 claims have been filed with OPIC, 14 for expropriation and four for the inability of the investor to convert local currency into dollars. Investors insured by OPIC have received more than $80 million to date resolving five of these claims, and two other claims involving approximately $26 million have been satisfactorily settled between the investors and the Chilean Government with the assistance of OPIC guaranties. Nine claims are still being processed. One claim other than ITT's is in dispute.

URGENT NEED FOR PURE FOOD LEGISLATION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BINGHAM. Mr. Speaker, the pressing need for pure food legislation has again been brought out by two recent incidents of contamination in canned foods.

In the first incident, contaminated tunafish packed by the Star Kist Co. caused food poisoning for at least 232 consumers. Although Star Kist's advertising would have consumers believe that "only the finest tuna can be considered by Star Kist," this case demonstrates an enormous gap between the company's public relations image and its food processing realities. According to the Food and Drug Administration, the fish was so badly spoiled at the time it was canned that a trained inspector could have smelled the decomposition. Apparently, the inferior "Charlie Tuna" who is continually rejected for canning in Star Kist's advertisements finally made it onto the Nation's supermarket shelves.

The second incident took place in New York State, when botulism contamination was discovered in a shipment of canned mushrooms which had been prepared for use by the U.S. military. Mushrooms prepared for the civilian market by that company were shipped throughout New York State, including the Bronx, and they have been the subject of an intensive recall procedure.

Mr. Speaker, on the first day of the 93d Congress I introduced H.R. 323, a bill which would increase the powers of the Food and Drug Administration and require strict licensing and inspection procedures for food processors in an effort to upgrade the level of sanitation in the American food-processing industry.

The House Interstate and Foreign Commerce Committee's Subcommittee on Public Health, under the leadership of the distinguished and highly capable gentleman from Florida, Mr. PAUL ROGERS, is presently confronted with a packed schedule of legislation and hearings in other areas of national health. However, I hope that at the earliest opportunity Mr. ROGERS' subcommittee will

hold hearings on the subject of legislative imperatives for the food-processing industry and the Food and Drug Administration in an effort to provide increased consumer protection.

Two articles from the New York Post describing the recent food contamination incidents follow:

TUNA FOUND TAINTED IN CANNING

(By G. DAVID WALLACE)

WASHINGTON.—Two lots of Star Kist tuna that sickened more than 200 persons before it was recalled were rotten at the time they were canned, a government investigation has disclosed.

The Food and Drug Administration said yesterday that Star Kist packed the fish at its American Samoa plant.

Cesar Roy of the FDA's office of compliance said in an interview that the fish was so decomposed that a trained inspector would have been able to smell it.

Asked about the results of the investigation, Thomas Virgil, manager of marketing for Star Kist, said: "We have all kinds of quality control. How that occurred we don't know."

Star Kist, a subsidiary of H. J. Heinz Co., recalled nearly 173,000 cans of tuna fish coded GD417 and 419 in February after consumers who ate it reported that it made them sick.

The National Communicable Disease Center, which keeps track of food-borne illness, counted 232 instances of what it considers confirmed food poisoning due to the tuna.

The NCDC said none of the victims required hospitalization and most reported their sickness lasted a few hours.

The reports forwarded to NCDC listed common reaction to the poison scrombotoxin—a burning sensation in the mouth, hive-like skin eruptions, cramps and headache.

Scrombotoxin is produced by bacteria which multiply in the fish once decomposition begins. Cooking during the canning process kills the bacteria but does not destroy the toxin.

MUSHROOMS RECALLED—FIND BOTULISM

An upstate packing company is recalling hundreds of cases of mushrooms distributed to supermarkets and food wholesalers throughout the metropolitan area. The recall began after federal inspectors discovered botulism contamination in a mushroom shipment destined for military use.

The Fran Mushroom Co. of Ravenna, whose products are marketed under the Frangella, White Top and J & N labels and also distributed by 14 other brand-name firms, including Grand Union, Daitch-Shopwell and Shop-Rite, said it was acting voluntarily, "in the public interest."

A spokesman for the firm said all varieties of mushrooms packed, in all can sizes, were being recalled.

There have been no reports of any illness connected with the mushrooms. The Food and Drug Administration reported Thursday that botulism toxin had been found in one can of mushrooms tested at an Army base.

A company spokesman said 95 percent of the mushrooms being recalled had been shipped to warehouses in New York state. It was not known whether the mushrooms had already been placed on sale in markets.

The FDA indicated that its experts believed the problem may be limited to the firm's production on one particular day. All 800 cases of mushrooms involved on that day had been shipped to Defense Dept. supply outlets, and were ordered recalled by the government.

The private labels under which Fran mushrooms were sold and the firms to which they were shipped were identified in Washington as: Daitch—Daitch-Shopwell, the Bronx; Met—Met Food Corp., Farmingdale, L. I.; Hills—Hills Supermarkets, Brentwood, L. I.; Grand Union, East Paterson and Carlstadt, N. J., and Mt. Kisco, Waverly and Waterford, N. Y.

Shop-rite—Wakefern Food Corp., Carlstadt, N. J.; Coop-Middle Eastern Coop. Inc., Carlstadt, N. J.; Scalmafini—J. L. Scalafina Inc., Brooklyn; Krum's—S. Krum's Co., Inc., Brooklyn; Lucky Boy—Embassy Grocers Corp., Maspeth, L. I. Sassone—Sassone Wholesale Grocery, the Bronx.

Middlesex—Middlesex Foods, Inc., Highland Park, N. J.; Sweet Life—Golub Corp., Schenectady; Price Chopper—Golub Corp., Schenectady; Albany—Albany Public Market, Albany.

Two recalls of mushrooms packed by firms in Ohio brought in hundreds of thousands of cans in February and March of this year. Other food products that contained mushrooms from those lots, such as frozen pizzas and frozen vegetable casseroles, also were recalled, but no cases of illness were reported.

This year's federal recalls due to botulism contamination were the first since 1971, federal officials said.

STUDENTS CONCERNED ABOUT PRESERVING BALANCE OF NATURE

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ALEXANDER. Mr. Speaker, the youth of America are becoming increasingly more concerned with the problem of cleaning up the environment and preserving our balance of nature. I believe it is most important that each generation stop and think about the earth it is passing along to the generation that is to follow. Biology students in one Arkansas school have looked beyond the boundaries of our State at a problem which exists in South Dakota. Perhaps more of us should share their interest in similar problems which may exist around our country.

I insert at this point their letter for my colleagues to read:

DEAR REPRESENTATIVE ALEXANDER: The purpose of this letter is to inform you of the "Dutch Duck Plague" in southeastern South Dakota. The "Dutch Duck Plague" is a virus that has been destroying Mallard ducks at a rate of approximately 1,000 each day, at the Lake Andes National Wildlife Refuge. The disease is called Duck Virus, Enteritis, or DVE. DVE causes internal bleeding and severe diarrhea. It is reported that this virus is highly contagious and affects not only ducks, but swans and geese as well. The most serious concern is that the virus will spread through migrating flocks and to the areas of breeding. These Mallard ducks were fed during the winter months to attempt to keep them from migrating to the south. This action has upset the balance of nature.

The breeding of the water fowl is in polluted, stagnant ponds and waterways. The wastes of the ducks is a big cause of pollution to the lake.

As concerned students, we feel something should be done about this tragedy. We hope by this letter you may be concerned with the preservation of our Mallard ducks and take some kind of action, because we feel that you can get the attention and cooperation of those who can help in our fight against this disease.

BENIGN NEGLECT IN A TIME OF EDUCATIONAL CRISIS

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. MOSS. Mr. Speaker, I was one of 33 Representatives who originally voted against the so-called revenue sharing plan of this administration and I shall continue to oppose it. The legislative body which levies a tax must accept the duty of fully accounting for its wise expenditure. It is not appropriate that Congress tax to raise revenues for other governmental entities.

At a time when the Federal Government should be expanding its commitments to education, the President's budget represents a retreat from virtually all the advances made under Presidents Eisenhower, Kennedy, and Johnson. If adopted, it will share too little revenue with too many incompetent and inefficient State governments.

The President's plan to convert, for example, 30 separate and specific education-aid programs into a system of five block grants would shortchange school districts by reducing the total amount of funds available and by revising the formula for distribution of the overall amount. Such "consolidation" would, among other things, eliminate entirely programs for library services and for strengthening State departments of education. The category B impact-aid program would be reduced by $146 million. Although the President pledged $1.5 billion in special aid to help end segregation, the new budget proposes a mere $202 million to help schools in the process of desegregation. Title I funds, which in my opinion should be expanded to cover all students in all schools, would be eliminated.

Under the so-called Better Schools Act of 1973 (H.R. 5823) California alone would lose nearly $40 million for disadvantaged students. Yet, we need to spend more money for education, not less. For the harsh reality is that our education system is not working as well as it should. It is not working for the increasing number of students who drop out of school in our large cities, or for the high school graduates who can read only at a ninth-grade level. It is not working for the children who are forced to attend double sessions or for the teachers who are forced to teach in dilapidated overcrowded classrooms using antiquated textbooks.

The consequences of the President's neglect are frightening. A recent study published by the Senate Select Committee on Equal Education Opportunity concludes that America loses $77 billion annually in tax revenue, welfare, and crime because of the inadequate education of children and young adults. Yet, the fiscal 1974 budget for education revenue sharing is only $2.77 billion, which is $200 million lower than the original fiscal 1973 budget for similar legislation.

I question such distorted priorites. For in spite of the President's trip to China and the signing of a peace settlement in

Vietnam, President Nixon continues to spend 35 times as much money for the military as for elementary and secondary education combined. Indeed, America's commitment to education—in terms of percentage of national wealth—is smaller than any other major country in the world.

Thomas Jefferson once said that—

If a nation expects to be ignorant and free, it expects what never was and never will be.

Every American citizen should have the right to develop his or her talents to the fullest—from preschool to college. Yet, this proposed revenue-sharing plan represents neither the economic nor moral commitment necessary to guarantee such a right. The education of our children is too important to be left with those who would substitute "local control" for national commitment and advocate "benign neglect" in a time of educational crisis.

IMPOUNDMENT LEGISLATION

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HARRINGTON. Mr. Speaker, on January 3, I introduced H.R. 622, a bill to require the President to notify the Congress of any impoundment and to provide a procedure by which the Congress could review and approve or disapprove that impoundment. The bill, originally drafted by Senator ERVIN during the 92d Congress, subsequently attracted the cosponsorship of over 100 Members of this House. In the welter of proposals now before Congress, it had more support than any other single version, including the proposal advanced by Chairman MAHON.

Now, the Senate has passed, as an amendment to the Par Value Modification Act, a modified and more sophisticated version of the same legislation. Today, I am introducing that bill as it was reported by the Senate Government Operations Committee. It bears the title "Impoundment Control Act of 1973," to reflect its purpose. I want to stress that it has been the subject of extensive hearings before that committee, and has been carefully drafted by experts to deal with the principal criticisms directed at the original bill. As I stated in a "Dear Colleague" letter circulated today, this legislation is the most effective anti-impoundment bill yet proposed. Legislation without the controls it proposes would be worse than no legislation at all.

The bill should be considered in its own right apart from the Par Value Modification Act, which was the vehicle for bringing the bill to the floor of the Senate. The Rules Committee, which will continue hearings on anti-impoundment bills, hopefully will focus on this bill as a major contribution to the issue. Indeed, Senator ERVIN graciously appeared before the Rules Committee and made a strong statement explaining and supporting the bill.

The Impoundment Control Act has two main sections: First, impoundment notification and review procedures; and second, an expenditure ceiling on Federal outlays for fiscal 1974 of $268 billion.

First. Impoundment. The anti-impoundment provisions are basically the same as in the original bill. Thus, the President would be required to cease an impoundment after 60 days unless the Congress approved the impoundment by concurrent resolution within that 60-day time period. The legislation presumes that impoundments are illegal and must cease unless the Congress determines that they are justified by some prior statute or unless it specifically approves. In the latter case, the Congress must, in effect, amend the appropriations law to permit the impoundment to continue.

Resolutions with respect to an impoundment may be raised directly on the floor of either House as privileged matters. The bill now makes absolutely clear that these measures are not to be referred to committee. There ought to be no need for committee referral since impoundments involve appropriated funds which have been considered by both the legislative committee which recommended the authorization and the Appropriations Committee. Hence, a simple and direct procedure for raising the matter on the floor is all that is necessary, and that is precisely what this bill would provide. Of course, somewhat more extensive debate than usual will permit a full discussion of the problem in the open, where all Members may participate. And, the resolution may be amended to provide flexibility in handling any impoundment message.

The most significant change in the new bill gives a greatly expanded role to the Comptroller General. He must review each special message transmitted by the President to the Congress, notifying it of one or more impoundments, and he must report to the Congress within 15 days whether any of the impoundments reported in a special message are justified by existing law. If he finds that the Antideficiency Act applies, then the impoundment may continue. In all other cases, the Congress must approve continuation of the impoundment under the procedures set forth in the act.

As has been made clear, a procedure somewhat like that described above will be needed to deal effectively with the myriad number of minor spending deferrals which take place regularly in the interest of good management. That is what the Antideficiency Act was meant to cover, and as to those no further congressional action should be required. Screening out those spending actions which do not reflect any policy differences between the Executive and Congress ought not to be particularly difficult.

The purpose of the act is to focus congressional attention on those refusals by the Executive to implement programs mandated by law. Those are the impoundments which have generated the current dispute and, therefore, those are the actions which ought to be debated on the floor. GAO is Congress' agent, and should be equipped to perform the functions needed to make the act work. One major point is that the act increases the flow of information about fiscal decisionmaking. It creates the opportunity for congressional review of that crucial area of Government activity. As we create the opportunity to better inform ourselves, we should likewise be prepared to use whatever tools may be necessary to handle the implications of that better information.

The Comptroller General is given other functions. He may notify the Congress of impoundments overlooked by the Executive. He may enforce the provisions of the act against an officer of the Executive. The sanction is entirely new, and makes clear that disobedience is a personal matter as far as the particular Federal officer is concerned.

There is no special magic in designating the Comptroller General as the agent of Congress for purposes of the act. His is an office that already exists. It is becoming clearer that one outcome of legislation designed to increase congressional capacity to deal with the budgetary situation, including expenditure review and impoundment control, will be establishing greater information capacity in some agent of Congress. Why not the GAO? The sooner we get started in considering what tools we need to do the job, the sooner we will be able to find answers to the problems which now perplex and divide us.

Many other changes have been made in the act. Impoundments are more broadly defined to make certain that the act applies to Executive action not specifically ordered by the President but subsequently approved by him. Reimpoundments are prohibited. Publication of impoundment actions is required. And so forth. Obviously, the new version is more comprehensive than the older bill. It may not yet be the best legislation, but it is a substantial improvement.

Second. Expenditure ceiling: Many of us have argued that the natural effect of impoundment control legislation would be to drive up expenditures. I have never agreed with that argument since I believe that the basic issue here is one of priorities. If Congress does not approve of the President's choice of programs to be eliminated, it must have the means to reverse that decision and set its own priorities. If the votes are there to do that, then they should also be there to cut spending in some other areas, such as defense; assuming we, as a legislative body, are willing to take the responsibility for making that decision.

Nevertheless, I recognize the concern that Congress will be unable to behave responsibly when it comes time to determine priorities. To quiet that concern, the act mandates a spending ceiling for the fiscal year 1974 which is actually less than the spending proposed by the President's budget. If funds appropriated for 1974 exceed the ceiling, the President is authorized to reduce spending for all Federal programs proportionately. Programs involving benefit payments to individuals such as social security would not be affected. A reduction of spending under this provision would not be subject to the impoundment control procedures.

In the Senate debate, it was made very clear that the President would not have the authority he now claims to eliminate those specific programs with which he disagrees. In effect, then, excessive appropriation means less money for all programs, not selective destruction of a few programs. Moreover, the reduction would apply to programs funded by "backdoor" methods, not subject to the jurisdiction of the Appropriations Committees. In this way, total spending, so heavily emphasized by the President, will not be increased while, at the same time, congressional control over priorities is retained.

I want to make clear that I am not particularly enthusiastic about a spending ceiling mandated in this way. The act so provides to quiet widespread criticism that impoundment control means fiscal irresponsibility. It most assuredly does not, and all of us ought to realize that impoundment control is but the first step toward reestablishing fiscal responsibility in the Congress.

The Joint Committee on the Budget is working on extensive procedures by which Congress will be able to deal with expenditure control, and to set legislative priorities in open debate. Those procedures can be considered and acted upon in time for the 1975 budget, but will not be ready by the time we must make decisions about 1974. Consequently, I have concluded that the spending ceiling, which has been approved by the Senate, is a proper part of impoundment control legislation. However, in view of the ongoing efforts by the joint committee to develop budget procedures, I did not think the act should provide a bald requirement that future spending ceilings be enacted without any indication of the procedures to be followed in setting that ceiling. Thus, the act does not include the Bellmon amendment, added on the floor of the Senate.

I am here urging legislation to curb Presidential power to adjust spending for Federal programs. This act is aimed solely at abuse of powers given for fiscal management purposes. The President's power to readjust priorities has very shaky legal foundations, and may very well be contrary to those statutes on which it purports to rest. Congressional consideration of proposals to curb impoundment abuses by the Executive, even if none of them are ever enacted, tend to give credibility to Presidential claims of legal authority to behave as policy overlord.

Yet, the practice of impoundment has gone so far that many valuable Federal programs will be irretrievably lost. To wait for action by the courts will be to wait too long. It is necessary to act now and to act in a decisive way. Moveover, the issue posed by control over the setting of priorities is fraught with political overtones which may pressure the courts not to decide the question, which is, after all, fundamental to the constitution scheme of Government. Hence, despite the doubtful legality of many of these impoundments, I think enacting effective legislation now is worth the risk of lending support to the practice.

Moreover, I continue to press for strong anti-impoundment legislation since we may have gone far enough down the road already to create the legislative history which courts may think legitimizes impoundment for policy reasons. If so, prompt action is a necessity. Furthermore, we only delude ourselves if we pass legislation which, in effect, legitimizes impoundments by permitting them to stand unless Congress disapproves. That would be worse than no legislation at all, because it would preclude any chance for effective court action.

For all these reasons, I think it is imperative that we, as a body, reject the notion that the Executive is not accountable for its spending decisions and enact legislation refuting the position that impoundments must be specifically disapproved. I urge your support for the Impoundment Control Act of 1973.

In addition, I am inserting an editorial, printed today by the Washington Post. The editorial is a clear, concise statement of the implications of impoundment legislation. It has been very difficult to make the public understand the problem, freed of political gestures which obscure the real substance of the issue. As the matter is considered, I hope the news media will print more statements as clear as this:

THE POWER AND THE PURSE

It is all too easy to summarize the "battle of the budget" in scorecard terms. Last week, for instance, President Nixon tallied his second veto of a "spending" bill and chalked up his first victory when the Senate failed to override his veto of the vocational rehabilitation act. The Congress won a different round when the Eighth Circuit Court of Appeals ruled that grants from the highway trust fund may not legally be impounded to fight inflation. Meanwhile, the Senate passed a fiscal 1974 spending ceiling of $268 billion; since Mr. Nixon's budget total is $268.7 billion, many senators may now start to claim that they are $700 million more economy-minded than the President.

But such arithmetic obscures the much larger calculation at stake. That is whether federal spending policies will be made primarily by majorities in Congress—or by the President, backed in showdowns by one-third plus one of either house. In the context of this political and institutional struggle, the most significant event of the past week was the Senate's coupling of its spending ceiling with the strong anti-impoundment measure initiated by Senator Sam J. Ervin. The premise of this tough and timely provision is that, as a general rule, money appropriated by Congress should be spent in accordance with the laws. Presidential discretion would be minimized. If the total outlays approved by Congress should exceed a legislated spending ceiling for a given year, the chief executive would not be at liberty to cut wherever he wished, but would have to make proportionate reductions across the board. Funds could be withheld for the limited purposes set forth in the Anti-Deficiency Act, strictly construed, but the kinds of impoundments most treasured by Mr. Nixon would be limited to 60 days unless specifically approved by Congress.

This is drastic medicine—but Mr. Nixon has not exactly been modest or tentative in asserting his unprecedented claim of authority to impound funds systematically to carry out his economic policies and to cut or kill programs which he dislikes. Nor has the President shown any signs of tempering his actions or his tone. For instance, in his veto message on the bill to prohibit impoundment of rural water and sewer grants, Mr. Nixon declared that the measure is not only bad policy, which it is, but also "probably unconstitutional," which it probably is not.

A frontal congressional challenge to this arrogation of power is doubly important because scattershot attempts to have individual programs are not likely to promote either the programs or the principles involved. The sequence of thrusts and parries is becoming drearily familiar Congress appropriates. The President impounds. Congress passes a bill to mandate spending. Mr. Nixon vetoes the bill. It is a match which the administration will usually win, for the advocates of a program must muster two-thirds in both the House and Senate, which Mr. Nixon requires only one-third plus one in either house. Nor can the campaign of dismemberment be halted in the courts, for court action is slow and likely to turn on statutory nuances. The Eighth Circuit appellate court, for instance, expressly did not reach the constitutional issues in its decision in the highway case last week.

Against this scene of squabbles, the Ervin amendment stands out as an ambitious move in congressional self-defense. From a constitutional standpoint such an initiative is overdue. From a political perspective, it has the defects of its merits, for it implies that Congress is prepared to face the hard spending decisions which the legislative branch has ducked so often in the past. As an approach to fiscal policy, it will work only if Congress manages to practice greater economic sense and deal with the budget far more coherently. This underscores the importance of the long-range reforms in congressional handling of the budget which are now being weighed by a prestigious joint committee. If the spirit of reform and reassertion persists on Capitol Hill, Mr. Nixon may well find that, in the course of winning a few budget skirmishes, he has called into being a far more capable and resourceful Congress—and a less compliant one.

RUSSELL WYCOFF AND THE SUBURBAN NEWS

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RINALDO. Mr. Speaker, yesterday, April 8, was an important milestone for many residents of the 12th Congressional District of New Jersey and in particular for Mr. Russell Wycoff, of Westfield. For today marks the 25th anniversary of the Suburban News.

A quarter of a century ago, Russell Wycoff decided to start a new kind of weekly newspaper. He called his fledging publication the Westfield Shopper.

Basically, it began as a publication that would serve the buying and selling needs of the residents of Westfield. The want-ad concept caught on quickly, and the number of ads increased dramatically. As they did, regular commercial advertisers began buying space in Mr. Wycoff's paper.

The success it enjoyed prompted Mr. Wycoff to expand his horizons. Now, 25 years later, his news and value-filled paper reaches some 30,000 homes in the heart of Union County, serving not only Westfield, but Clark, Scotch Plains, Cranford, Garwood, Fanwood, and Mountainside as well.

I think it is only appropriate that we pause to salute Russell Wycoff and the Suburban News for the tremendous contribution they have made to the reading public and the advertisers of Union County over the past 25 years.

BIG BUSINESS, BIG OIL, BIG WEALTH ASSURED TAX LOOPHOLES WILL CONTINUE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the Washington Post on Sunday published an article by our distinguished colleague, Congressman HENRY REUSS, concerning a recent book written by Mr. Philip M. Stern and entitled "The Rape of the Taxpayer".

Mr. Stern in his latest book on tax avoidance points out that it is difficult to close major loopholes because the big business interests that benefit from loopholes are the major campaign contributors to candidates for President and other public offices.

The article continues:

The Nixon Administration remain hostile to the idea of loophole-plugging. Its position is unchanged from a year ago, when the President assured a group from Big Business, Big Oil, Big Wealth and Big Banking at the Texas ranch of John Connally, the Secretary of the Treasury, that the rapid depreciation and mineral depletion loopholes, far from being plugged, should be enlarged.

The book by Mr. Stern includes classic examples of tax avoidance by the wealthy which, the author estimates, cost the U.S. Treasury $77 billion annually.

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

[From the Washington Post, Apr. 8, 1973]

"THE RAPE OF THE TAXPAYER," BY PHILIP M. STERN, AND "THE APRIL GAMES SECRETS OF AN INTERNAL REVENUE AGENT" BY DIOGENES

(By HENRY REUSS)

This year, more than ever, and this time of year in particular, the federal tax system is seen by most Americans as inequitable, and yet incapable of producing enough revenues to meet the needs of government.

Philip Stern's book, on "Why you pay more while the rich pay less," updates his *The Great Treasury Raid* of 10 years ago. With solid scholarship and sprightly prose, he tells the tale of how auto heiress Mrs. Horace Dodge had an income of $5 million, but did not ever have to file a tax return on her tax-exempt bond interest; how Gulf Oil Company used the depletion and similar loopholes to pay a tax of only 2.3 per cent on almost a billion dollars of profits; how Jean Paul Getty avoided paying $70 million of taxes because of loopholes; how three families got $2.5 million of corporate dividends and paid no tax.

All of this is classified as "tax avoidance"—the legal way to avoid paying taxes. This is the high road, and it costs the Treasury some $77 billion a year.

The low road, of course, is "tax evasion," or just plain cheating. An Internal Revenue agent, calling himself Diogenes writes in *The April Game* about the cheats who also cost us billions. Diogenes tells of Detective Joe, who kept a stable of indigent old folks so that he could split his income among them, with each receiving a modest $100 stipend for his services; of Half-a-Business Harry, who dreamed up an astrology business out of the blue to give him a depreciation deduction on the costs of his large home; or the childless taxpayer who invented children to fatten his exemptions.

More professionalism and more personnel in the Internal Revenue Service can help reduce the evasions that Diogenes writes about. Curing the avoidances that Stern documents is far more difficult.

Heir to a merchandise fortune, Stern is himself one of the privileged few for whom loopholes were tailored. But he willingly does battle for the ordinary wage-earner or professional who is taxed in almost every penny he earns. Stern sees the average taxpayer much as Taine saw the French peasant in the *ancien régime*: "I am miserable because they take too much from me. They take too much from me because they do not take enough from the privileged classes."

There is a latent taxpayers' revolt in the United States, as there was in France for years before the Revolution. George Wallace played upon this sentiment so skillfully last spring that millions began "sending a message" to Washington. George McGovern appealed to the same discontent less successfully. But the indignation is still there. Why, then, is revolt little more than a gleam in a few reformers' eyes?

As Stern points out, loophole-plugging tax reform is hard to come by because the interests that benefit from loopholes are the biggest contributors to candidates for President and Congress. Over 90 per cent of political donations are made by 1 per cent of the population, he says; and, "While the figures are heavily weighted toward Republicans, the unhappy fact is that both parties depend greatly on rich givers." It is a self-perpetuating process; campaign contributions lead to loophole benefits for the givers, who make greater contributions, which lead to greater benefits, and so on.

The Nixon administration remains hostile to the idea of loophole-plugging. Its position is unchanged from a year ago, when the President assured a group from big business, big oil, big wealth and big banking at the Texas ranch of John Connally, then Secretary of the Treasury, that the rapid depreciation and mineral depletion loopholes, far from being plugged, should be enlarged.

Stern points out that Congress is scarcely more hospitable to reform, citing the secrecy with which tax bills are constructed in committee, and the closed rule which prevents any amendment on the floor of the House.

But recent events give rise to some optimism. Secrecy and the closed rule in the House have been severely limited. A Democratic steering and policy committee has been set up with power to demand action from recalcitrant legislative committees. A number of new public tax-reform organizations are beginning to flex their muscles.

Legislators in both houses may begin to look on tax reform with greater enthusiasm as a weapon in the spending struggle with the President, since only loophole-plugging can provide the revenues needed to carry on essential and popular programs in health, education, housing and the environment without an immediate general tax increase.

But public awareness of tax injustice may prove the straightest road to change. The reading of these books will hasten the day of tax reform.

RUINATION BY RENEWAL

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ASPIN. Mr. Speaker, the National Review of February 16, 1973, contains a timely and important editorial entitled "Ruination by Renewal."

The National Review notes that in the name of urban renewal much has been done to damage the beauty and livability of our Nation's Capital. The overall urban health of this city is so important to all of us. I wish to include this short article in the RECORD for the benefit of my colleagues:

RUINATION BY "RENEWAL"

The capital of these United States rapidly is being converted into one of the least livable cities in the world. In the name of "renewal," many hundreds of small businesses are being destroyed, large neighborhoods are being being broken up, architectural monstrosities are replacing the charm of what remains of old Washington, traffic problems are doubled, social discontent is stimulated, the rights of property owners are trampled underfoot—and enormous profits are made by "developers," land speculators, and big corporations.

President Nixon knows that what has been done throughout this land under pretext of urban renewal is a ghastly failure. Mr. George Romney, while he was Secretary of HUD, so declared in public. The Nixon Administration, indeed, has slowed down such renewal (and its partner, federal highway building) somewhat nationally, allowing more hearings for those vitally affected by such projects, and scrutinizing more closely new grandiose schemes proposed. But the renewal boondoggle is so strongly entrenched that disintegration by bulldozer continues in many cities, and nowadays Washington itself suffers from the worst sort of unimaginative demolition and virtual confiscation of real property.

Federal courts afford little or no relief to those plaintiffs against local or federal authorities who uproot them. In one or two instances, out of hundreds of cases, inferior federal courts have sustained a property owner; but the Supreme Court, so far, consistently has evaded rulings on the constitutionality of renewal cases.

Late last year, the Supreme Court refused to hear the plea of BYSAP, Inc. (a non-profit association of small businessmen affected by Washington renewal), and others. The Court, so much concerned for due process for persons accused of felonies, ignored BYSAP's brief claiming that Washington's renewal schemes flagrantly violate due process of law for property owners. One passage from BYSAP's brief must suffice to suggest the case:

"There is nothing in the record to show that the public, at least those members of the public who are the small businessmen most adversely affected by the proposed project, ever had a clear or real or direct access to the decision-making process. . . . The record before the district court reveals absolutely no record of what transpired at the few informational meetings held prior to announcement of the plan—no transcripts, no abstracts, no speakers' notes, nothing insofar as the small businessmen petitioners are concerned. Only Downtown Progress, a coalition of large business interests, hostile to the interests of the small businessmen, played any part in the decision-making process. There was no provision for the effective presentation of the views of the small businessmen, and when they requested such an

opportunity, the Secretary denied it on the ground that the state contained no provision for a hearing."

It would be pleasant to think that even though the rights of small businessmen and of many thousands of residents of Washington are virtually ignored, still substantial improvement comes to Washington by such projects. But actually the rebuilding of Washington is socially stupid, and often shoddy. Take the Southwest Urban Renewal Area, two decades old. Mrs. Henry Reuss, wife of the congressman from Milwaukee, wrote to the Washington Post at the end of November: "All of us who live in the Southwest Urban Renewal Area know the drawbacks of a neighborhood with no small stores or restaurants. A neighborhood of some sixteen thousand has been dependent on one supermarket, one drugstore, and a few large tourist restaurants. In the twilight, we hurry home along walled residential streets. There is nothing to attract us out of our lairs at night—our sidewalks are deserted except for dog-walkers. We are paying the price of exclusively residential zoning."

Most of this dehumanizing of Washington neighborhoods could have been averted by intelligent restoration—for which provision was made, theoretically, in the Housing Act of 1964. But the big profits for speculators, developers, contractors, the building trades, and the large commercial firms lie in virtual confiscation by the renewal authorities, devastation by federal bulldozer, and costly, ugly, monotonous rebuilding on the sites. In the process, much good architecture and the character of whole quarters of the nation's capital are affected forever.

Washington's urban planners seem to have learned nothing from the failures of the past. The new Office of Planning and Management (part of Washington's municipal government) has some ninety planners, most of them highly paid. What sort of advice do they give? Why, the city council has voted to approve the erection of office-buildings 20 to 25 stories high in the Downtown Urban Renewal Project Area, which amounts to some 616 acres. The resulting congestion, dislocation of businesses and residents, and melancholy alteration of Washington's face must be left to the imagination. Various new projects, including the Pennsylvania Avenue Plan, may cost half a billion dollars. The cost in urban disruption is harder to express in figures.

Washington's numerous little parks, you may recall, were designed by the architect Pierre Charles L'Enfant for military use, as well as ornament: He had in mind European capitals so often tormented by revolutionary mobs. A few pieces of artillery in those parks could prove the whiff of grapeshot needed to keep a government in power.

L'Enfant's foresight may be appreciated in the last quarter of the twentieth century. When Mr. George Romney left the governship of Michigan to become Secretary of HUD, he remarked publicly that the great Detroit riots, during his administration in Lansing, had been brought on chiefly by urban renewal and federal highway construction, which destroyed vast neighborhoods and created slums, rather than renewing the city's vitality. Make a city one enormous renewal boondoggle, regardless of what happens to the people who live there, and—well, keep your powder dry.

NEW AIRPORT IN PHILADELPHIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. EILBERG. Mr. Speaker, it has long been recognized that a city which does not continue to change and improve, is a city that is dying.

Several years ago the planners of my city, Philadelphia, realized that the airport would have to be enlarged and modernized if it was going to meet the demands of ever-growing numbers of air travelers and freight shippers.

Recently a major portion of this $150 million improvement program, the Overseas Passenger Terminal, was completed and will begin operation in the near future.

The new flight facility will enable the airport to provide improved convenience and service to its steadily increasing international passenger business and air cargo deliveries.

William T. Burns, the city's deputy director of commerce for aviation, has stated that the new terminal will offer a tenfold increase over the airport's former accommodations for international operations. It will service 10 overseas carriers and supplemental charter flights compared with 6 of the old terminal. The facility will also feature ample parking, a duty-free shop, restaurant, bar, and 22 baggage inspection counters.

A RESPONSIBLE APPROACH TO THE IMPOUNDMENT-SPENDING PROBLEMS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing on behalf of myself and the gentleman from Florida (Mr. FASCELL) and a bipartisan group of 34 cosponsors, a house concurrent resolution authorizing and directing the Joint Study Committee on Budget Control to report by June 1 of this year a comprehensive budget control bill which shall include procedures for maintaining an annual overview of budgetary outlay and receipts totals, for operating and annual spending ceiling beginning with fiscal 1974, and for limiting the impoundment authority of the President.

We are offering this measure as a substitute for the various impoundment control bills currently pending before the House Rules Committee of which I am a member; and I am pleased that my good friend and colleague on the Rules Committee, the gentleman from Florida (Mr. PEPPER) is one of the cosponsors of this resolution.

It has become evident over the last 2 weeks in the course of our hearings on these anti-impoundment measures, that there is a wide diversity of views on how to deal legislatively with the impoundment problem. Our main focus of attention has been on H.R. 5193 as introduced by the distinguished chairman of the House Appropriations Committee (Mr. MAHON). That bill would enable the Congress to cancel an impoundment by a resolution of disapproval passed by both Houses. Others have testified in support of the so-called Ervin bill which provides that an impoundment must cease unless both Houses pass a resolution of approval. Still others favor modified versions of one of these two bills.

Some have maintained that impoundments are unconstitutional; and others have maintained that the proposed legislative remedies are unconstitutional. On Thursday, Senator ERVIN testified before our committee and conceded in response to a question that a concurrent resolution would not have the force of law and therefore, the President would not be bound by these.

These are just a few of the problems we have encountered during the course of these hearings. Unfortunately, the narrow focus of these hearings has been primarily on how to limit impoundments and not on the underlying problem which has prompted these in the first place—our failure to hold spending within a defined and responsible limit. I am convinced, especially after listening to the testimony of Office of Management and Budget Director Ash, that the need for impoundments would be obviated if only we, in the Congress, would adopt and comply with a responsible spending ceiling in each fiscal year. And if the present problem has been caused in part by the fragmented approach we take to the budgetary process, does it make any sense to approach the solution to the problem in a fragmented fashion? I think not, and yet that is precisely what we will be doing if we act now on only holding down impoundments without doing anything about holding down spending.

The resolution we are offering today is therefore especially designed to move on both of those fronts simultaneously which we feel is the most responsible approach. Last fall, as part of the debt limit extension act, we established a joint committee to make recommendations on reforming the congressional budget process. It was originally mandated by law to report its final recommendations by February 15 of this year, in time for our fiscal 1974 decisions and activities. Yet, on February 27, this deadline was extended to the end of this year by concurrent resolution. I recently expressed concern that this would be far too late to have any bearing on the new fiscal year which begins on July 1.

I was therefore pleased when the cochairman of the Joint Study Committee on Budget Control informed the Rules Committee on Thursday that final recommendations would be forthcoming in the next few days. I commend the joint committee on its work and especially on this acceleration of its final reporting timetable. This development, it seems to me, lends added weight and argument to the feasibility and wisdom of our proposal. For our resolution gives the joint committee the authority to turn these final recommendations into legislation and the added responsibility of providing for impoundment control mechanisms. All we are saying in this resolution is that if we want to hold down impoundments, we must also demonstrate at the same time our willingness and resolve to hold down spending; and comprehensive congressional budgetary reform is the best way to achieve these twin objectives.

I am aware of the action taken in the other body last week to provide for a fiscal 1974 spending ceiling as well as impoundment control, though it was

adopted as an amendment to the devaluation bill. While this is certainly a step in the right direction, it must be recognized that this will be considered a nongermane amendment from the standpoint of this body, and furthermore that it does not provide a continuing mechanism for the operation of an enforceable spending ceiling beyond fiscal 1974. The resolution we are offering, on the other hand, will insure the permanent estbalishment of this necessary machinery, beginning with this fiscal year. I think we can and should act on such a comprehensive mechanism now rather than stumble along with temporary, stopgap procedures. Another advantage of our comprehensive as opposed to the temporary approach is that it would enable the Congress to set its own priorities within a ceiling rather than depending on the President to make across-the-board reductions as provided in the amendment adopted by the other body if spending should exceed the ceiling. Should it later appear impossible to set the machinery we envision in motion in time for our fiscal 1974 activities, then something along the lines of what the other body has done would obviously be better than what we now have. But I think we do have the ability and the determination to make the necessary comprehensive reforms operable in fiscal 1974.

On behalf of myself and the gentleman from Florida (Mr. FASCELL) and our cosponsors, I urge the Rules Committee to report our resolution instead of or as a substitute for any legislation which deals solely with impoundment. Let us instead permit our Joint Budget Committee to convert its recommendations into legislation which will include procedures for the operation of a spending ceiling and for limiting the President's impoundment authority. I think if we do this we can present the President and the country with a most responsible and reasonable reform which will at the same time resolve the dual crises of impoundment and spending. Then, instead of dissipating our energies on confrontations or constitutional crises and agonizing over the prospect of increased taxes and inflation, we can concentrate our energies on setting national spending priorities within a responsible limit. This is as it should be and I think this is what the people expect of us.

At this point in the RECORD, Mr. Speaker, I include a full listing of the cosponsors of our resolution and the text of that resolution. I am also inserting an editorial from this morning's Washington Post which commends the other body on adopting the Ervin spending ceiling-impoundment amendment, but also takes note of its defects and underscores the need for what we are aiming at in our resolution. Quoting from that editorial:

Against this scene of squabbles, the Ervin amendment stands out as an ambitious move in congressional self-defense. From a constitutional standpoint such an initiative is overdue. From a political perspective, it has the defects of its merits for it implies that Congress is prepared to face the hard spending decisions which the legislative branch has ducked so often in the past. As an approach to fiscal policy, it will work only if Congress manages to practice greater economic sense and deal with the budget far more coherently. This underscores the importance of the long-range reforms in congressional handling of the budget which are now being weighed by a prestigious joint committee.

COSPONSORS OF H. CON. RES. 178

Mr. ANDERSON of Illinois (for himself and Mr. FASCELL, Mr. PEPPER, Ms. CHISHOLM, Mr. CARTER, Mr. KEMP, Mr. HASTINGS, Mr. BLACKBURN, Mr. HOSMER, Mr. LEGGETT, Mr. THOMSON, Mr. GUNTER, Mr. LEHMAN, Mr. STEIGER of Wisconsin, Mr. WHITEHURST, Mr. FORSYTHE, Mr. HANNA, Mr. BINGHAM, Mr. LUJAN, Mr. VANDER JAGT, Mr. MARTIN of North Carolina, Mr. FRENZEL, Mr. DANIELS of New Jersey, Mr. MARAZITI, Mr. HINSHAW, Mr. FROEHLICH, Mr. REES, Mr. DENNIS, Mr. JOHNSON of Pennsylvania, Mr. RAILSBACK, Mr. QUIE, Ms. HECKLER, Mr. RONCALLO, Mr. MCCOLLISTER, Mr. EILBERG, Mr. DE LUGO, Mr. RHODES and Mr. O'BRIEN).

H. CON. RES. 178

Resolved by the House of Representatives (the Senate concurring), That the Joint Study Committee on Budget Control is authorized and directed to report to the Congress, by bill or resolution, no later than June 1, 1973, its final recommendations with respect to any matters covered under its jurisdiction: *Provided*, That such report shall include, but shall not be limited to (1) procedures for improving congressional control of budgetary outlay and receipt totals, including procedures for establishing and maintaining an overall view of each year's budgetary outlays which is fully coordinated with an overall view of the anticipated revenues for that year; (2) procedures for the operation of a limitation on expenditures and net lending commencing with the fiscal year beginning July 1, 1973; and (3) procedures for limiting the authority of the President to impound or otherwise withhold funds authorized and appropriated by the Congress.

[From the Washington Post, Apr. 9, 1973]

THE POWER AND THE PURSE

It is all too easy to summarize the "battle of the budget" in scorecard terms. Last week, for instance, President Nixon tallied his second veto of a "spending" bill and chalked up his first victory when the Senate failed to override his veto of the vocational rehabilitation act. The Congress won a different round when the Eighth Circuit Court of Appeals ruled that grants from the highway trust fund may not legally be impounded to fight inflation. Meanwhile, the Senate passed a fiscal 1974 spending ceiling of $268 billion; since Mr. Nixon's budget total is $268.7 billion, many senators may now start to claim that they are $700 million more economy-minded than the President.

But such arithmetic obscures the much larger calculation at stake. That is whether federal spending policies will be made primarily by majorities in Congress—or by the President, backed in showdowns by one-third plus one of either house. In the context of this political and institutional struggle, the most significant event of the past week was the Senate's coupling of its spending ceiling with the strong anti-impoundment measure initiated by Senator Sam J. Ervin. The premise of this tough and timely provision is that, as a general rule, money appropriated by Congress should be spent in accordance with the laws. Presidential discretion would be minimized. If the total outlays approved by Congress should exceed a legislated spending ceiling for a given year, the chief executive would not be at liberty to cut wherever he wished, but would have to make proportionate reductions across the board. Funds could be withheld for the limited purposes set forth in the Anti-Deficiency Act, strictly construed, but the kinds of impoundments most treasured by Mr. Nixon would be limited to 60 days unless specifically approved by Congress.

This is drastic medicine—but Mr. Nixon has not exactly been modest or tentative in asserting his unprecedented claim of authority to impound funds systematically to carry out his economic policies and to cut or kill programs which he dislikes. Nor has the President shown any signs of tempering his actions or his tone. For instance, in his veto message on the bill to prohibit impoundment of rural water and sewer grants, Mr. Nixon declared that the measure is not only bad policy, which it is, but also "probably unconstitutional," which it probably is not.

A frontal congressional challenge to this arrogation of power is doubly important because scattershot attempts to have individual programs are not likely to promote either the programs or the principles involved. The sequence of thrusts and parries is becoming drearily familiar. Congress appropriates. The President impounds. Congress passes a bill to mandate spending. Mr. Nixon vetoes the bill. It is a match which the administration will usually win, for the advocates of a program must muster two-thirds in both the House and Senate, while Mr. Nixon requires only one-third plus one in either house. Nor can the campaign of dismemberment be halted in the courts, for court action is slow and likely to turn on statutory nuances. The Eighth Circuit apellate court, for instance, expressly did not reach the constitutional issues in its decision in the highway case last week.

Against this scene of squabbles, the Ervin amendment stands out as an ambitious move in congressional self-defense. From a constitutional standpoint such an initiative is overdue. From a political perspective, it has the defects of its merits, for it implies that Congress is prepared to face the hard spending decisions which the legislative branch has ducked so often in the past. As an approach to fiscal policy, it will work only if Congress manages to practice greater economic sense and deal with the budget far more coherently. This underscores the importance of the long-range reforms in congressional handling of the budget which are now being weighed by a prestigious joint committee. If the spirit of reform and reassertion persists on Capitol Hill, Mr. Nixon may well find that, in the course of winning a few budget skirmishes, he has called into being a far more capable and resourceful Congress—and a less compliant one.

ASSISTANT PARLIAMENTARIAN BIL COCHRANE'S RETIREMENT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1973

Mr. FINDLEY. Mr. Speaker, few events in recent years have caused me such deep disappointment as the news that Bil Cochrane. Assistant Parliamentarian, is retiring from his duties because of ill health.

He has become one of my closest friends on Capitol Hill and in addition to being a great help to me professionally, I have looked to him for counsel and inspiration on many day-by-day problems. In fact, I assumed that I would have the

good fortune to continue this close relationship for years to come.

It is difficult to imagine how the House of Representatives will be without his patience, consideration, good humor, and fairmindedness. I join in the fervent hope that his health will soon be completely restored so that he in turn can be restored to all of us.

WASHINGTON AVENGES GENERAL BRADDOCK'S DEFEAT

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. GAYDOS. Mr. Speaker, the world of sports is filled with stories of Cinderella teams which, possessed with some special quality, enables them to accomplish feats the professional pundits never dreamed possible. So it was this year with a class A basketball team from southwestern Pennsylvania.

Chuck Airhart, a sports writer, described the happening this way:

Back in 1755 George Washington tried to save Gen. Braddock from the Redskins and failed . . . Two hundred and 18 years later . . . Daryl Washington saved General Braddock from the Red Knights of Reading High School and the Pennsylvania State Class A Basketball Championship was won by a score of 63–62.

Mr. Airhart writes for the Free Press of Braddock, Pa., one of several communities which make up the General Braddock School District.

The victorious Washington referred to in his article is a young high school senior, who stood at the foul line in the championship game with the score tied and no time remaining on the clock. Young Washington stretched the tension, which already gripped the crowd, by missing the first of two free shots awarded him on a foul. But, he shut his ears to the roar of the crowd and calmly sank the second shot to give the high-flying Falcons of General Braddock High School the State class A crown.

Norm Vargo, sports writer for the Daily News of McKeesport, Pa., described Washington as a "Super Sub," who told himself after missing the first shot:

I figured I better make this one or they'll say I choked. I didn't want anyone to think that way so I just got the feel of the ball better and put it up.

His attitude was typical of a team that had been making believers out of skeptics all year.

However, there is something far more important to be realized from General Braddock's basketball victory than a trophy. The team won more than a championship; they won the respect and admiration of the people in the communities which make up the new school district. And, in turn, they gave those people something to be proud of, a common bond to unite them in a new venture which requires them to give up old loyalties and past ideas. These 12 young men, who won a State championship for a new school after just 47 games, well deserve the banquet being planned in their honor by school authorities as well as officials and residents of the communities of Braddock, North Braddock, and Rankin.

Mr. Speaker, it is with great pride I present to my colleagues the Falcons of General Braddock High School, class A basketball champions in the State of Pennsylvania: Daryl Washington, James Smith, Alan Richardson, Ron Johnson, Hosea Champine, Robert Shipman, Gary Anderson, Grady Grant, Gene Rice, Zebbie Gibson, Leon Quick, and Butch Stewart, along with Head Coach Paul Birch and his assistants, Greg Smith and Matt Furjanic, Jr.

"CULTURAL PRIZE OF TELEVISION" AWARDED TO MARIFE HERNANDEZ

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BADILLO. Mr. Speaker, I would like to take this opportunity to recognize the outstanding contribution made by a member of the New York Puerto Rican community toward improving understanding between this particular ethnic group and the other diverse elements which combine to make up our city.

Marife Hernandez was born in Toa Alta, Puerto Rico, and came to New York at the age of 13. She is a graduate of Wellesley College and Columbia University's School of International Affairs, and has done additional work at the American Academy of Dramatic Arts and Actors Studio. In 1969 she approached WPIX–TV with the idea of doing a special show on Puerto Ricans in the city. The station bought the idea, and for nearly 4 years now Ms. Hernandez, through her television program, "The Puerto Rican New Yorker," has been working to promote the identity of our Latin population. For her efforts she was recently awarded the "Cultural Prize of Television" by the Institute of Puerto Rico. The following news item, released by WPIX–TV in New York, further describes Ms. Hernandez's achievements:

MARIFE HERNANDEZ AWARDED "CULTURAL PRIZE OF TELEVISION" BY THE INSTITUTE OF PUERTO RICO

Marife Hernandez, a producer of WPIX–TV's community affairs series, "The Puerto Rican New Yorker," has been honored by the Institute of Puerto Rico for her valuable contribution to the Hispanic community of New York.

Resident Commissioner Jaime Benitz traveled from Puerto Rico to personally present the 1973 "Cultural Prize of Television," unanimously awarded to Miss Hernandez on February 18, for her efforts in widening community activities and interests of Spanish-speaking people in the area.

On her program, Miss Hernandez underscores the Puerto Rican identity in New York City, which now has in excess of one-million residents of Puerto Rican background. The program also focuses on the needs and interests of the Puerto Rican community and its many contributions to the cultural, social and civic development of the Metropolitan-New York area.

"The Puerto Rican New Yorker" is seen on Channel 11 Sundays at 8:30 PM and repeated on Tuesday at 10:30 PM.

SOUTH VIETNAMESE CIVILIAN PRISONERS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HARRINGTON. Mr. Speaker, last Monday, on the first day of consultations between President Nixon and South Vietnamese President Thieu, several Members of Congress, myself included, spoke out on the tragic situation of the South Vietnamese civilian prisoners. It is my hope that this is only the beginning of a successful campaign by the Congress and the American public to set aright these conditions.

An article by Anthony Lewis, of the New York Times from last week, puts the visit of President Thieu in human perspective—the misery and torture that underlines Mr. Thieu's regime. It is ironic to note that Mr. Lewis' article appears 5 years to the day that Lyndon Johnson announced that, because of this destructive war and paralyzing alliance, he would not seek reelection.

After these 5 long years, it is time to think seriously about this country's relationship in the future with the present Saigon regime. Mr. Lewis' article is worthy of serious thought. For this reason, I now insert his article in the RECORD:

WHOM WE WELCOME

(By Anthony Lewis)

LONDON.—Those with weak stomachs for the unpleasant should stop reading now.

"It is not really proper to call them men any more. 'Shapes' is a better word—grotesque sculptures of scarred flesh and gnarled limbs . . . years of being shackled in the tiger cages have forced them into a permanent pretzel-like croch. They move like crabs, skittering across the floor on buttocks and palms."

That was a description in Time magazine recently of an exceptional group of beings: former political prisoners in South Vietnam. They are exceptional because they exist. Those who go to South Vietnam's prison island, Con Son, rarely emerge in any living form.

The Time report, filed by David DeVoss, quoted one of the men as saying he had been arrested one day in a park, with his wife and children. "The police attached electrodes to my genitals," he said, "broke my fingers and hung me from the ceiling by my feet. They did these things to my wife, too, and forced my children to watch."

In the tiger-cage cells on Con Son, the report said, "water was limited to three swallows a day, forcing prisoners to drink urine. Those who pleaded for more food were splashed with lye or poked with long bamboo poles."

That picture of what happens to those arrested by the Saigon Government on political suspicion is the same as many other conscientious and unhysterical observers have given. Some of the evidence is so much more horrible that no paper would want to print it; reading it, no one could doubt that a large number of prisoners in South Vietnam suffer systematic torture and starvation.

But why mention it now? Americans are trying to forget Vietnam, and they have never shown much interest in the torments of the political prisoners anyway. Well, the answer is that an occasion makes remembering a duty. That is the forthcoming visit to President Nixon in San Clemente by the

South Vietnamese President, Nguyen Van Thieu.

Delicacy of feeling is a luxury that governments seldom feel they can afford in international relations. If we restricted our relations to those regimes whose standards of justice and decency we approve, it might be rather a limited list. Realism requires us to do business with all sorts of governments, Communist dictatorships and rightist tyrannies among them.

But doing business is quite a different matter from giving a symbolic stamp of approval. There are credible arguments for keeping up links with South Africa and Greece, for example, but it would be another thing to invite Prime Minister Vorster or Premier Papadopoulos to the United States.

In the case of President Thieu, it is easy to understand the reason for his visit. He has proved a much stronger, more durable leader than most of us who have been his critics expected. His determination made it possible for Mr. Nixon to get American forces out of Vietnam as he wanted to, without a final political settlement.

But even within the scope of the Nixon policy, it is questionable wisdom to give Thieu the accolade of an American trip. The interest of the United States now is to encourage an indigenous political process in South Vietnam, a peaceful evolution away from the polarization of the war. Our direct military role is about over, now we want to move toward a period of political benign neglect.

President Thieu is of course a polarizing figure par excellence. Neutralism is a crime in his universe. To show a continued American investment in his pre-eminence must inhibit any process of peaceful change—and, once again, unnecessarily commit American prestige. We link our destiny to his.

That is the commonsense political argument against welcoming Nguyen Van Thieu to the United States. But there is also, inescapably, the argument of feeling. The world is full of cruelties, and we cannot cure them, but it is not necessary to proclaim our insensitivity by such a symbolic act.

Estimates of the number of political prisoners in South Vietnam range up to 300,000. The leading American authority, Don Luce, puts the figure at 200,000. Half that, 100,000, is the equivalent in population terms of more than 1 million political prisoners in the United States.

A Frenchman who spent more than two years in South Vietnamese prisons, Jean-Pierre Debris, spoke recently of the apparent American indifference to the problem. He said:

"If they could bring one Vietnamese from the tiger cages of Con Son to the United States, and people could just look at him, that would be enough. He would not have to speak English. There would be no need of press conferences, articles, speeches. If the American people could just see that one man half-blind, unable to walk, tubercular, scarred, it would be enough."

AMERICAN ASSOCIATION OF DENTAL SCHOOLS OBSERVES 50TH ANNIVERSARY

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FLOOD. Mr. Speaker, from April 8 to 11, 1973, the American Association of Dental Schools will be holding its 50th annual session here in Washington, D.C.

This association includes every U.S. dental school in its membership and represents many other institutions and has over 2,000 individual members. It is most appropriate that it is celebrating its 50th anniversary in the Nation's Capital, for it recently moved its headquarters office to Washington in order to improve liaison with Congress and agencies of the Federal Government and other health and education organizations.

Over half of the total operating support of the country's dental schools is provided by the Federal Government. Realizing this fact, we note with satisfaction that this association has joined us in Washington, and we look forward to an effective liaison between the Congress and the American Association of Dental Schools in order to effect optimum dental health care for the public.

I request that my colleagues in the Congress join me in expressing congratulations to the American Association of Dental Schools on its 50th anniversary, and to welcoming it to Washington.

ADMINICIDE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RANGEL. Mr. Speaker, the Education and Labor Committee of the House of Representatives recently held hearings in New York City to consider the impact of President Nixon's proposed budget on the urban environment.

The word that was used to describe this impact was "adminicide." How well this term applies. For President Nixon is seeking to conceal his distaste for underprivileged and minority people through administrative transfers, freezes, and cutbacks. This trickery has not succeeded. Concerned citizens of all economic backgrounds, and races and political affiliations have joined together to say "no" to the President's policies of "adminicide."

I submit a New York Times editorial of April 2 entitled "Urban Adminicide" for this body's consideration:

URBAN ADMINICIDE

A word was used at a recent public hearing in New York City to describe the impact of Federal spending cutbacks in anti-poverty programs. The word was "adminicide." It was used in reference to the killing of some programs by administrative fiat without concurrence of the Congress. While there have been numerous announcements of freezes, curtailments and cutbacks throughout the Federal budget, hearings in this city and elsewhere have revealed a special relationship among them all.

The programs being curtailed include those for the construction of subsidized housing, the upgrading of blighted neighborhoods, the provision of day care and senior citizen services as well as job training and public service employment. Each curtailment has its ripple effect; thus, to trim summer job programs for teenagers means the loss of day camp counselors for grade-school youngsters. To cut out community action programs would throw out of work several thousand New Yorkers who, when on the job, provide outreach services for hundreds of thousands of low-income residents.

According to New York City Human Resources Administrator Jule Sugarman, there is no validity in the charge by some critics that money appropriated for this anti-poverty effort fails to reach the poor. He points out that one-third of those employed by community action programs were themselves on welfare prior to their employment and that another one-third were working for poverty-level wages or less. The Neighborhood Youth Corps summer program, now threatened, last year employed 50,000 city youths in the 14-to-21 age group. To shift funds to this agency from the emergency employment program for adults is no real solution; as has been suggested, it would at best mean robbing father Peter to pay son Paul.

Still other Federal actions jeopardize a whole spectrum of social service programs. In the absence of special revenue-sharing money, there is grave uncertainty over continued Federal funding for day care centers, foster care programs, adoption services and senior citizen centers. Under one pending Federal regulation, persons with incomes that exceed the welfare level by one-third or more will no longer be eligible to send their children to federally subsidized day care centers. This absurdly counter-productive rule could force many mothers to give up their jobs and return to the welfare rolls.

These separate administrative decisions, each perhaps small in its own way, flow into a single current that sweeps toward an irresistible conclusion. They come in the context of other efforts by the Nixon Administration to dismantle the Office of Economic Opportunity; to tuck some of its functions elsewhere in the vast bureaucracy, thus downgrading them; to discontinue others like the community action program altogether.

The loss of Model Cities funds, the freeze on housing construction, the cutbacks in antipoverty programs—all this seems aimed at the poor and the weak and the helpless, the minority Americans who have come to live in increasing numbers in inner-city areas. This is urban "adminicide."

RETIREMENT OF WILLIAM P. COCHRANE

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1973

Mr. PREYER. Mr. Speaker, those of us from North Carolina are especially sorry to see Bil Cochrane retire but we take particular pride in the accomplishments of our native son. We are equally proud of his lovely wife Peggy who is also a native Tar Heel.

Bil has held a Government job and therefore qualifies as a "bureaucrat", I guess. If so, he has done more to humanize bureaucracy than anyone I know. Aside from his complete competence, his friendliness, his courtesy, his smile and tremendous sense of humor make "bureaucrat" a beautiful word rather than one of scorn.

We will wish Peggy and Bil a happy future on their beloved boat, *Sundown*. We hope *Sundown* will often find her way up the North Carolina Coast and even up the Inland Waterway to the Chesapeake Bay on occasion. Bil is one of those people who always gives you a lift when he greets you and we hope that he will drop in on us regularly in the future to give us that lift.

GEN. LEWIS B. HERSHEY

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BRAY. Mr. Speaker, it was just a small notation required by law on page 11369 of the CONGRESSIONAL RECORD for April 6, 1973. The casual reader probably overlooked it:

U.S. ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of Title 10, United States Code, section 3962:

TO BE GENERAL

Gen. Lewis Blaine Hershey, [redacted], Army of the United States (lieutenant colonel, U.S. Army).

Without that entry, the career of service to his country by the Hoosier farm boy from Steuben County, Ind., came to an end. He was 79 years old, the oldest military man on active duty. At his retirement ceremonies in front of the Pentagon, the man who oversaw the drafting of 14.5 million Amercans in three wars heard himself fittingly described by Secretary of Defense Elliot Richardson as the man "who marshaled two generations of Americans in defense of freedom."

When he enlisted in the Indiana National Guard in 1911, he had not the slightest inkling that his career would see him serve longer than any other figure in world military history in the most unpopular, controversial, and abused post conceivable in any nation's or state's defense establishment: conscription of men for the armed services.

The problems he bore were as old as the concept of an army itself. Gibbon, in his "Decline and Fall of the Roman Empire," commented on them:

In the various states of society armies are recruited from very different motives. Barbarians are urged by their love of war; the citizens of a free republic may be prompted by a principle of duty; the subjects, or at least the nobles, of a monarchy are animated by a sentiment of honour; but the timid and luxurious inhabitants of a declining empire must be allured into the service by the hopes of profit, or compelled by the dread of punishment. . . .

Gibbon was writing for the period 300–500 A.D. It was not always thus, nor will it always be. There will always be those who enter, because they feel it their duty, or wish to make a career of wearing their country's uniform. Put quite simply, yes, the word is patriotism. I realize it is unfashionable to use it in the sense General Hershey believed in it, but it is still with us, and I believe always will be.

Our problems began with the founding of the Republic. On November 19, 1775, George Washington glumly wrote the President of the Continental Congress:

There must be some other stimulus, besides love for their country, to make men fond of the service.

The concept of a draft has never been popular countrywide for our Republic, at any time in our entire history. But what is necessary is never measured by what is popular. Our Republic must always have men who realize this and who are willing to bear on their own shoulders the weight of scorn and abuse that their task will call forth from the petty and the carping and the small-minded.

Gen. Lewis B. Hershey was such a man. This descendant of pacifist Swiss Mennonites was fated to channel the manpower of the American Republic into formation of the greatest military power the world has ever seen. This is not without its own small touch of irony, to be sure. I do not know if General Hershey ever reflected on this. Knowing him to be a kind, thoughtful, generous, and compassionate man, I am sure he did.

He was named Director of Selective Service on August 18, 1941, and his career saw him serve under six Presidents. He retired once in 1947, but was recalled immediately. I dare say this record of service, demonstrating the trust and confidence held in him by the administrations of both political parties that he served, is surpassed by only one other such career in our history: That of J. Edgar Hoover.

And, in another comparison, General Hershey's Selective Service, like Hoover's FBI, was never once touched with the taint of scandal or corruption.

Perhaps some day someone will write the full story of this man's career, and in so doing will set the record straight on his last years as Director of Selective Service.

His position against antidraft protesters brought him a setback. On October 26, 1967, he urged the 4,000 local draft boards—mark well, here, the word is urged, because he could not order them; regardless of what his detractors said, his power to order anything was quite small—to reclassify and draft demonstrators who had violated the law.

This action brought accusations against him that he was using the draft to punish dissent. This emotional and groundless charge was typical of those he had hurled at him over the years. But to him, attacks on the draft were direct attacks on national security. Given the fact that at the time the draft was still very much in force and was felt by the administration to be essential to national security, General Hershey was absolutely correct.

In spite of his age and his near-blindness, General Hershey was not one to yield to the cries that he resign. He said later:

I would have felt I was running away.

Perhaps he had in mind the remark attributed to Dr. Samuel Johnson:

Exert your talents and distinguish yourself, and don't think of retiring from the world until the world will be sorry that you retire. I hate a fellow whom pride or cowardice or laziness drives into a corner, and who does nothing when he is there but sit and growl. Let him come out as I do, and bark.

Perhaps we will never need a military draft again. Many hope; some doubt this; no one can really say.

But we needed it before. When we did, the Republic was fortunate to have Gen. Lewis B. Hershey to direct it. Whether it is for the draft or not, let us hope we do see his like again.

As he is now in retirement, he can—and I hope he will—reflect to himself Othello's words:

I have done the state some service, and they know't.

And also this, from John Bunyan's "Pilgrim's Progress":

My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battles who now will be my reward.

SUPPRESSION OF POLITICAL LIBERTIES IN SOUTH VIETNAM

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. MOAKLEY. Mr. Speaker, first, I would like to commend Congressman DRINAN for providing this forum so we might better inform ourselves and the American people on the implications of our massive aid to the Thieu regime in South Vietnam.

I was recently privileged to conduct a special hearing with Congressman DRINAN at Boston's Faneuil Hall on the urgent situation of South Vietnamese political prisoners. More than a thousand people learned of the terrors and brutality practiced by the Saigon regime against its civilian prisoners. We heard the testimony of two young Frenchmen, M. Andre Menras and M. Jean Pierre Debris, who for 2½ years experienced themselves the brutalizing prison treatment, and on the desperate fate of Saigon's 200,000 political prisoners. These are civilian prisoners from every walk of life, including women and children, whose crime, for the most part, is criticism of President Thieu and his repressive government.

I came away from the hearings horrified at the unspeakable treatment and torture these prisoners received; and convinced that I could not personally countenance continued U.S. funding of this despotic regime. Now with the visit of President Thieu to this country, I must publicly protest the use of American money to supply and construct the "tiger cages" in which so many hundreds of thousands of South Vietnamese are confined. I publicly protest the suppression of political liberties in South Vietnam. The Paris agreements, particularly article II provide that:

Immediately after the cease-fire the two South Vietnamese parties will . . . ensure the democratic liberties of the people; personal freedom, freedom of speech; freedom of political activities, freedom of belief, freedom of movement, freedom of residence, etc."

It is our responsibility as U.S. Congressmen that the political requirements of the Paris agreements are not ignored.

It is our responsibility as U.S. Congressmen to refuse to authorize continued massive aid—$2.4 billion for fiscal year 1974—until the torture and inhuman treatment of the political prisoners is stopped.

And, it is our responsibility to inform the American taxpayer that his money is going to support a corrupt police

state—at a time when so many of our own vital domestic programs are being cut and crippled.

I should like to call to the attention of my colleagues and the American public the Boston Globe editorial of Tuesday, April 3, which dramatizes vividly the meaning of President Thieu's celebrated visit.

COURTESIES CAN BE OVERDONE

The diplomatic courtesies paid to South Vietnamese President Nguyen Van Thieu by President Nixon at the San Clemente White House are about par for such visits, even though the participation of the celebrated Army herald trumpeters laid it on a bit thick. But it is not likely that Mr. Thieu's welcome will be quite so warm when he and his diplomatic aides begin lobbying disenchanted congressmen in Washingtin tomorrow. Nor should it be.

In a speech taped in Honolulu for broadcast here, Mr. Thieu said his American visit was for the purpose of thanking his "dear American friends" for their help in the war. He underestimated the amount of aid by some 5000 American deaths, incidentally, putting the figure at 50,000 instead of 55,000, and not mentioning the money cost of more than $100 billion.

The help he now wants from his "dear American friends," and the help Mr. Nixon appears to have promised him, is a bit much. His meeting with Mr. Nixon was arranged to shape new political, military and economic relationships between Washington and Saigon. But such aid is already budgeted at $2.4 billion for 1974, more than twice the proposed annual outlay in the domestic rehabilitation bill which Mr. Nixon vetoed last week as "irresponsible." There is little likelihood that senators and congressmen, who view the Thieu government as corrupt and oppressive, will look with favor on this expenditure, let alone more.

Congressmen of both parties are already up in arms over the Administration's unauthorized continuation of the war in Cambodia. And what both Mr. Nixon and Mr. Thieu now face is congressional support, which appears to grow by the day, for the Church-Case bill which prohibits the use of any funds for the reintroduction of any US military force in any part of Indochina.

President Nixon was threatening Hanoi when he said last week that his actions of the last four years are an indication of what he can do again if he deems it necessary to punish Hanoi for reported infractions of the cease-fire. But there are those in Congress and the nation who view the President's pronouncement as a threat not only to Hanoi but to the antiwar forces in the US as well.

Secretary of Defense Elliot L. Richardson allayed none of the mistrust when he refused, in a TV interview in Sunday, to rule out the possibility of the reintroduction of American troops and made some point of emphasizing that what Mr. Nixon might order in the future "could include any of the things that have been done in the past," Mr. Richardson may or may not have intended the ominous note, but it was there all the same.

Aside from military aid, there probably would not normally be many congressmen nor many other Americans either who, in reflection would deny reconstruction funds to both South and North Vietnam, which, after all, are one nation, not two. It was our bombs, napalm and defoliation techniques which devastated both parts.

But Mr. Nixon himself has diminished, for now, at least, the chances for reconstruction. He has done it by orchestrating the flood of torture stories told by American POWs, by insisting upon cutbacks in funds for domestic social purposes, and by proceeding with reconstruction negotiations all on his own before Congress has even considered them.

Even if Mr. Thieu were the best loved foreign leader who ever set foot in Washington, his work there would be cut out for him. One has the feeling, indeed, that he is wasting his time—and ours.

LOS ANGELES CITY COUNCILMAN TOM BRADLEY ON MASS TRANSIT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ANDERSON of California. Mr. Speaker, in the midst of the current controversy over Federal funding on mass transit systems, it is refreshing to hear a lucid, enlightening statement on one city's transportation problems and proposed solutions from a prominent city official.

One such statement was recently presented by Los Angeles City Councilman Tom Bradley to the Subcommittee on Transportation of the Public Works Committee.

Mr. Bradley presented his rationale in support of funding mass rapid transit in Los Angeles by the way of opening the highway trust fund.

Mr. Speaker, because Mr. Bradley's remarks are so timely and informative, I would like to share them with all of my colleagues:

STATEMENT OF COUNCILMAN TOM BRADLEY

Mr. Chairman, members of the Committee, I would like to address myself today to the need for mass rapid transit in Los Angeles and the assistance Congress and the Administration could render by opening the Federal Highway Trust Fund.

Southern California, particularly Los Angeles, has been known as the automobile capital of the country. In 1972 the South Coast Air Basin, of which Los Angeles is a part, contained over 10 million people and nearly 6 million motor vehicles. The Basin is still growing at about 1.7 percent increase per year. However, the automobile population grows more rapidly, at 3 percent to 4 percent per year, and gasoline consumption grows even more quickly.

The automobile has degraded our quality of life in Los Angeles; it causes 70% of our air pollution; it accounted for 48,000 deaths or injuries in 1971; 22% of the City's land use is devoted to the auto—65% in the Central City, and it increases noise pollution in the City by one decibel per year. Autos are inefficient: to transport a typical passenger, a car requires 50 times as much room as a rail rapid transit line doing the same job. Automobiles waste money: it costs the average Los Angeles resident $3,700 per year to operate a car in the City. Freeways to accommodate our autos have "divided and conquered" our city with ribbons of concrete—separating people from their job and from each other, destroying the integrity of neighborhoods, and encouraging urban spread and destruction of needed open space. Automobiles effectively utilize only 5% of the potential energy from the approximately 4 billion gallons of gas we consume in the Los Angeles basin. In light of an impending energy and fuel crisis, this waste is totally unacceptable; but as long as automobiles remain our principal more of transportation, the reckless consumption of dwindling supplies of fuel will continue unchecked.

We in Los Angeles can no longer afford to throw more and more cars on our already congested streets and freeways. We can no longer afford the luxury of a hit-or-miss piecemeal transportation plan—or worse, no real plan at all. We in Los Angeles need a creative transportation system that recognizes the intimate relationship between transit, job training and employment opportunities, adequate housing, and accessible recreation facilities. Good transportation to places of work which induces development of industries committed to employing local residents and benefiting the entire community. Good transportation will go far to relieve the social pollution of ghetto conditions. An effective and available transit system will rectify the long-neglected transportation needs of 40% of the City's population who are too old, too young, too poor or too handicapped to own and operate an automobile.

The lack of a clean and effective mass rapid transit system in Los Angeles has brought us face to face with an Environmental Protection Agency proposal to ration gasoline. This proposal was prompted by the fact that Los Angeles will not be able to meet the Federal Clean Air Standards by 1977. I believe these are realistic standards, and should be met so that Los Angeles can maintain a healthy environment. It is clear that meeting the Clear Air Standards and providing mass transit go hand-in-hand. I think the Congress was not only clear in its intent to clean up the nation's air when it enacted the Clean Air Act Amendments in 1970, but also actions necessary to comply with the federal law. In fact, a report of the Senate Public Works Committee on the act forecast the trends of change the new law would require:

"As much as 70% of the traffic may have to be restricted in certain large metropolitan areas if health standards are to be achieved within the time required by this bill."

The report warned that:

"Construction of urban highways and freeways may be required to take a second place to rapid and mass transit and other public transportation systems. Central City use of motor vehicles may have to be restricted."

It is unfortunate, but both state and local governments, including Los Angeles, have not accepted the need for such action. Indeed, state and local governments have adopted a posture of "who cares" about this vital legislation.

Two years have come and gone since the warnings by the Congress. And what has happened since then? First, the auto companies, who have been aware of the threat posed by motor vehicle emission in the Los Angeles area for over 20 years, have continued to refuse to develop or even consider alternatives to the internal combustion engine. Their lack of concern and action in developing a smog-free engine is directly responsible for Los Angeles' air pollution crisis.

Second, we know that even if all cars in the Los Angeles Basin meet the 1975–76 emission standard, motor vehicle related pollution levels would still exceed the levels necessary to protect public health. I believe the auto companies are leading an effort to undermine even those standards—a ploy which, if it succeeds, will only force upon more communities the kind of crisis faced by Los Angeles.

Thirdly, the irresponsible actions of a number of corporate oil companies in 1970 here in California were responsible for the defeat of Proposition 18. This Proposition would have permitted the use of funds from the State Highway Trust to be used for public transportation programs. The oil companies mounted an unprecedented assault on this measure—solely out of greed and corporate irresponsibility.

Finally, Congress has tried twice to redirect our transportation policies and priorities by expanding the uses of money from the highway trust fund to include support for public transportation projects. And twice failed.

That brings us to the situation we face today.

I believe viable alternatives to E.P.A.'s proposal for gas rationing are available and should center around a comprehensive mass transit program and better land use controls aimed at redirecting and restricting the City's urban growth.

Let's be candid, if Los Angeles has any hope of avoiding the catastrophic consequences of gas rationing, people must not have to reply exclusively on the auto for transportation. For this to happen, Los Angeles' mass transit system must be drastically increased. This can only become a reality if massive funding is available from the Federal government.

It is imperative then that Congress open up the Federal Highway Trust Fund as provided for in legislation such as H.R. 101 and a companion measure, H.R. 3343, to channel funds now used for highway construction to public transportation improvement. I was pleased to observe the Senate's passage of legislation, last week, to accomplish this. Enactment of provisions contained in H.R. 101 and H.R. 3343 will assist local governments, in a flexible manner, to develop a balanced transportation system. Additionally, it can provide cities such as Los Angeles, with funds needed to expand their mass transit system, to get people out of their autos, and thus reduce air pollution. Even if the provisions of H.R. 101 and H.R. 3343 are enacted, there still may not be sufficient funding priority given to those cities having difficulty meeting the Clean Air standards. For this reason, I additionally support H.R. 3905 which will provide 10% of the Highway Trust Fund monies be allocated for emergency transit funds for cities such as Los Angeles, who are failing to comply with the Clean Air Act.

While enactment of H.R. 3905 would be the most desirable course for providing these emergency funds, passage of the bill is somewhat in question. So I would propose that any mass transit funds provided for under H.R. 101 and H.R. 3343 be allocated on a priority basis, to those cities which E.P.A. has certified as unable to achieve by 1977, levels of air quality required by Section 109 of the Clean Air Act. The priority funding would be in the form of emergency assistance to enable the cities to comply with the congressionally mandated air quality standards.

Such emergency assistance could be used in Los Angeles to: drastically increase the size of the Southern California Rapid Transit District's bus fleet; initiate a major program to construct exclusive bus lanes, utilizing existing freeway lanes and improved rights-of-way; and expanded use of the "mini-bus" system, to provide low cost transportation within major activity areas—to connect the areas with outlying parking lots and express bus stops.

I believe such priority funding would greatly assist Los Angeles in meeting the national air quality goals, as well as assisting in expanding the City's mass transit system.

It is mandatory that Los Angeles act now on the construction of a mass rapid transit system. A system which will be an efficient and attractive alternative to the auto.

We in Los Angeles will soon be ready to embark on the construction of such a system. For the system to be initiated, support must come from Washington. I believe this will require the appropriation of more transit funds, not less. The Federal Highway Trust Fund is an appropriate and reasonable source to be tapped, to meet this urgent need.

I believe it is long overdue for Los Angeles to join with Federal agencies and build an efficient rapid transit system. As a City official and First Vice President of the National League of Cities, I am commited to working with Congress and the Administration to accomplish this task.

JUVENILE JUSTICE: A CITY CRISIS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RAILSBACK. Mr. Speaker, I have long been concerned about the many young people who collide with our juvenile justice system. The series presented in the New York Times this month provides some valuable insight into our efforts and into our failures. "Juvenile Justice: A City Crisis"—the first article in the four-part series—is depressing, but certainly points out the need for more attention to be focused upon those young people who have run afoul of the law. I am certain this will be interesting and of concern to all my colleagues.

The article follows:

JUVENILE JUSTICE: A CITY CRISIS WHERE SYSTEM IS HARMING, NOT HELPING, CHILDREN

(By Lesley Oelsner)

The juvenile justice system of New York City has slipped into confusion and despair, caught in a crisis so severe that judges and jailers alike often say they are harming more children than they are helping.

A five-week study by The New York Times, involving visits to courtrooms and jails and interviews with scores of judges, lawyers, probation workers and others, found that the system is marked by high recidivism, inefficiency, muddled policies, inadequate resources, and almost total inability to rehabilitate.

Judges treat children illegally and admit it.

Children who are not accused of crime are jailed.

Eight-year-old boys get police records for playing ball on the street, girls for being raped.

Children are placed in institutions that, according to the officials in charge of the institutions, are "irrelevant" and "damaging."

The justice system loses track of children in its care and doesn't know how many have been lost.

Into the beleaguered system come thousands of boys and girls accused of everything from minor trouble-making to robbing, raping, killing. Many of them—all under the age of 16—are sent back to the streets they came from, only to reappear, short periods later, on new charges.

Youngsters commit acts as serious and shocking as those of adults—throwing a little girl from a rooftop to her death, for instance; raping a girl and then setting her afire; hacking a boy with machetes.

"It scares the hell out of me," says Judge William Berman of Brooklyn Family Court. "Fourteen and 15-year-olds who are vicious people—they're criminal elements."

The juvenile justice system is the children's equivalent of the adult criminal justice system—an amalgam of the police and courts and probation officers and lawyers, geared to dealing with essentially criminal behavior such as assault and robbery.

But it is also much more: Unlike the adult system, the juvenile system has jurisdiction over a whole range of noncriminal behavior which society, in the form of its legislature and judges, has deemed unacceptable or troublesome in its young. Behavior such as skipping school, or staying out late or being drunk.

The Family Court is at the heart of the system, dealing with both the criminal and the non-criminal types of misbehavior; it is at the heart of the crisis as well, its courtrooms and records replete with tale after tale of children gone—or sent—astray.

But thousands of children become enmeshed in the system without going to Family Court: The police simply record their misdeeds in department files and send the youngsters home; or they bring the children to court and the case is "adjusted" (in effect, thrown out) by the probation authorities who must process each case before it is filed.

"What we've done to kids is just disgraceful," says Judge Philip D. Roache of Brooklyn Family Court. "We send them direct to the [adult] criminal courts, by our inadequacies and our inability to stop them when they start."

The law denies children many of the rights it provides adults. Children do not get jury trials, for example. And children, unlike adults, are subject to "preventive detention"—keeping someone in jail pending trial for fear that if released, he would commit another crime.

But sometimes, children are denied their rights by the judge rather than the law—the constitutional right, for instance, to be presumed innocent until proven guilty.

A 15-year-old youth charged with robbing and trying to sodomize a 9-year-old boy has just been brought to Brooklyn Family Court. It is the "intake part," the first stage in the court process, and the accused's mother is speaking to the judge.

"My son goes to work after school," she tells him. So, she says, her son could not have been in the place where the attack occurred, and the case should be dismissed.

Judge Richards W. Hannah peers down at the written charges; then, the presumption of innocence notwithstanding, he looks up at the mother and tells her that her son "seems to have gotten to" the 9-year-old. The judge then sets a date for a hearing on the charges.

Judges also often violate specific statutes and orders, explaining either that they do it "in the child's best interest" or that they have no alternative. One type of illegality is what they call "therapeutic remand"—sending a child to jail for a spell to jolt him into good behavior. "You sort of shock him to his feet, like electric shock treatment," explains a judge in Queens Family Court who did not want his name used.

Florence M. Kelley, administrative judge of the Family Court, says that she has told her judges not to do this and that she has even had a psychiatrist tell the judges that the concept of "therapeutic remand" is false. But some of the judges persist.

"In selected cases," says the Queens judge, "it works very well."

Another law often flouted by the judges is the one that spells out how long a child can be kept in detention.

Held as long as is legally permissible, a youth is brought before Queens Judge Saul Moskoff for a hearing. But things are not ready for the hearing, and it seems too risky to send the boy home.

"I'll stretch the statute for a day," announces Judge Moskoff, and the boy is led off, back to jail. Sometimes the statute is stretched for a week, or more.

Because the juvenile system has such broad jurisdiction, children can land in jail without committing—or being accused of committing—a crime.

It is 1:37 a.m. at Spofford, the city's main children's jail, in the ravaged Hunts Point section of the Bronx. A police car roars into the driveway; two officers alight, go to the back door, and take out their prisoners.

The prisoners: two girls, a sixth-grader and a seventh-grader, handcuffed together. The

charges: staying away from home overnight. Or, as the sixth-grader tells it, "I ran away—three times," each time for a day or two.

The girls, like two others brought to the jail a few minutes later, also in handcuffs, are "PINS cases"—PINS being the courthouse acronym for "persons in need of supervision." The law gives Family Court jurisdiction over PINS children, defining PINS as a boy or girl under 16 who doesn't go to school as required or who is "incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of parent or other lawful authority."

In the 1971–1972 court year, the Judicial Conference reports, of more than 4,000 PINS cases processed through the New York City courts, at least 1,150 boys and girls were jailed for such things as running away or truancy.

The other type of youthful behavior that comes to court is termed "juvenile delinquency," with a delinquent defined as "a person over seven and less than 16 years of age who does any act which, if done by an adult, would constitute a crime."

More than 5,000 J.D. petitions were actually filed with the court in the 1971-1972 court year; at least as many additional J.D. accusations were made but, instead of being formally filed, were disposed of in the "adjustment" stage that precedes filing. Figures here as throughout the system are sketchy, but at least 1,400 children accused of delinquency were jailed in that period.

To get rid of their unwanted children, parents often dump them into the juvenile system by filing PINS petitions. Many times judges reject such petitions; sometimes they even order neglect petitions filed against the parents. But not always.

And case after case shows the "stepfather syndrome," in which the mother's new boyfriend either tells the mother to get rid of the daughter, or rapes the girl (after which she runs away), or the mother fears that the child is an obstacle to the romance.

"I thought you were going home," Elsie Ponder, a Spofford official, says as she starts to frisk a 13-year-old girl whom the Brooklyn Family Court has just sent back to jail.

"I thought I was going home too," the girl replies. "But you know what my mama said? 'If you come home, you regret the day.'"

Some judges and lawyers say it is unfair to jail or penalize children for the misdeeds of their parents. And Jerry McCarty, an admissions officer at Spofford, said he felt that way too when he started in his job. But his attitude has changed.

"When you find out what their home life is," he says of the children, "you're not detaining them, you're protecting them."

Dozens of children collide with the juvenile justice system each day. And in the process some get lost.

"Patrica is still missing." reads the Judicial Conference's file on a 16-year-old girl who had been sent to Bellevue Hospital after repeated court appearances on a variety of charges, ranging from prostitution to neglect of her own child.

"Absconded," is the penciled-in notation in another file, that of a 15-year-old boy named Roger who is considered "both psychotic and dangerous" and who has assaulted and robbed.

No one knows how many Patricias and Rogers there are, for the Family Court is often not notified when a child flees a reform school or hospital or other institution, and there is no central registry in the system.

The economic status of a family often determines what happens to a child in trouble. Wealthy parents can send their offspring to psychiatrists or boarding schools; low-income parents are more likely to resort to the police and the courts.

Besides, the Family Court is required to make up best "disposition" possible for each child. For the child of wealthy parents, this frequently means he will be returned to his family for medical or educational care that the system can't afford but that his parents can. In a similar case involving a poor child, the court may place him in a public institution.

"It's prejudicial against the poor child," says Judge Kelley, "because the services we want for children aren't available on a nonpaying basis."

The system also treats children in a way that some lawyers and even a few judges deem racist. The vast majority of children who appear in Family Court are black or Puerto Rican, but fewer than a quarter of the court's 39 judges are. And partly as a result, some of those judges say, their court is racially biased.

"I don't think it's an active bias," says Judge Joseph D. DiCarlo of the Bronx Court when asked about the racism, "but you will constantly hear some [judges and court personnel] say, 'they're all black,' 'they're all Puerto Rican,' 'what are we coming to?'"

Throughout the juvenile system, records are supposed to be confidential. But it is widely agreed that the policy is not always followed. Of the Family Court records, for instance, Judge Gilbert Ramirez of Brooklyn says this: "The shroud is very porous."

Then there are the police records—the so-called "juvenile reports" or "Y.D. cards" (Y.D. standing for Youth Division of the Police Department), which are filled out for minor violations such as riding the subways without paying and for such misdeeds as playing ball in the street and being "rowdy" or drunk. A girl can get a card being the victim of a rape. In 1971 the police filled out 60,384 of them, according to the department, up from 31,928 in 1961 and 45,473 in 1966.

As a result of a recent court ruling, the Police Department agreed to destroy most of these records when the child in question reaches 17, and to otherwise tighten up security procedures. Yet at least one high-ranking member of the Youth Division, who requested that his name be withheld, still questions the constitutionality of the cards.

Most of the people in the system who were interviewed saw myriad reasons for the myriad signs of failure in the city's juvenile justice system. But generally, the reasons fall into three main areas: lack of resources, including services for children and trained personnel; the fragmentation of the system, with its plethora of private and public agencies and its lack of over-all accountability; and confusion over what rights a juvenile should have and what a juvenile justice system should be.

It is the first—the lack of money, staff facilities, training, knowledge—that the people in the system complain of the most. And of all the things missing, they say, the most crucial is sufficient programs, both residential and non-residential, for the children.

A 14-year-old girl is brought to court by her grandmother; the girl has been staying out too late, the grandmother complains, and is otherwise "uncontrollable." So the court places the child in a "temporary shelter"—a non-secure institution in which children live while going into the community for shopping, say, or sometimes school—promising to transfer her soon to an appropriate home or program.

At 16 the girl is still in the shelter, the court having failed to find any person or any agency willing to take her. She is in the shelter, pregnant now, about to give birth to an illegitimate child.

Judge Kelley explains: "You can have the fairest hearing in the whole world, Law Guardians [as Legal Aid lawyers in Family Court are called], Corporation Counsel, a very fair tolerant judge, a marvelous probation report (which we don't always have)—you can have all that, and you determine based on that, and you know what the child needs, and you look around and it's not there.

"So, what difference does it make, whether there is a Corporation Counsel there or not?"

While children can be placed in a variety of programs—some run by the city's Human Resources Administration and a larger number run by private agencies (with the H.R.A. footing much of the bill)—there are still nowhere near enough. Beyond that, the selection policies of some of the private agencies tends to reject some of the most difficult children.

According to people in the system, other things are missing, too; adequate training for staff in reform schools and shelters and probation (as officials in each area concede); programs for homosexual children; adequate statistics and other information; efficient management techniques.

In the last fiscal year, the financially pressed Family Court returned $31,000 in unspent funds to the city, a "human error" that Judge Kelley says would not have happened if the court were run in a more businesslike fashion.

People in the system don't talk quite as openly about the proliferation of agencies and governmental units with little over-all accountability—but, when asked, many agree that it is one of their biggest problems.

The juvenile justice system here includes the police, the Family Court, the Judicial Conference, the New York City Office of Probation, the H.R.A. (division of Special Services for Children), the state's Division for Youth, the Legal Aid Society, the Corporation Counsel (which acts as prosecutor for children), the State Board of Social Welfare (which is supposed to investigate and set standards for institutions), and dozens of private agencies.

The Judicial Conference recently created an Office of Children's Services to gather information and foster cooperations between the various parts, but the office, one of the few recent improvements in the system, lacks much power.

"It's a non-system," says John A. Wallace, director of the city's Office of Probation, "The only thing that ties the thing together is the kid."

Yet of all the causes of the system's present troubles, the most crucial, perhaps, is the confusion over how the law should treat the child.

The concept of a separate type of justice for children took hold about the turn of the century, and it was, in the beginning, a reasonable and humanitarian concept: Children who misbehaved would not be treated like adult criminals; instead, they would be "helped" by a paternalistic court and given special services and treatment to "rehabilitate" them.

Because they were not being treated as criminals (nor even termed "defendants"), it was thought, the children would not need, and thus would not have, the rights which are accorded to adults charged with crime. As Judge Leo Glasser of the Brooklyn court puts it, it was in effect "a contract" between children and society—children giving up their rights in return for special service.

But after a while, it became apparent that the contract was not being kept; Children were not getting much, or sometimes anything, in the way of special services. The United States Supreme Court started giving children back some of their rights—the right to a lawyer, the right to be adjudicated "beyond a reasonable doubt" rather than simply by a "preponderance of the evidence."

New York's children, in fact, often get more rights than the children of other states, due in large part to the efforts of the Legal Aid Society's Family Courts bureau under Charles Schinitsky.

Yet the desire to treat children in a special way continues. And as a result, so does the debate: Is Family Court a criminal court? A civil court? A court at all, or a social work agency?

In New York, the debate focuses on two areas: the role of the Legal Aid lawyers, or "Law Guardians," who represent nearly all the children in PINS and J.D. cases; and the justification for having PINS cases in court.

Legal Aid perceives its role in the traditional attorney-client relationship; many judges and others think the lawyers should see themselves more as "guardians" and helpers of the court in its social-work role.

As for PINS cases, both Legal Aid and the New York Civil Liberties Union—as well as some of the judges themselves—argue that PINS cases do not belong in court at all. The child is accused of no crime, the argument goes; why should he be sent through what is essentially a criminal procedure?

Most judges argue otherwise, saying that the PINS children are often "J.D.'s who haven't been caught." And where else can PINS children go for help? they ask.

"That's the big thing in the Family Court—is it a law court or is it sociology?" asks Mary Bass, director of the Corporation Counsel's Family Court operation. "I think there has to be recognition that this is a court. After all, what's happening is that these kids, in the last analysis, are being deprived of rights."

Says Milton Luger, director of the Division for Youth: "This should all be thought through again."

PAT GRAY ESTABLISHED EXEMPLARY RECORD AS HEAD OF THE FBI

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. McCLORY. Mr. Speaker, while the President has felt impelled to withdraw the name of L. Patrick Gray III, for further consideration as Director of the Federal Bureau of Investigation, it seems appropriate to comment on the excellent qualifications and outstanding talents of Pat Gray in this sensitive and highly professional Office.

A very thoughtful commentary on Pat Gray's special attributes and his early service as Acting Director are the subject of a column by the distinguished and outspoken Chicago Tribune columnist, Bob Wiedrich. This strikes me as a more significant analysis of Pat Gray's qualifications as Director of the FBI than I have been able to gather in most of the accounts disseminated by the media.

Mr. Speaker, I realize this is kind of a post mortem, in view of the President's decision to withdraw Pat Gray's name from further consideration. However, a man possessing these outstanding qualities merits the kind of fair judgment which Bob Wiedrich has expressed—sentiments with which I concur.

PATRICK GRAY HAS LET AIR INTO FBI

(By Bob Wiedrich)

Were Acting Director L. Patrick Gray inclined to dispatch a note in a bottle to the White House, its contents probably would read:

"Help! Save me! Being held hostage on Capitol Hill."

For that, in substance, is the pickle in which Gray finds himself as fallout from the controversial Watergate case cascades upon his head at Senate hearings on his confirmation as the late J. Edgar Hoover's successor.

Sadly, Gray has been caught in the switches of good old fashioned partisan politics and doesn't deserve it.

But as a pawn, Gray may go down the drain. The Democrats have latched on to a sterling political issue and you can't blame them for not letting go.

Now, we won't attempt to pass judgment on the electronic bugging of Democratic Headquarters last year except to observe the affair qualifies as one of the most inept, stupid, and pointless efforts in the history of American politics.

Those responsible should have been indicted for idiocy, if for no other reason.

Unfortunately, Gray may have to pay the price of that idiotic conduct. And the FBI and the American people will be the ultimate losers.

During his 11 months as acting FBI chief, Gray has come a long way in turning around the agency without hurting either its effectivess or its integrity. He has won the hearts of field commanders and improved the lot of working stiffs.

And he has done all these things without diluting the image of Hoover's spotless 48-year stewardship as the first and only director of the FBI. In effect, Gray has humanized an organization that had become too set in its ways.

That statement is no reflection on Hoover. His methods served the country well for nearly half a century. But there is no system devised by man that cannot be improved. And that is what Gray set out to do after his appointment by President Nixon last May.

In those 11 months, Gray has taken the time to visit all but one of the FBI field offices, meeting personally with the bosses and agents and clerical staff to discuss his ideas about streamlining the bureau, something Hoover was rarely known to do.

From the standpoint of the men in the field, Gray's brief tenure has been like a breath of fresh air.

Across the board, Gray has eliminated a lot of what agents and bosses alike characterize as "chicken" paperwork, leaving more time for police work on the streets which, after all, is what the FBI is all about.

For the younger bucks, Gray has relaxed personnel rules to conform more to today's dress and hair styles. And thus far, it has not been recorded that longer sideburns or flared trousers have interfered with an investigation.

Meanwhile, the old-timers in positions of responsibility have found their lot bettered, too.

Special agents in charge of field offices have more freedom to make independent decisions without having to constantly get on the horn to a superior in Washington, a change reflecting Gray's belief the man on the scene is the best judge of a situation.

Agents find it easier to get a transfer to a post closer to their original homes instead of waiting as much as a decade for that nirvana. And those who get in a jam find they may be given another chance instead of being summarily fired.

Meanwhile, Gray has brought joy to some of the veterans on the firing line of the war against crime by chasing a bevy of hidebound bosses from furlined foxholes in Washington, an act that has spawned a rash of anonymous criticism planted in friendly journals.

In short, if you value the judgment of the men who should know best, Gray has proven himself an able administrator and leader. He has imbued the FBI with his own style while preserving its reputation and record of accomplishment.

Gray ordered one of the most intensive investigations in FBI history when the Watergate incident arose. As a result, people have been convicted. And, as far as the record goes, Gray's personal conduct has not been off base. His dealings with the White House have been thru the proper chain of command, Atty. Gen. Richard Kleindienst.

So now it's up to President Nixon to take the heat off the Gray appointment by shaking loose the White House staff people Congress wishes to question in the Watergate case. Otherwise, the FBI will have lost a competent new leader.

ON THE VETO OF THE RURAL WATER AND SEWAGE BILL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RARICK. Mr. Speaker, President Nixon has vetoed H.R. 3298, an act to restore rural water and sewer grant programs which he had terminated by impoundment of funds on January 1.

The President bases his veto on sound fiscal policy, the fear of inflation, and the threat of higher taxes.

I most certainly support the President on his announced intent of controlling spending and reducing inflation by living within our Federal income. But, it just does not make sense to deny our people their own tax dollars and then funnel the money to foreigners around the world.

The vote on the veto tomorrow will be to sustain or override the President in denying water and sewer grants to rural America—a program costing about $120 million. Yet at the same time he would deny help for clean water and pollution control to Americans, $20 million was authorized under the further continuing appropriations resolution for a water treatment and prototype desalting plant in Israel. Other interesting programs around the world include the $35 million grant for the disaster victims of Nicaragua, $157 million over 2 years for continuation of the Peace Corps, $100 million grant for refugee relief assistance in Bangladesh, and the recently announced release of $31 million of the appropriated $50 million to voluntary Jewish organizations to provide assistance to Soviet Jews immigrating to Israel.

The President's urging of fiscal responsibility and noninflationary budgetary controls clearly has a double standard. When budgets must be cut and prorgams eliminated, it is always the Americans who are asked to tighten their belts.

And then we are all reminded of the latest Presidential commitment to aid North Vietnam in rebuilding that country.

I intend to cast my people's vote to override the President's veto and shall continue to so vote until he abandons his "commitment" to North Vietnam and starts impounding and eliminating the waste of the American people's money by scattering it to the four winds of the world.

I insert the following news clippings:

[From the Washington Post, Apr. 7, 1973]

JEWISH MIGRANTS GET $31 MILLION U.S. AID

The United States extended $31 million in aid yesterday to voluntary Jewish organizations that provide assistance to Soviet Jews emigrating to Israel. The move represents

the first expenditure from $50 million Congress appropriated last year to aid Soviet Jewish emigrants.

The funds will be used for the care of Soviet Jews in transit to Israel, including the expansion of a transit center in Austria and absorption centers in Israel where the immigrants are received.

More than 32,000 Soviet Jews emigrated to Israel during the past year. The exodus has continued through this year with more than 1,000 Jews leaving the Soviet Union each month.

Expenditures of the $31 million will be administered by the Jewish Agency of Israel under a contract signed here yesterday between the State Department and the United Israel Appeal.

REMARKS OF MAJ. ORSON G. SWINDLE, FORMER POW

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. MATHIS of Georgia. Mr. Speaker, last Saturday morning in Camilla, Ga., which is in the district I am privileged to represent, more than 800 citizens packed the auditorium of the Mitchell County High School, with many more standing outside in the hallways, to pay their respects and demonstrate their appreciation to native sons of Mitchell County who have served in Vietnam.

Many important persons were in attendance, including Judge Robert Culpepper and Represenative Marcus Collins. Joe Morris Palmer, a veteran himself, served as master of ceremonies, and Camilla Mayor Lewis Campbell presented a proclamation. I was privileged to speak to the assembly, but the highlight of the day came when Maj. Orson G. Swindle, who spent 6 years and 4 months in the Communist prisons of North Vietnam, responded to the days proceedings. Major Swindle made a moving and inspiring talk, one that I sincerely wish every American could have been present to hear. I am submitting the full text of Major Swindle's remarks in the RECORD at this point, and I hope every Member of this distinguished House will take a few minutes to study these remarks carefully. They were made by a remarkable man, who, along with many other remarkable men, have undergone agony that few humans ever know.

The remarks follows:

REMARKS OF MAJ. ORSON S. SWINDLE

Congressman Mathis, Col. Roeder, Capt. Munday, Mayor Campbell, Distinguished guests and fellow Americans.

On occasions such as this I am once again reminded of the limitations of my ability to use our language to fully express the depth of my feelings. All expressions seem totally inadequate. I have been overwhelmed by the warmth and love extended toward me and my companions from Communist prisons as we have made this wonderful re-entry into the greatest country on earth—the United States of America. To all of those beautiful, smiling and often times teary-eyed Americans I have encountered from Clark Air Force Base in the Philippines to Jacksonville, Florida and especially to all of you folks here at home. I would like to say simply—thank you so very much for your thoughts, our prayers, your heartaches and most of all for those beautiful smiles. May God always bless you! It's good to be home with you again.

A few days ago prior to the recent release of information concerning the treatment of P.O.W.'s an old friend of mine here in Camilla made the statement to me that I looked great, sounded great and that he didn't think we had suffered too badly during our incarceration. Of course, my friend did not have all the facts, although I am quite sure our government, on numerous occasions, had informed the American people of our brutal treatment.

First of all I want to assure each of you that the accounts of the brutality we suffered that you are reading and hearing are the truth and not exaggerated. In fact, some aspects of the emotional and psychological stress of those days is impossible to explain in news releases. The men telling these stories are, in many cases, close friends of mine. They are without a doubt the finest Americans and the finest men I have ever known. Their love of country, courage, faith, loyalty and devotion to duty are beyond reproach. I hope you are as proud of them as I! Secondly, we have in no way been told what to say by anyone. The expressions of love for our country, faith, patriotism, belief in our cause and respect for our President are honest, sincere and straight from our hearts and minds. The questioning of our sincerity and integrity concerning these statements by some of the press media and some individuals is perhaps the greatest disappointment I have experienced since my return. I pity such individuals for they must be totally void of substance. I can only ask—*What do they believe in??*

Our eagerness, our spirit and our appearance are the results of our intentions. Our intentions were to come out of North Vietnam, with honor, as healthy in body, mind and spirit as possible for a number of reasons. Number One—we are Americans—that is something special! We wanted to show the world that we withstood the best efforts by Communists, both mental and physical, and came home with our honor and self-respect. This is not to say that we had no fear, for only fools know no fear but we learned to cope with fear and carried out our duties and responsibilities to the best of our abilities. It is not to say we are supermen for indeed we were not. We were broken physically and submitted many times but the Communists never broke our spirit and we bounced back and that to me is the true measure of a man. Our condition stems from a strong desire to be ready to serve our country in both military and civilian life for many years to come. Men broken in spirit, mind and body can't do that. We wanted to pursue life to its fullest with our families and friends. Broken men can't do that. Lastly, just plain old fashion self-respect and pride. We knew we would have to look ourselves in the face each morning and if you didn't do your best, that face-to-face confrontation would be a living hell.

We stand before you today proud to be an American, happy to have returned home with honor, eager to serve you and eternally grateful to the brave men who fought in our absence. How has this all come about? We had a motto in our organization—three simple words but words of tremendous meaning—unity over self. Or in other words keep faith in each other, always try to help your fellow American and be willing to put aside selfish goals for the success of our mission and our group. All for one and one for all.

Or perhaps Gen. MacArthur phrased it so much better: "Duty, Honor, Country."

With this motto and the American fighting man's Code of Conduct we lived day by day. There was no easy way out for any American with honor so it was necessary to muster courage to overcome fear and pain and in many cases just "to hang on." Our day to day problems—the Communists—could not be simply ignored or put aside. We had to face reality in its rawest form and cope with it. Faith in God—and many came to know God in a more personal way. I personally believed God would never open those cell doors for me, nor loosen those ropes cutting into my flesh and nerves, nor end this war, nor bring us victory. And I did not feel God owed that to me in any way in response to my prayers.

Those were acts of man. God has given us intelligence, the ability to reason and to create means to achieve victory. The war was a product of man so man would have to solve that himself. But I was confident that God would give me the patience, the serenity and the strength to endure! This cup of bitterness would surely pass from my lips—and it did. We stand before you in this condition today because of you and your efforts. Our treatment changed dramatically in the fall of 1969—a product of the wrath of an indignant American and world people toward the barbaric practices of the Vietnamese Communists in handling P.O.W.'s. Your letter writing campaign saved the lives of many Americans. I truly believe that. Lastly but not least, we stand here today because of the courage and determination of one man—Richard M. Nixon, President of these United States of America. I regret Mr. Nixon did not enjoy the support of every American and the entire Congress. I am absolutely convinced that this dissension prolonged the war for years. I praise him for holding fast to his convictions, his courage and most of all for being a real man. I pray to God no President of our beloved land will ever yield to the frenzied despair and apathy of weaklings in the face of the enemy and that no President of our great Nation will disgrace the dignity of our country and his office by begging on bended knee before the enemy for mercy of any form. God Bless Richard Nixon.

Many men have died in this war and today we honor some of our own who made the supreme sacrifice. What a tragedy if it has all been in vain. We cannot know whether the results of their sacrifices will endure but we can look to the future with the conviction that the spirit of these men and the tradition which our living and dead have written in the jungles of Vietnam will endure and serve us well through time to come. I do not believe it has been in vain. I feel had we not responded to the Communist aggression in 1965 all of southeast Asia would be Communist today. I think we have prevented that. I have been asked if I felt my personal sacrifice was worth it. To you the American people I say—"That is entirely up to you. Much more has been at stake in this war than just South Vietnam. We Americans someday must realize that we are the only force on this earth that can prevent total Communist domination. The respect for the dignity and individuality of man is worth immeasurable sacrifice. We must be vigilant and be willing to make that sacrifice. It will take courage, faith, loyalty, a willingness to accept reality and its challenge and most important of all unity.

Mr. Thomas Paine of Revolutionary Days in our country spoke of "Now being the time for all good men to come to the aid of his country" and "These are the times that try men's souls" and of "Summer soldiers and sunshine patriots failing to answer the call to service of their country." How profound these statements are—and so appropriate for this land of ours today. It's so easy to be patriotic and loyal when there is no crisis.

The time has come for blacks and whites, Republicans and Democrats, the rich and the poor—all of us to fully comprehend what a fantastic blessing we have. The time

has come for us to realize not only our rights and privileges as guaranteed by our Constitution but most important of all—our responsibilities. The time has come for us to fully comprehend one most important thing—we are first and foremost one thing—we are Americans. I pray to God that we will all soon realize this to the fullest degree and that we shall never forget it again.

We have seen great unity within our country surrounding the plight of the P.O.W.'s and their return—a unity that was tragically absent in previous years in many respects. You should now realize the power of this unity. I hope that in the next crisis—and surely there will be others—that we will see the same powerful and most wonderful unity that seems to be with us today. That would be the most beautiful manifestation of your appreciation, respect and admiration toward those men who have given so much for this country and you. God bless you and God bless America.

EDITORIALS SUPPORT ATLANTIC UNION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FINDLEY. Mr. Speaker, tomorrow the Atlantic Union resolution is scheduled to be taken up on the floor of the House. In recent days, several newspapers have editorialized in support of the resolution.

The editor of the Oregonian, pointing to the endorsement of Atlantic Union by the President and State Department, writes:

The United States must find some reasonable vehicle to resolve the monetary threat and restore the U.S. balance vis-a-vis the nations of the European Common Market and Japan. NATO, the western military alliance, does not have the capacity to do the job.

The Topeka Daily Capital realistically states that—

It is agreed the time is far from right today for the formation of an Atlantic Union to govern all of the NATO nations, and it may not be in this generation, but there is an obvious need for closer relations among the nations.

The paper concludes:

If the Atlantic Union, even in its initial stages, holds hope of aiding the cause of peace, it is worth the time and energy it will require.

The full text of the editorials follow:

[From the Oregonian, Apr. 2, 1973]

WESTERN PACT NEARER

After a quarter-century of hesitant progress and setbacks, the resolution for the United States to join with its North Atlantic Treaty allies in exploring possibilities of a federal union has taken life in Congress and could get final approval this week.

The reasons are obvious. Atlantic Union, whose foremost advocate for more than a quarter-century has been Clarence K. Streit, may not be essential at this point in history to prevent another world war. But it could be immensely valuable in resolving the fiscal and trade problems besetting the western world which could lead to an international depression or worse.

The United States must find some reasonable vehicle to resolve the monetary threat and restore the U.S. balance vis a vis the nations of the European Common Market and Japan. NATO, the western military alliance, does not have the capability or authority to do the job.

The Atlantic Union proposal, which in its first stage calls merely for a conference to discuss a federal union, was adopted unanimously in the Senate, after a new endorsement by President Nixon. The House Foreign Affairs Committee approved it last week, 21 to 8, and today the House Rules Committee is expected to send it to the floor for a vote Wednesday.

The State Department, long reluctant to endorse the resolution, now has recommended a study of Atlantic Union "as consonant with the goals of this Administration in transatlantic relationships." Democratic leaders of the House and Senate also have approved. The resolution should, by all means be adopted.

[From the Topeka Daily Capital, Mar. 31, 1973]

ATLANTIC UNION A GOAL

A joint resolution to create an Atlantic Union Delegation now has been recommended for adoption by the Foreign Affairs committees of both the U.S. House of Representatives and Senate.

The delegation, to be comprised of 18 members, is empowered by the resolution to meet with other members of the North Atlantic Treaty Organization to attempt to form a more stable federal union.

This is interpreted as an effort to transform NATO into a more effective union, based on federal principles, and to attempt to ensure greater continuity of American policy with respect to NATO members.

Some subjects which would be ripe for discussion at any meeting of the NATO nations concerning formation of an Atlantic Union would be the possible withdrawal of American troops from Europe, the current money problems and trade relations.

Eventual goal of the Atlantic Union is formation of a government encompassing all of the NATO nations, but its backers concede at once no nation is ready today for this far-reaching step.

It is agreed the time is far from right today for the formation of an Atlantic Union to govern all of the NATO nations, and it may not be in this generation, but there is an obvious need for closer relations among the nations.

Disagreements too easily can be fanned into worldwide conflagrations. If the Atlantic Union, even in its initial stages, holds hope of aiding the cause of peace, it is worth the time and energy it will require.

FEDERALIZING NATO COUNTRIES

(By William N. Findley)

An item of great significance apparently has escaped either reporting or editorial comment in The Journal. It deserves both. I understand that just before adjournment of Congress last fall, the Senate passed without dissent the Atlantic Union Delegation resolution, but the House failed to act. This resolution calls for a convention of North Atlantic Treaty Organizations (NATO) nations to explore the possibility of transforming NATO into a federal union—possibly with a common citizenship, common currency and common defense force. The resolution has just been reintroduced in the present Congress.

I understand that the resolution now has behind it all four leaders of Congress, including the administration's Senate spokesman, Minority Leader Hugh Scott and House Majority Leader Thomas O'Neill Jr. of Massachusetts. The 19 Senate cosponsors on Jan. 18, 1973, included Claiborne Pell of Rhode Island and Edward Brooke of Massachusetts. It was supported in the past and presumably still is by both Rhode Island Congressmen, St Germain and Tiernan. Supporters form a majority in both the Senate foreign relations committee and House foreign affairs committee.

I believe the forming of a federal union of NATO countries would be of great benefit to the people of Rhode Island and the rest of the U.S. It, therefore, seems to me desirable that The Journal keep Rhode Island fully informed on this important development by news reporting, editorial and background articles.

THE PRESIDENT VERSUS THE PEOPLE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RANGEL. Mr. Speaker, as the budget conflict between the President and Congress intensifies, another more compelling conflict is burgeoning. It is an encounter between Mr. Nixon and the American people. Recent public opinion polls have shown the electorate in disagreement with the President's proposed budget and its antihumanitarianism characteristics. Recent weeks have seen thousands upon thousands of Americans in Washington, D.C., protesting the cuts in worthwhile social programs. Let Mr. Nixon contemplate this mandate. The American people simply will not accept an administration that places guns over schools, and missiles over homes.

I now submit for your attention and the attention of my colleagues an editorial that appeared in a recent Americans for Democratic Action—ADA—newspaper entitled: "The President v. the People," written by Leon Shull.

[From the ADA World, February 1973]

THE PRESIDENT VERSUS THE PEOPLE

(NOTE.—"It makes no sense for a nation with a median family income close to $11,000 to pretend that it cannot take care of its poor in a dignified way, improve its education system, remove some of the blight from its cities, and support other public services adequately, because it has reached the limits of its taxable capacity." Dr. Joseph A. Pechman, Brookings Institution economist).

The war on poverty has become a war on people—the poor, the wage earner, the young and the old.

Not for 40 years has any U.S. president proposed a national budget so callous in attitude toward the people of the United States as has President Nixon in his fiscal 1974 budget.

This President"s budget is more than a budget; it is a call to arms against landmark social programs, initiated by Presidents Truman, Eisenhower, Kennedy and Johnson, and a return to a pre-New Deal public policy.

The President's proposals mean, in brief:

an end to federal programs designed to help the poor become self-sufficient.

an end to federal programs designed to give compensatory help to disadvantaged children.

an end to federal subsidies for people unable to house themselves and their families in the inflated housing market of the 70s.

reduced public library services—for all.

fewer doctors, fewer nurses—for all.

an end to new hospital construction and old hospital updating—programs designed to produce more rational, efficient institutions for all.

less health and medical research.

sharp reductions in community mental health services; services for alcoholics; and community birth control services.

less help for the elderly.

An indefinite suspension of the federal housing subsidy programs, which aid two and a half million families, already had been announced and no alternative program proposed. The moratorium on federal housing projects signals an abandonment of all effort to save the cities; without federal help new housing for the urban poor will not be built.

A spokesman for the American Public Health Association—a venerable and widely respected outfit—said he regarded the President's budget proposals in the health area "with abject horror." He said budget cuts in research, for example, will have an impact for decades; "It's the kind of budget that will hurt the country for a long time."

How many—young and old—will be dead too soon because the research and services that could have kept them quick were cut out of the federal budget by a President intent on saving pennies?

How many babies will grow up in the filth and congestion of slums, because—in 1973 and '74 and '75—the President of the United States sought both to balance his books and to placate special monied interests?

How many children will be caught in the trap of poverty, twisted into lives of crime or the chronic sickness of malnutrition or mental illness or economic dependency? And how much—ultimately—will their crime and sickness and dependency cost the nation?

There is plenty of evidence to indicate that the rising costs of Medicare are due not to overuse by patients but to over-charges by physicians. In other words, the fee-for-service delivery system is at fault. Nevertheless, 23 million Americans eligible for Medicare benefits will have to pay an additional $1 billion out of their own pockets each year under this budget. (A humane Administration might have chosen, for example, to close the oil depletion tax loophole as a way of finding this money instead of taking it from the most defenseless people in America.)

The President's Medicare budget is in fact a subversion of intent; Medicare was not intended to be solely a defense against catastrophic illness or injury, but that is the way the Administration sees it. Translated into the day-to-day lives of the elderly, the Administration's proposals mean less preventive care and more medical calamities, as pensioners delay seeking care in the early (and cheaper) stages of illness. And nothing, meanwhile, will have been done to improve the *delivery* of health care.

This budget kills—after two years—the Emergency Employment Assistance Program, under which 280,000 people in high-unemployment areas are performing *useful* public service jobs—a program which helps both the unemployed and their communities, a program which this Administration might be expected to favor. As of January, 44 major areas and 826 smaller areas were suffering either substantial or "persistent" unemployment, according to the Labor Department; what is the value of a work ethic if no jobs are available?

Remember how long we in the liberal and labor movements fought for federal aid to education? In education, virtually every advance since 1965 in the form of federal aid will be gutted by this and future Nixon budgets. The President proposes the elimination of dozens of popular education programs, including the justly famed Elementary and Secondary Education Act of 1965. Most of the money grants under this legislation, which is the basic aid measure, will be supplanted by a $2.5 billion education revenue sharing program. But among the programs to be eliminated will be Title I of the Act, which guaranteed that most of the money—$1.5 billion annually in recent years—would be spent on compensatory education for disadvantaged children.

Federal aid to U.S. public education developed precisely because local and state governments, for a variety of reasons, neglected poor children. The President's revenue sharing plan means that we will return control of school monies to the very people who previously would not or could not meet the needs of urban children—and no persuasive evidence that any change is taking place in the thinking or direction of state and local education departments has been advanced.

The President intends to "return to the people"—that is, to states and local communities—a good many other programs. Unfortunately, categorical relief programs are more likely to aid the people they are intended to aid than are programs which funnel money into cities and states with no requirements—or only general requirements—and no standards. The rich and powerful have their advocates on every level, but the federal government is the only effective advocate which the poor ever have had.

The Administration's true purpose and philosophy emerge most clearly in its decision to end the Office of Economic Opportunity. OEO, with all its faults, nevertheless signaled this nation's commitment to assist those most hurt by our economy, customs, and culture. Now OEO is to be buried, and Howard Phillips has been appointed acting director and undertaker.

This destruction of OEO and its most important component, the community action agencies, comes at the same time that an OEO evaluation—based on a study of 591 of the 907 agencies—celebrated them for their "effectiveness in mobilizing local resources to help the poor become self-sufficient." Here again, one would think that an Administration so devoted to the work ethic would leap to the assistance and not to the destruction of the community action programs, but Phillips, who had been working inside OEO as an Administration saboteur, tried to prevent distribution of the evaluation.

And so, for the first time in decades, federal spending for the poor may level off and then decrease.

Even the promised "no tax increase" turns out to be a distortion of truth. Social Security taxes, for example, which stood at $61.7 billion in fiscal 1972, will rise to $87.6 billion in fiscal 1975—and every cent of this enormous increase will come from highly regressive payroll taxes, hitting hardest the working poor and both blue and white collar wage earners. Nor does the Administration propose to plug the tax loopholes which disgrace our tax system—rendering a supposedly progressive system far more inequitable than is generally realized—despite recent tax cuts, generally favoring affluent individuals and corporations, which have lowered taxes by $35 billion a year

Make no mistake. This presidential budget attacks imperfect, half-starved programs for *people*—wage earners and the poor and near-poor—and preserves intact the Administration's costly services to the rich and to industry and its costly commitments to the Defense Department and the defense establishment.

For example, *all* the health and education cuts added together equal the proposed merchant marine subsidies.

The budget is generous, in fact, in the area of defense. The United States already has achieved maximum defense potential, and in the face of an end to the Vietnam war, one might well expect reductions in the Pentagon budget. Instead we find increases, and while the Pentagon claims that pay raises and inflation will account for most of the rising costs, nevertheless a substantial increase is sought for research and development of strategic and conventional weapons—bad enough at present—which are designed to reach staggering proportions within a few years. Imagine, for example, submarines costing $1 billion *each*. The Pentagon thinks big, and the Administration acquiesces.

Fortunately, the story is not over. But the battle ahead will be a tough one.

To begin, we must reject the blanket charge that these programs have failed. Some programs were experimental; others were pilot programs, but the massive programs which they were intended to advance never were launched. Still others have been starved systematically by the very forces which now charge them with failure. Certainly any program can be improved, and some programs *have* failed. Of course. But it is simply a lie that the great steps in public policy which the nation has taken since the New Deal have made no significant difference to its people. One has only to extrapolate the trends and philosophy of President Hoover's Administration to recognize the values which President Nixon and the Chamber of Commerce scorn. And perhaps some of these programs are being ended precisely because they *did* work; they have cut into profits, they have reduced the great pool of cheap labor which hopelessly poor people create.

How do we meet the Administration's challenge?

1. We must fight, first, for genuine tax reform, to end privilege for the rich, for industry, and for the corporations. A more progressive system would place much heavier burdens on corporations and affluent individuals.

2. We must achieve a sizable cut in the defense budget—where the fat is.

3. We must defend with all our energy, with all the resources we can command, at home and on Capitol Hill, the useful social programs which the President would starve or destroy.

4. We must support needed new programs—in the areas of health, a guaranteed income, and child development, for starters.

In short, we urge a gradual increase in public spending, so that in a few years approximately 27 percent of the gross national product is allocated to federal spending. This would mean approximately seventy billion additional dollars, raised through progressive personal and corporate income taxes, a closing of income tax loopholes, and a return to the income taxation level of ten years ago.

With leadership to inspire its citizens and the imagination and compassion to conceive new problem-solving approaches, the United States now could end her poverty and fragment her injustices.

That leadership is lacking.

The President has forgotten—if indeed he ever knew—that the measure of a nation's civilization is the treatment it accords its most helpless citizens—its infants, its aged, its poor and handicapped, disadvantaged, even unpopular people.

CONGRESSMAN ROGERS, SENATOR JAVITS HONORED FOR DIGESTIVE DISEASE WORK

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. CARTER. Mr. Speaker, on May 18, at the National Institutes of Health, a national conference on digestive diseases as a national problem will be held.

This conference has come about largely as a result of congressional action last

year, which renamed an institute at NIH the National Institute of Arthritis, Metabolism and Digestive Diseases. The law also provided for increased emphasis on digestive disease research, the naming of an Assistant Director for digestive disease research and a subcouncil. I am pleased to say that I coauthorized this bill, participated in the subsequent hearings, and supported the bill on the floor.

I am personally disappointed that the reforms called for by the Congress have not all taken place—especially as to the increased emphasis in research and the naming of a subcouncil. I am gratified to see the remarkable movement on the part of nongovernmental lay and medical groups to organize themselves to push hard for research and education in this area.

I have examined the lists of those participating in the preconference workshop at Airlie House, Va., on April 23–25, and find that they constitute a remarkable group of prominent Americans.

The workshop and conference could not come at a better time. First, we will be examining appropriations at that time. Second, we are all going through a reevaluation of health priorities. Third, the conference precedes "National Digestive Disease Week," during which an international meeting of the best of our scientific and lay leaders will take place to examine the research and educational programs of the past year and to plan for the next year.

I understand that on May 18 a benefit will be held at the Kennedy Center for the newly founded American Digestive Disease Society—ADDS—at which Rudolf Nureyev will perform. The purpose of the benefit is to raise funds for research and training in digestive diseases.

I would like to commend all those who are participating in these conferences—their work is invaluable. Fred Kern, Jr., M.D., conference chairman, who comes from the University of Colorado medical center, has worked hard and long in putting this program together.

In this connection, I take note of the fact that at the first organizational benefit for the American Digestive Disease Society in New York on December 5, 1972, two of my friends and colleagues were honored for the work they undertook to get the law passed.

Mr. Irwin Rosenthal, president pro tem of ADDS, and president of the National Ileitis-Colitis Foundation, who was an excellent witness before our subcommittee when the bill was being considered, made the National Humanitarian Award to my friend and colleague, PAUL ROGERS of Florida, and to my good friend, Senator JACOB K. JAVITS of New York. The citations for their work, and the remarks for their acceptances, appear below:

CITATION HONORING CONGRESSMAN PAUL G. ROGERS

Representative Paul G. Rogers is hereby presented the National Humanitarian Award in recognition of his energetic leadership during the 92nd Congress in the field of digestive diseases legislation. As Chairman of the Subcommittee on Public Health and Environment of the House of Representatives, Mr. Rogers conducted hearings on digestive disease problems, introduced H.R. 13591 to deal with these problems, and secured passage of the legislation by the whole House of Representatives. The bill became law on May 19, 1972.

REMARKS OF CONGRESSMAN PAUL ROGERS IN ACCEPTANCE OF NATIONAL HUMANITARIAN AWARD OF NATIONAL FOUNDATION FOR ILEITIS AND COLITIS, NEW YORK HILTON HOTEL, NEW YORK, DECEMBER 5, 1972

Ladies and gentlemen: It is a great pleasure to accept this award. I am truly honored.

It is an even greater pleasure just to be with you tonight and to join your celebration of the birth of the American Digestive Disease Society.

While working on digestive disease legislation over the past year or so, I had the welcome opportunity to meet frequently with many outstanding people in this field. These meetings allowed me to watch the concept of a national society concerned with digestive diseases grow into the reality that we see here tonight. It is genuinely edifying.

You who are gathered here to offer your support to the American Digestive Disease Society and to the National Foundation for Ileitis & Colitis are to be commended, for you are engaged in a truly noble effort: the struggle to improve the health of the American people. It would be hard to imagine a better cause for your resources and energies.

"The National Health Crisis" is perhaps an overworked expression, and yet we are all aware that this country has some very serious health problems. Millions of Americans have grossly inadequate access to quality health care, due to a lack of facilities and personnel. Millions more are simply unable to afford the increasingly high cost of quality health care. And all of us either suffer from, or are threatened by, serious diseases for which no cures or satisfactory treatment procedures are known.

In the Congress we are fighting an uphill battle to remedy some of these problems through government action. In the House of Representatives, our Subcommittee on Public Health and Environment devotes its full time and attention to health matters. During the recently-concluded 92nd Congress alone we developed contructive legislation dealing with such diverse subjects as: cancer, heart and lung disease, sickle cell anemia, health professions training, nurse training, drug abuse, communicable disease control, problems of the aged, multiple sclerosis, Cooley's anemia, and last—but certainly not least important—digestive diseases. With the constructive cooperation of Senator Javits and his colleagues on the Senate Labor and Public Welfare Committee, these measures have been enacted into law.

Public Law 92–305, signed into law on May 19 of this year, is of special interest to this assembly. In November of 1971 our subcommittee held hearings on the subject of digestive disease research and training needs. In early 1972 I introduced a bill, H.R. 13591, which was subsequently approved by our subcommittee, by the full Interstate and Foreign Commerce Committee, and by the whole House of Representatives. With Senator Javits' crucial help in the Senate, H.R. 13591 was also passed by that body, and was signed into law by President Nixon.

This new law will enhance the Federal government's role in digestive disease research and training in three ways. First, the unit of the National Institutes of Health which has primary responsibility for digestive diseases programs has been renamed to include digestive diseases in its organizational title: the National Institute of Arthritis, Metabolism, and Digestive Diseases. Secondly, the position of Associate Director for Digestive Diseases has been established in the Institute. Finally, a Committee of the Institute's Advisory Council has been established to deal exclusively with the question of digestive disease programs.

I said earlier that we are fighting an uphill battle in the Congress. A principal problem is that, while we have passed appropriate authorizing legislation like Public Law 92–305, the appropriations to fund these laws have been inadequate. The current Administration, faced with budget deficits and inflation problems, has not seen fit to request anywhere near full funding of authorized health programs. When adequate HEW appropriations bills have been approved by the Congress, the President has frequently seen fit to veto them.

While a good case can be made for fighting inflation, one fact is clear: as a government and as a Nation, we are not placing an adequate emphasis on our health problems. To remedy this situation, I have proposed the creation of a separate cabinet-level Department of Health. I feel it is absolutely vital to have a Secretary of Health who will coordinate programs, propose ideas, and advise the President on health care matters. The young people like to speak of "getting it together". I suggest we urgently need to "get it all together" in the health field.

We also need the continuing efforts of groups such as the American Digestive Disease Society and the National Foundation for Ileitis & Colitis. You would do well to support increased Federal appropriations for digestive disease programs at NIH. Your organizations would also be well advised to look into the health programs of other government agencies—such as the Veterans' Administration and the Defense Department—to see how those agencies are handling digestive disease problems.

The struggle to enhance the Nation's health is a difficult, time-consuming job. Let me assure you, however, that the results will be worth every bit of the effort you and I put forth.

CITATION HONORING SENATOR JACOB K. JAVITS

Senator Jacob K. Javits is hereby presented the National Humanitarian Award in recognition of his valuable efforts in the United States Senate to promote better health care for all Americans, especially in regard to digestive disease legislation. As the ranking minority member of the Senate Committee on Labor and Public Welfare, Senator Javits worked during 1972 to assure speedy passage of H.R. 13591, the bill to rename and reorganize one of the National Institutes of Health so as to enhance the Federal role in digestive disease research and training.

REMARKS OF SENATOR JACOB K. JAVITS IN ACCEPTANCE OF NATIONAL HUMANITARIAN AWARD OF NATIONAL FOUNDATION FOR ILEITIS AND COLITIS, NEW YORK HILTON HOTEL, NEW YORK CITY, DECEMBER 5, 1972

We share a mutual concern about a health problem of great magnitude: that nearly 13 million Americans have chronic digestive diseases and it is the number one reason for hospitalization in our country.

The impact of the digestive diseases health problem measured in economic terms have been calculated to presently approach 10 billion dollars per year, ranking it third among all categories of diseases as a cause of economic loss. This includes not only the cost of medical care—high in part because of the costs of surgical operations for conditions not now curable by medical means, e.g., the cost of gall bladder surgery alone runs to over half a billion dollars a year—but also the loss of income due to death and absence from work.

We also share a mutual concern about whether there are adequate resources to attack the problem. As you know, the $30 million level of Federal expenditures for digestive diseases research and training support was, until now, available through the National Institute of Arthritis and Metabolic Diseases, which encompasses a total of 10 separate fields of study, as well as gastro-

enterology (digestive diseases), and greater focus and attention was needed.

I believe the bill I supported in the Senate which was enacted into law—P. L. 92-305—will, in great measure, stimulate adequate funding to launch an appropriate national attack on digestive diseases.

The name and structure of the National Institute of Arthritis and Metabolic Diseases has been changed to the National Institute of Arthritis, Metabolism, and Digestive Diseases. In addition, the law established the position of an Associate Director for Digestive Diseases within the Institute, and a special permanent committee of the Institute's Advisory Council to handle digestive disease research and training problems.

The Federal Government cannot, however, do everything in seeking a solution to our national digestive diseases health problem. We must also have the active participation and leadership of the private sector of our economy.

For this reason, I am delighted to applaud the accomplishments of the National Foundation for Ileitis and Colitis and to note the recent establishment of the American Digestive Disease Society.

I would urge you not only to continue your fine efforts, but to expand them. So much more needs to be done. You should continue to urge adequate governmental appropriations and privately-supported biomedical research must be able to take up the slack if the threat of governmental budgetary constraints become a reality. Now that the National Institute of Arthritis, Metabolism, and Digestive Diseases has been properly organized, it is vital that adequate appropriations be secured to carry out the functions of the Institute, especially as they relate to digestive diseases. Support for such appropriations is a perfectly appropriate function of Foundations and Societies such as yours.

In closing, let me again thank you for this Award, and allow me to urge your continued efforts on behalf of the victims of digestive diseases.

GREEN THUMB SUCCESS STORY

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. QUIE. Mr. Speaker, the following article by William Hakala appeared in the February issue of Lutheran Brotherhood magazine. It is a heart-warming success story of the Green Thumb program started in 1965.

The article follows:

GREEN THUMB SUCCESS STORY

MOUNTAIN VIEW, ARK.—Willy Morrison's amphitheatre will seat 800 people without crowding. Its rock-hewn tiers rise upward and outward from a center stage that is set against a wooded hillside. Cedar and dogwood trees shade the terraced benches and line the banks of the creek which separates stage from audiences, then gently courses out of view beneath an arched stone bridge. The men from Green Thumb built it. Their average age—69.

"Boy, they've got a pride, I'm telling you." Job foreman Willy Morrison likes to boast about his Green Thumb crew and talk about what this project has meant to them. "They're back in society again, back living again," he explains. "They're doing something that will be around after they are gone."

Green Thumb was launched in 1965 by the federal government as a work program to alleviate poverty among the nation's rural elderly poor, many of whom subsist on pittances of $60 a month. The average income per couple is $900 a year. Now, some 3,500 of these retired low-income Americans are finding new hope and a measure of prosperity through Green Thumb. The program operates in 25 states and would undoubtedly expand to others if more funds became available.

Green Thumbers work three 8-hour days per week. At $1.60 an hour they can earn up to $1,600 in a year. This is an annual income level that does not disqualify them from Social Security benefits. Many Green Thumbers receive only the minimum retirement benefit, which at age 65 is $84.50 a month; $67.60 if claimed at 62. Farmers are especially hard pressed in their "golden years" since they did not come under Social Security until the 1950s.

Green Thumb is sponsored by the National Farmers Union, a membership organization of farm families, and operates under a grant by the U.S. Department of Labor as part of its "Operation Mainstream." Currently $9 million is annually budgeted for Green Thumb and two other Mainstream programs. (Green Light, a work program for rural older women, is one of them; On-the-Job Training for young people is the other.)

To qualify for Green Thumb work, a man must be 55 or older, of rural background, in good health, and have a yearly income under $2,500 per couple. Although job applicants must pass a physical examination, there is no top limit on the age requirement. A good many of the men are in their eighties; the oldest Green Thumber is 96.

THE GRIT TO BE USEFUL

Willy Morrison is foreman of a Green Thumb crew at Mountain View, Ark., and the man who planned the amphitheatre project. The outdoor arena will get a lot of use the third week of April when 60,000 people from around the country come to town for the annual doings of the Hackensack Folklore Society. Hoedowns are held regularly here on Friday nights throughout the year. Morrison, whose formal schooling stopped after the sixth grade, "saw" the amphitheatre in his mind when the hillside was a tangled thicket, and knew instinctively how to shape it into the sculptured landscape that it is. "If you live all your life out in nature, it comes natural," Morrison explains.

Sixty-five years old, Morrison is a medium-sized man, trim and loosely put together. He shades his square, tanned face with a white cowboy hat. An expert rock worker, he also is a gifted musician and once played his fiddle on the Senate floor in Washington as a Green Thumb promotional stunt. Now, looking out over the amphitheatre his men built, Morrison talks about the accomplishment with a kind of country eloquence. "There's an unlimited stockpile of skills stacked in those old boys."

Working in seven-man crews, Green Thumbers clear roadside recreation sites, build picnic tables and toilets, cut nature trails, plant trees, pull debris out of rivers, and construct ball park bleachers and dugouts. It is work requiring building skills, patience and plenty of stamina. These are qualities Green Thumbers seem to have in abundance.

If it can be said of anyone that he thrives on work, it can be said of the Green Thumber. Most of them have spent their lives doing hard physical labor, and it has become a habit. According to one of the program's regional directors, "Rural people have the work ethic built into them so strong they will starve before they take a relief check." Crew foremen are instructed to enforce ten minute rest periods every hour of the work day, especially during hot weather. Usually the crews have to be told to take a breather.

AN INDEPENDENT SPIRIT

"Let me ask you something," one Green Thumber queried, his head reared back and eyes narrowed to a rifle sight squint. "Weren't you rather us old bucks was working out here than on food stamps?" Bee Slape belongs to a crew that works near the town of Jasper in northwestern Arkansas, completing a roadside rest area for mortorists. The site his crew has slashed, sawed and chipped from this Ozark mountainside is one of rugged beauty, looking out upon mile after mile of wooded flintrock hills. It might be what cartoonist Al Capp had in mind when he created "Dogpatch." Here, real-life hamlets have names like Booger Hollow, Hog Skald Hollow, and Yellville, the site each year of a national turkey-calling contest.

It is hard, densely thicketed terrain and to develop the roadside areas with hand tools is a test for the sturdiest and most patient of men. Walter Haddock, 72, the sinewy foreman of the Jasper crew, takes special pride in the works his "boys" have accomplished. "Did it all with crosscut saws and axes," he points out. "Wouldn't let us use chain saws because they thought we might hurt ourselves."

Haddock's comment hints at a sore spot among Green Thumbers, and that is the prevailing attitude in our culture toward the abilities of anyone "over the hill." Like old railroad ties, old people have been upbedded, they feel, and thrown to one side to weather into dust. These men, independent of spirit and proud of their ability to work harder than the average man, don't like it a bit.

The old-timers prove their worth wherever they go. "We'll work 'em down," challenged one testy Green Thumber when a group of disadvantaged youngsters was hired by a boys' club organization in Hot Springs to assist the Green Thumb crew on a summer work project. And work them down they did. "Those rascals work," said the boys' club director of his Green Thumb help. "But the kids, you have to stand right there or it doesn't get done."

The Green Thumb project in Hot Springs offers a typical example of how the program operates. Green Thumb is funded exclusively to provide labor. Materials needed for any job must come from local sources—private donors, fund raising proceeds or government agencies. In the case of the boys' club project in Hot Springs, lumber for renovating its crumbling headquarters was donated by the Weyerhaeuser organization. Lockers, which the men straightened and painted, were received free from one of the many bath houses for which Hot Springs is famous; bleachers for gym came from an old Jack Dempsey training center.

Almost any group or organization can get Green Thumb help if crews and materials are available—provided the project is for the public good. State directors of Green Thumb make this determination.

MORE THAN PICKING UP BEER CANS

"A lot of people think that Green Thumb is for cutting weeds and picking up beer cans," observes But Witter, a Green Thumb supervisor who formerly was with the Arkansas Highway Department. Perhaps the image arises in some areas of the country because highway departments were among the first to recognize the value of Green Thumb. The Arkansas State Forest Service was another early sponsor of the program. In the Ouachita National Forest, Green Thumb crews have been busy throughout the state. Down in Arkansas City they renovated an old opera house; at Murfreesboro they built a swinging foot bridge; in Polk County they constructed an 8-unit camp facility; at Russelville they created a Little League ball park complete with bleachers and concrete dugouts. In Montgomery County, 56 timber bridges had washed out during spring floods

and Green Thumbers replaced them with reinforced concrete bridges. At Blanchard Cave, not far from Mountain View, a Green Thumb crew built a half-mile long rock-walled path leading up to the cave entrance. Down in the delta region of the state, Green Thumbers built a wooden walkway out over a mangrove swamp to a store survey marker commemorating the Louisiana Purchase.

THE VIGOR OF AGE

An important characteristic of Green Thumb is the quality and quantity of work that is performed. Green Thumbers put something special into their efforts. That "something special" is pride. Workers who had come to believe that life was over for them join a Green Thumb crew and discover in themselves long forgotten abilities, and sometimes unsuspected talents.

One of the most heartening results of Green Thumb is that doctors report that the health of the workers usually improves after working for Green Thumb. The Green Thumbers themselves report they feel better after going to work for Green Thumb.

One man told about being unemployed for five years because of poor blood circulation. But after joining a Green Thumb crew in cutting brush and planting trees along roadsides, his health improved so much he was able to take a job as a year-round worker in a town park. Another man, told by the examining physician that he could take a Green Thumb job only if he agreed to take a stomach medicine the doctor prescribed, soon found that he didn't need the medicine anymore.

The wife of a Green Thumb worker credits the program for changing her husband's attitude toward life. In retirement, he had grown grumpy, quarrelsome and hard to live with. Now there is spring in his step as he walks out the gate three mornings a week to his Green Thumb job, lunch pail in hand. "It's just like old times," she says, almost tearfully.

From all indications, Green Thumb is one of the government's most successful programs. It is providing older people with useful, rewarding work, plus the extra income many of them desperately need. Communities, too, benefit from the program when Green Thumb crews come in to tackle jobs for which there simply is no budget.

If Green Thumb did nothing more than give older people a dash of their former independence and a relief from boredom it would still measure up as a valuable program. Said one Green Thumber, age 87, with a wink of an eye, "Only reason I'm working is to save money for my old age."

IS THERE A COMPUTER IN THE HOUSE?

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. HUNGATE. Mr. Speaker, the computer's role in society has again been described in a recent article by Patrick Ryan in the March 28, 1973, issue of Punch:

IS THERE A COMPUTER IN THE HOUSE?

The green light flashed and a metal voice commanded, "Next, please."

I went in and found behind the desk, not the healing, fag-ash stained figure of Doctor Aloysius Tablet, but some twenty-five cubic feet of grey, stove-enamelled computer.

"Good evening," it said, "Please sit down. And when you're sitting comfortably, tell me about your trouble."

"Thank you kindly," I said. "But before getting down to the agonising details of my latest malady which I bear so stoically, I would like to record a short complimentary message to the Minister of Health and Social Security."

"And what is that, please?"

"I want him to know, as one of his longest-serving customers, how pleased I am to find he's made a much overdue start on mechanising the medical profession. There's not much, believe you me, in the daily grind of the local GP that couldn't be done by the average, five O-levels computer."

"I've noted that," said solid-state Finlay. "Anything more."

"Plenty," I assured it. "For a start, it's reckoned that fifty per cent of the patients in any doctor's waiting-room are only suffering psychosomatically. It's all in their minds, and what they've really come for is a bit of a chat and a medicated cheer-up. And that tape-recorder down in your diaphragm is just as capable as any M.D. of making encouraging remarks whenever they pause for breath. Like telling them to take a holiday or get the wife to bed earlier, and assuring them that you die if you worry, you die if you don't, so why worry at all?"

"Most interesting. And is that all?"

"Not by a long chalk. Now take the other half of the queue out there—those who may have a physical ailment. All most of them have come for is a bottle and a certificate. And the degree of decision-making employed by old Doctor Tablet in issuing medicine wouldn't mentally extend a ten year old pitch-and-toss player. If the pain's above the rib-cage, you get a prescription for the thick brown mixture. And if it's below, you get one for the thin white stuff. And when he'd had a heavy lunchtime, his flock just got a brown or a white bottle alternately as they came in."

"I have recorded that appropriately. Have you any further observations?"

"And his system of longer term diagnosis was fairly standard among modern GPs. On your first attendance without any visible injury, he'd tell you that you were perfectly all right. If you came back a second time with the same complaint, he'd give you a chit for examination at the hospital. And if you returned for a third time, he gave you the address of a good undertaker."

"Thank you for all you have told me," said the chrome-cuffed Aesculapius, sparks of testiness developing in its many red eyes. "And if there's nothing more, I think . . ."

"In conformity with medical etiquette," I continued, "he always wore a regulation stethoscope around his neck. I'm a bit surprised they haven't built one into your bodywork for identification purposes. He never used this instrument on anybody, partly because it was bunged up stonedeaf with forty years of surgical fluff. But he used to wave it about mystically, like a witch-doctor's voodoo rattle, at any body who doubted his diagnosis. And, like most of his British healing colleagues, he used his stethoscope mainly for dashboard display when his car was parked outside pubs, thus deterring wardens from dropping too many parking tickets."

"I quite understand and I don't want to hurry you, but . . ."

"And that's a definite advantage you electronic chest-tappers have over your corporeal counterparts. You've got programmed patience. You don't start getting restive and trying to get on with your paperwork if anybody like me with complex distempers needs more time than egg-boiling to enumerate his symptoms. Simply because, with your intestinal typewriters and automatic printouts, you can get through all that vital medical work of filling in returns, signing passport forms, and providing references in a tenth of the time taken by your human competitors. Never mind the boon to us patients of having our ailments typed legibly on the certificate so that we don't spend sleepless nights wondering whether the hieroglyphs signify that we've been struck with biliousness or the Black Death."

"Which leads me to enquire," said my clinical interlocutor, sarcastic rust getting into its accent, "Just what do you think your symptoms are this time?"

"I'm glad you asked me, doctor," I replied, wincing bravely, "because I get this throb-throbbing in my head, combined with a feeling as if somebody's tightening a red-hot band around my chest, and accompanied after every meal by the gushing of hot, sulphuric acid geysers all over my poor duodenum. And sometimes, when I get up suddenly, my knees give way."

"I see. And what medicine were you given for it last time?"

"I got a jumbo bottle of the thick brown mixture."

"Then this time," said the computer, spewing a prescription form from a slot abaft the right nipple. "We'll try you on the thin, white stuff. And I would also advise you to take a holiday, get the wife to bed earlier, and ponder on the truism that you die if you worry, you die if you don't, so why worry at all?"

"But what about my certificate? I usually get a sick note for seven days off."

"The certificate-issuing machine is now in the waiting room." A punched card shot out from the slot. "Place this card in the aperture marked 'Card' and insert ten pence in the opening marked 'Money'. And good day to you, sir or madam . . . And next please."

I left the computerised consulting room and applied myself to the certificate machine. It hummed and hawed electrically and expelled the standard form down into its open-fronted stomach. Already halfway into convalescence, I pulled out my safe-conduct to layabout. The aforesaid patient, it read, is suffering from "Galloping Hypochondria" but he is "Fit for Work", and should be restricted to duties involving "Continual Standing, Irregular Meals, and Incessant Lifting of Heavy Weights".

OFFICIAL CORRUPTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RANGEL. Mr. Speaker, the never-too-smooth relations between our local police and inner-city residents of our largest urban centers have gotten even worse from the common knowledge that when the man on the street does something wrong, he gets the regular treatment, but when a wrong is committed by a police officer, it is usually covered up. What I am speaking about is police corruption. It has never been a particularly popular term. When it is mentioned in the street both the police and inner-city resident bristle with their own brand of invective.

When police corruption is mentioned in the Halls of Congress or in the corridors of State capitols, legislators are quick to question one's patriotism and to defend the police without inquiry into the actual facts. Many of these legislators, of course, are pushed on by their own constituents. It is the popular thing

to do. They decry crime in the street and propose saturating the cities with police and the police with Federal money, chiefly LEAA—Law Enforcement Assistance Administration—funds.

Among policemen themselves, corruption upsets the strong bond of comradery, the solid front of law and order. Their job is difficult, each situation requiring a judgment about human nature in a unique set of circumstances. Understandably, the police are flustered and distressed when outside groups such as the Knapp Commission nose around, apparently out to discredit all police with a single stroke of the brush.

Crime fighting is a dangerous business policemen say, and the patrolman cannot really be expected to turn down that occasional free cup of coffee from a grateful diner owner. Crime is also a dirty business and when the job deals constantly with trouble, one cannot expect all police to always keep clean all the time, or so I am told.

Well, I am not worried about that cup of coffee and I am not suggesting that the man in blue wear a clergy collar, too. What I am worried about are things such as accepting payoffs from gamblers, keeping some of the goods stolen by a suspect who has been apprehended, and allowing the drug trade to flourish.

The fact of the matter is that today if corruption wears the badge of law and order, it is not pursued. Protocol in the ranks demands that the incident be hushed up and, at most, that the officer be discretely transferred to another unit, another job, another precinct.

The explanation I have been given for this behavior is that: After all, how can policemen fight crime if you are going against the very men who are trying to protect you?

Therein lies the twisted rationale which employs the sanctity of the law as a franchise for breaking the law. It is a strange kind of logic which allows the enormous complicity I have seen in pushing drugs in black neighborhoods such as Bedford-Stuyvesant and Harlem. How can we be grateful to police whose actions give us the idea that they are an agency of exploitation allied for their own personal profit with the worst elements in our community?

Only when a sincere effort is made to root out corruption can we begin to believe that "law and order" means what the dictionary says it is supposed to mean. Only when corruption is rooted out can we believe that law enforcement agencies are not on the enemy's side but on our side. Right now that possibility of changing our beliefs looks extremely dim.

Police corruption has recently been uncovered in police departments and sheriffs' offices in no less than 23 States and the District of Columbia.

In Newburgh, N.Y., 10 of the town's 70 policemen were recently indicted for burglaries and larcenies involving 7 different stores and businesses in that riverside city which has been termed a "cesspool of crime."

In Washington, D.C., the sixth policemen in the last 2 years was recently arrested on charges of selling drugs. Ironically, he worked in the narcotics section.

In Chicago, eight policemen, two of them lieutenants, have been indicted on extortion charges by a Federal grand jury after an investigation of police involvement in a protection racket for tavern owners on Chicago's west side. The grand jury has records from crime syndicates, gamblers payoffs, and the names of at least 35 Chicago policemen. Businessmen holding liquor licenses there have testified that they must make regular payments to district or downtown police to stay in business. The payments get larger the greater the number of violations: Serving minors, handling gambling bets, or staying open after legal closing hours.

In Tucson, Ariz., a sheriff, five deputy sheriffs, and a process server resigned rather than face prosecution on charges of bribery, job-selling, and conspiracy.

In Philadelphia, half a dozen policemen have been arrested as a result of allegations of widespread corruption under investigation by the city district attorney's office and the State crime commission. The commission in a recent report of its investigation concluded that:

First, patterns of corruption exist within the Philadelphia Police Department;

Second, these patterns of corruption are not random or isolated, but systematic and they exist citywide.

Third, these patterns are not restricted to low-ranking officers.

These conclusions are far from being unsupported. For one thing, Philadelphia policemen have been observed systematically visiting known gambling locations at predictable times. For another, there is often a discrepancy between the quantity of stolen goods or narcotics seized and the amounts turned in. Finally, in an unprecedented move, the Philadelphia Police Commissioner transferred 19 of 22 police district commanders and all 7 division inspectors—but only after newspaper stories on police corruption sprouted.

Los Angeles is another example. There a police intelligence officer was arrested for possession of pure heroin with a street value of $320,000. This arrest prompted the police department to begin an intensive investigation which a few months ago led to the suspension of a detective on charges of cooperating with burglars and to an ongoing review of the department's internal affairs.

In Little Rock, Ark., the police chief of a northern suburb was recently indicted for procuring women to work as prostitutes.

In Louisiana, Federal grand juries in recent years have indicted county sheriffs on more than a few occasions for protecting local gambling and prostitution operations.

In Detroit, 15 policemen and a police inspector were indicted on Federal gambling charges.

In Reno, Nev., the head of the vice squad was found by a county grand jury to have accepted a large number of bribes and a vice squad lieutenant was found to have taken a $4,000 "loan" from a businessman who operated a host of bars.

In New York City, the problem is well known. To cite just a few instances, three city detectives, all of whom served at least 14 years on the police force, were convicted a year ago February after extorting $1,300 in cash and 105 decks of heroin and not arresting the suspects. In April of last year, the commanding officer of the police precinct covering Greenwich Village was removed and eight of his patrolmen were suspended on charges of stealing $25,000 worth of meat in cartons from a packing plant at 3 o'clock in the morning.

That same month, the New York State Commission of Investigation charged that police corruption had corroded the enforcement of narcotics laws so much that the department's fight to curb the flow of heroin was a total failure. In June, a city patrolman and his brother, an officer of the State narcotics addiction control commission, were indicted on charges of attempting to extort $650 from a patron of an afterhours club by threatening the patron with a drug charge. In August, it was revealed that plainclothesmen in the 16th division were paid $1,500 a month to allow a major operator to continue his numbers game racket. And that month, a police sergeant with 20 years on the force was charged with bribery after he tried to shake down the operator of a social club in the Bedford-Stuyvesant section of Brooklyn.

In November, the chief of the anticorruption unit reported that complaints about police corruption were flooding in at about three times the rate of the previous year, primarily because of the widespread attention the problem has received from the Knapp Commission. In December, two Queens policemen were arrested on charges of taking $200 to release some burglary suspects. In January, it was announced that 59 city policemen had been dismissed and 162 suspended during 1971, a jump of over 50 percent from the previous year. Many were dismissed or suspended for serious misconduct involving corruption. And on May 2, 23 policemen and 1 policewoman were indicted in connection with a huge gambling protection racket that netted some police officers $10,000 a year each as their share of the loot.

I mention these incidents to indicate a few examples of police corruption that have actually been uncovered. Many of these have been uncovered as a result of the publicity the Knapp Commission has put on corruption. Every time a cops-turned-robbers scandal is uncovered a few policemen are thrown to the wolves and a few more are shuffled around. The fact of the matter is that most corruption, however, goes unreported, or if reported, goes unresolved.

According to Dr. Albert Reiss, Yale University sociologist, who has been studying police behavior for more than 10 years, the level of criminality among policemen is a great deal higher than most of us would like to believe. There is extensive corruption in almost every

major and many medium size police departments, he states.

In other words, the rotten apple theory of police corruption has got to be tossed out in favor of the rotten barrel theory. Because of the way our vice laws are enforced and because of the way most police departments are organized and led, he is convinced that current investigations are really a poor index of the actual size of the corruption.

How then does one measure police corruption if most of its goes unreported? In a Government-sponsored survey, Dr. Reiss had 36 trained observers ride with 597 patrolmen in 3 cities: Chicago, Boston, and Washington. The results of that study, done in 1966, revealed that one out of four policemen committed a crime even though he knew he was being observed. One out of four was seen assaulting a citizen, stealing from an already burglarized establishment, accepting a bribe to alter testimony, shaking down deviates or traffic violators, or accepting cash payoffs from businessmen. Such gratuities as free meals, drinks, small gifts, and handsome discounts on merchandise were not counted.

One of the main problems is that police have the hairsplitting task of deciding whom to take in and whom to let off. Gambling in New York, for example, is legal if the bookie is the Off-Track Betting Corp. but illegal if the bookie is a smalltime, independent numbers man. In my Harlem alone, it has been estimated that over $250 million changes hands annually on numbers. Liquor is legal if it is served at a certain place at a certain time to a person over a certain age but it is illegal if it violates one of myriad regulations. Everyone uses liquor but the law places all kinds of complicated and stiff regulations on its use, and then expects a man with a high school education and a badge to make sure things run smoothly. He is expected to enforce senseless regulations and yet turn down any benefits offered for going easy.

The rookie is in a particularly difficult position. As soon as he graduates from the police academy and hits the streets in his assigned precinct, he is shorn of any glories. "Forget what you were told in your training sessions," is the standard advice of the veterans. The rookie is given tips ranging from tricks to hoodwink headquarters to how to blackmail a prostitute. As he grapples with trying to apply his academic training with the reality of the beat, he quickly becomes cynical. He is told that he must carefully balance the equities for everybody else and yet there seems to be endless restrictions on his own freedom such as when he can and cannot draw his gun or frisk a suspect. And finally when he figures he has an airtight case, he finds, after waiting in court for days to testify, that the criminal is to be released to the streets again by a grey-haired, old judge who administers turnstile justice.

He soon learns that since the system does not really work fairly, he might as well make the system work for him. He can enforce a city ordinance or traffic law or overlook it just like the vice squad detective can raid a place or omit it from the list. Each discretionary act can carry a price tag on it. While he never joined the force to use the badge for profit, he soon finds in his frustration that this opportunity is hard to resist, especially if he has overdue car payments or a big mortgage on the house.

Although police rules forbid accepting presents, he knows that a big discount on clothes from a grateful storekeeper and a television set in return for cracking a warehouse burglary are common among his peers. He also learns that just the presence of uniformed officers in a pool hall, a hamburger joint, a dirty bookstore, or a pinball amusement center will drive off patronage. This helps persuade balky businessmen who cater to undersirable elements to voluntarily contribute to the man on the beat.

Most police know the difference between clean money and dirty money. The numbers game may be illegal but it is not immoral and their small cut is clean, almost as clean as getting a gratuity from a thankful storeowner. But then there is dirty money, money connected with narcotics or prostitution. Once a policeman has taken a bribe or a payoff, he is hooked just as surely as the narcotics addict. He gets in deeper and deeper to the point where he cannot possibly extricate himself.

I would be the first person to admit that it is impossible to legislate a panacea to the disease of police corruption. The problem defies simplistic solutions. However, I think it is possible to remove the two main obstacles to attacking the problem: No mandate and no money.

There has never been a forceful suggestion by the Federal Government that local law enforcement agencies receiving huge amounts of Federal money make an effort to establish special intelligence units to investigate local corruption or to set up outside commissions to examine the problem and produce recommendations. The time-honored way of handling police corruption has always been: There are a few rotten apples in every barrel and departments will do their own housecleaning as the need arises. This theory has never worked. What is needed is to have the Federal Government add momentum to the pioneer efforts of the Knapp Commission and the actions of New York Police Commissioner Patrick Murphy to probe deeply and to stop the corruption.

I am introducing legislation to amend title 18 of the United States Code to prohibit bribery of State and local law enforcement officers, including judges and prosecutors. My bill would expand Federal jurisdiction in cases where an individual carries into effect, attempts to carry into effect, or conspires to carry into effect any scheme in interstate commerce to influence in any way the official conduct of any State or local policeman, judge, sheriff or prosecuting attorney with knowledge that the purpose of such a scheme is to influence the law enforcement officer by bribery. It would also make it a Federal offense for the law enforcement officer to accept the bribe or to fail to report an attempted bribe to the U.S. Department of Justice. Conviction would subject the guilty party to a term of up to 5 years in prison and a $10,000 fine.

The disease of police corruption corrodes the badge, undermines respect for the man in blue and sets race relations back. By destroying the pride of the individual officer, corruption can act as a catalyst for improper use of police discretion. The first victims of police corruption are the urban poor. They live in areas which have the highest potential—the greatest opportunity—for official corruption.

But the victims of police corruption are also the patrolmen themselves. Corruption by a few kills the hope of many and squashes their own dreams of pride and excellence in a noble profession. To combat this disease effectively we need a coalescence of public outrage and official courage, a dual effort from both within and outside the ranks.

THE FDA DILEMMA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. CRANE. Mr. Speaker, there are many problems connected with the operation of the Food and Drug Administration.

Originally meant to protect Americans from impure foods and drugs, the FDA, in recent years, has been guilty of preventing many new drugs from reaching the marketplace. In fact, many drugs developed in the United States by American companies are available in Europe, but not in our own country.

Bureaucracy has proven as inefficient in the food and drug field as in other fields. Part of the reason is that the legislation guiding the Food and Drug Administration was an overreaction to certain drug problems which arose in the early 1960's.

The medically indefinable term "safety," has produced such decisions as that in Merritt Corp. against Folsom in which the Court declared that—

> A genuine difference of opinion among medical experts as to whether a drug is generally recognized as safe for treatment of a particular disease requires conclusion that drug is not . . . safe for use. . . .

Beyond this are the archaic and, in many cases, senseless rules which state that any drug which produces cancer in animals may not be used for humans. This was the basis of removing cyclamates from the market. In the cyclamate studies, rats were fed a daily diet in which 20 percent by weight contained the sweetener. The diet was continued for 2 years, the equivalent to a human intake of 875 bottles of an artificially sweetened soft drink every day for a period of 35 to 50 years.

Discussing the manner in which FDA has impeded rather than assisted progress, Dr. Hans G. Engel, writing in the

February 1973 issue of Private Practice, the journal of the Congress of County Medical Societies, notes that—

The United States has always been in the forefront of drug research. Even today, American physicians are prevented from using a large number of drugs proven effective and relatively safe in other countries—and many of these drugs were developed in the United States.

Dr. Engel notes that, as a result of current regulations:

Many products have been withheld or removed from the market by the FDA or withdrawn by the manufacturer.

One example he cites is that of Phisohex which was discontinued for routine nursery use because mice, dipped daily into a full-strength 3-percent hexachlorophene solution, and not rinsed, contained brain damage. He notes that—

No nursery ever used such a technique on babies and no public mention was made of the comparison of body surface area/brain volume ratio of mice and men. Since the introduction of Phisohex, the curse of nursery staph epidemics has been all but eliminated. In the two week period following the FDA edict, 23 hospitals reported staph outbreaks in their nurseries.

It is high time that we carefully review the activities of the FDA—and make it help and not hinder the health of the American people.

I wish to share with my colleagues this important article by Dr. Hans Engel in Private Practice magazine, and insert it into the RECORD at this time:

THE FDA DILEMMA

(By Hans G. Engel, M.D.)

As we have watched the Food and Drug Administration remove product after product from the market, individual physician reactions have run the gamut from applause to indifference to rage. The majority of us in private practice probably have reacted with graduations from annoyance to anger.

However, while decisions of the FDA have, in some cases, been arbitrary and politically expedient, the agency is often not the villain, but the victim, because many of the department's investigations and decisions are decreed by law.

It is certainly not my wish to denigrate the efforts of legislators to make our lives as safe as possible, but we, as physicians, are aware, as legislators are not, that absolute drug safety is an unreachable nirvana. In almost every modality in the practice of medicine, there is a certain benefit-to-risk ratio. The only way to eliminate all risk to the patient would be to return to medieval medicine, eliminating all surgery and all drugs except for foodstuffs. Governmental decree can never assure absolute safety and the greater the effort to accomplish this goal, the more hampered will be any progress in advancing medical knowledge.

The "Food Additives Amendment of 1962" to the Federal Food, Drug and Cosmetic Act (the "Delaney Amendment") states:

"That no additive shall be deemed to be safe if it is found, after tests which are appropriate for the evaluation of the safety of food additives, to induce cancer in man or animal . . ."

This amendment was responsible for the removal of cyclamates, and for the threatened removal of saccharine, from the American market. Yet Jesse Steinfeld, MD, then Deputy Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education and Welfare stated in a press conference on October 18, 1969: "There is absolutely no evidence to demonstrate in any way that the use of cyclamates has caused cancer in man. There is no evidence that the use of cyclamates has caused malformations in children or any other abnormality in humans, other than a rare skin sensitivity."

The removal of these two sweeteners represents an incalculable inconvenience, if not a threat to the health of millions of diabetic, hyperlipidemic and obese Americans.

In the cyclamate and saccharine studies, rats were fed a daily diet in which 20 percent by weight consisted of one of the two sweeteners. The diet was continued for two years—equivalent to a human intake of 875 bottles of an artificially sweetened soft drink every day for a period of 35 to 50 years.

In another study, bladder cancer occurred in some of the rats that were fed cyclamates in the amount of 2,500 milligrams per kilogram per day which is equivalent to 175 grams for an adult man—or 16 pounds of sugar daily, for life.

In a third study, pellets containing 80 percent cholesterol and 20 percent cyclamate, were implanted in the bladders of Swiss mice, a species subject to bladder cancer. Not surprisingly, there was "a significant increase in the incidence of this disorder."

Another law which has had a tremendous impact on American medicine is the so-called "Kefauver-Harris Amendment":

"Defining the term 'new drug', is amended by (A) inserting therein, immediately after the words 'to evaluate the safety', the words 'and effectiveness' and (B) inserting therein, immediately after the words 'as safe', the words 'and effective'."

The Food and Drug Administration charged the National Academy of Sciences-National Research Council (NAS–NRC) with the responsibility of evaluating drug effectiveness. At the same time, safety on most drugs was re-evaluated in greater depth than ever before. This has involved not only the review of all "New Drug Applications" since 1962, but also retroactive reviews of NDA's accepted since the original law was passed in 1938, and a review of the safety of drugs which came on the market prior to that date.

This medically indefinable "safety", has produced such anomalies as a legal decision, which stated, in summary:

"A genuine difference of opinion among medical experts as to whether a drug is generally recognized as safe for treatment of a particular disease requires conclusion that drug is not generally recognized as safe for use in treatment of such disease within meaning of this section regulating introduction of any new drug into interstate commerce." (Merritt Corp. v. Folsom, D.C.D.C. 1958, 165 F. Supp. 418).

The United States has always been in the forefront of drug research. Even today, American physicians are prevented from using a large number of drugs proven effective and relatively safe in many other countries—and many of these drugs were developed in the United States.

On the basis of this law, many products have been withheld or removed from the market by the FDA, or withdrawn by the manufacturer. To cite a couple of examples, Upjohn voluntarily withdrew its birth control pill Provest because it produced breast nodules in beagles, a species known to be subject to this benign disorder. Phisohex was discontinued for routine nursery use because mice, dipped daily into a full-strength 3 percent hexachlorophene solution, and not rinsed, developed brain damage. No nursery used such a technique on babies and no public mention was made of the comparison of body surface area/brain volume ratio of mice and men. Since the introduction of Phisohex, the curse of nursery staph epidemics has been all but eliminated. In the two week period following the FDA edict, 23 hospitals reported staph outbreaks in their nurseries.

FDA decisions are sometimes arbitrary or politically expedient. Let me demonstrate by means of an abbreviated, fictitious drug information abstract (the "package insert"), which, however, describes a genuine product.

TRADE NAME "X"

Composition: Each tablet contains 300 milligrams of monomethyl ester of orthodibenzoic acid.

Indications: (omitted for sake of brevity).

Precautions: (partial) "X" is the commonest intoxicant in one specific population group, resulting in a great number of deaths each year. It is the second most common drug used in suicide atempts.

Side Effects: (partial) Hemolytic anemia, hypoprothrombinemis, interference with platelet aggulutination, respiratory alkalosis, vomiting, gastric hemorrhage, albuminuria.

Warning: (partial) "X" may produce idiosyncratic reactions in up to 10 percent of patients taking this drug. The most common reaction is asthma, but urticaria, erythema multiforme and purpura may occur, as well as arrhythmias and anaphylaxis.

In view of other actions taken, the FDA has of course removed "X", this highly dangerous drug, from the market; or has it? Of course not! "X", as you know, is asprin.

Can you imagine the hue and cry from the voting public if aspirin were taken off the market? There would be no delay in getting the law changed!

No greater harm could be done to medicine than to remove all drugs known to be deleterious to man from our armamentarium. Would you like to practice medicine without narcotics, hypnotics, cardiac glycosides, anticoagulants, anticonvulsants, steroids, hormones and anticholinergics, to mention just a few groups? These are all known to be toxic to man.

But this is not enough to satisfy the law, were it followed to the letter. One of the popular drugs for the treatment of nausea of pregnancy, meclizine, has never been demonstrated to be teratogenic in humans; yet it is so in several animal species, and must, therefore, according to the letter of the law, be discontinued.

This same law also needs to be changed, insofar as it permits interminable delays prior to approval of an NDA. At present, the FDA has nine months in which to review an NDA, during which time it may return the application for further studies. When these are completed, another nine months may go by before further information is requested. This process may continue almost indefinitely. A 30-day limit should be imposed on the FDA for review of NDA's and all incomplete or unsatisfactory research should be identified before the end of this time interval. When the required studies are completed, only review or revision of such new information should be reevaluated, without authority to demand further studies from the researcher or manufacturer involving material previously found acceptable.

A revised version of the law should indicate that a product may be removed from the market only if it meets certain criteria. (1) It must be of proven harm to humans. (2) Such harmful effects must, in the opinion of the majority of clinical researchers entrusted with the drug's evaluation, outweigh the drug's beneficial effects in clinical significance (i.e. cytotoxic drugs, cardiac glycosides and anticoagulants, in excessive dose, are universally lethal, yet no physician would recommend their elimination). (3) More effective or safer drugs exist for the treatment of the same disease process.

If anything is accomplished in changing these statutes, it must be up to us—the practicing physicians. The university researcher and the pharmaceutical company

chemist is effectively silenced, since his NDA is not likely to be accepted if he is highly vocal about FDA inaction or overzealousness.

Unenforced and unenforceable laws plague many facets of our society today. Let us do everything in our power to change laws which hold a threat of crippling medicine in the United States.

PIONEER II LAUNCHED

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. GOLDWATER. Mr. Speaker, Pioneer II, the second of two National Aeronautics and Space Administration's missions to observe and photograph the solar system's largest planet, is now on its way to Jupiter. Although it is traveling at a speed of 32,000 miles an hour, it will still take almost 2 years for Pioneer II to reach Jupiter, which is 1,000 times larger than our planet Earth, we can anticipate that tremendous advances in planetary astronomy will result.

I have personal interest in the Pioneer II mission. With this launch, the Rocketdyne Division of Rockwell International Corp., which is located at Canoga Park, Calif., in my congressional district, established an astounding, commendable record that attests to the company's professional expertise.

Pioneer II was the 1,001st launch powered by engines produced by Rocketdyne, the Nation's leading producer of large liquid rocket engines.

A Rocketdyne Redstone engine launched the first U.S. space shot in January 1958. Later that same year Rocketdyne engines launched Score, the Nation's first communications satellite.

Explorer 6, powered by a Rocketdyne Thor engine, took the first photos of Earth in mid-1969. Tiros I, another Thor-boosted launch, was the first meteorological satellite. It sent back from space almost 23,000 photos during a 2-month period in 1960.

Alan Shepard, the first man to fly in space, was launched by a Rocketdyne-powered Redstone on a suborbital flight on May 5, 1961. This was the first manned Mercury shot and marked the birth of manned space flight. The following year Rocketdyne Atlas engines boosted John Glenn, the first American in orbit, on his pioneering space journey.

In July 1962, a Rocketdyne-powered Thor/Delta vehicle launched Telestar I, the world's first international communications satellite which made possible the first direct television connection between continents. More sophisticated Intelsat satellites have been launched by Rocketdyne engines in more recent times, permitting us to sit in our living rooms and watch history being made through such events as President Nixon's trips to Peking and Moscow and our prisoners being released in Hanoi.

I would be remiss if I did not call attention to the fact that Rocketdyne engines powered all of the Apollo launches, climaxed last December 7 with the launch of Apollo 17. Indeed, 75 percent of all U.S. space launches have been powered by Rocketdyne engines.

As I have said, Rocketdyne is in my congressional district and I have visited the facility numerous times. Each visit is an occasion to witness first hand the skill and dedication of the great Rocketdyne technology teams which has made such a significant contribution to our national space effort.

The president of Rocketdyne is William J. Brennan, Jr., who has progressed through the engineering ranks to the top position in that division over the last 25 years and who has been instrumental in the development of all of the Rocketdyne family of large liquid rocket engines.

I recommend him and his organization for their outstanding achievements in the field of liquid rocket propulsion, whose technology is now beginning to find its way into the civilian sector.

I was not surprised that Rocketdyne has been selected by the National Aeronautics and Space Administration to develop the main engines for America's next great advance in space flight—the reusable space shuttle orbiter.

I am confident that the men and women of Rocketdyne will perform as outstandingly on the space shuttle main engine program as they have on all the space programs in which they have been involved thus far.

I am proud to represent these people in the Congress of the United States.

ATLANTIC UNION AND FEDERAL PRINCIPLES

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FINDLEY. Mr. Speaker, tomorrow the House of Representatives will consider House Joint Resolution 205, a resolution to establish an Atlantic Union delegation. An identical resolution has passed the Senate. President Nixon has assured me personally that he will sign the bill.

The vote in the House tomorrow, therefore, takes on special importance. If the vote is affirmative, as I hope and expect, an important first step will have been completed toward the consideration on a trans-Atlantic basis of applying federal principles to our common problems and opportunities.

Just what is meant by Atlantic Union and federal principles?

Federation is based upon concern for the individual, his freedom, and his dignity. It is based upon recognition that in a true democracy, sovereignty lies in the people, not in any institution of government.

The federal idea is a concept of government by which a sovereign people, for their greater progress and protection, vest the responsibilities of government in a political system that has more than one center of authority. Power to deal with local problems is vested in local authorities. Power to deal with problems which cannot be handled locally is vested in broader authorities. Power to deal with still larger, with national problems, is vested in national authorities.

Today many problems are beyond the power of any one nation to handle alone. As President Eisenhower said in his farewell message to NATO:

> Together we must build a community which will best safeguard the individual freedom and national values of our respective peoples and at the same time enable us to deal effectively with those problems with which no nation, alone, can deal adequately.

The federal principle is at all times responsible to the needs and will of the people in whom sovereignty ultimately resides. It is probably the supreme American contribution to the struggle of all self-governing peoples to build political structures strong enough to assure their freedom and an orderly society. Whether we like it or not, the world is becoming constantly more closely interdependent. In more and more matters common interests among kindred people far outweigh individual national interests. Only by harmonized policy and concerted action on matters of common concern can any nation today fulfill its basic responsibilities to its sovereign people.

It was President Kennedy who said:

> Acting on our own by ourselves, we cannot establish justice throughout the world. We cannot insure its domestic tranquility, or provide for its common defense, or promote its general welfare, or secure the blessings of liberty to ourselves and our posterity. But joined with other free nations, we can do all this and more. We can assist the developing nations to throw off the yoke of poverty. We can balance our worldwide trade and payments at the highest possible level of growth. We can mount a deterrent powerful enough to deter any aggression and ultimately we can help achieve a world of law and free choice, banishing the world of war and coercion.

The free world today is grappling with these problems of establishing justice, assuring tranquility, security, the general welfare, and liberty. It is groping for the answers, for a framework of order and unity which can cope with them. They all require the joint and cooperative action of many levels of government.

Is the free world ready for the application of these principles today? It is not. But more and more people on both sides of the Atlantic are recognizing the need for something new, something different, some better way of dealing with these problems with which no nation can deal adequately alone.

Shortly before his death, former Secretary of State Christian A. Herter declared:

> I am convinced that in the long run, neither military alliances nor customs unions will survive without the cement of political institutions. This does not necessarily mean the exact type of union which we created here in the United States. It may well be something new. It must be realistically based upon the needs of today's and tomorrow's world and, I believe, it will have to be based upon some form of federal principles. The ties may be looser and more flexible as between different nations. The roots of unity may have to grow slowly and deeply before the tree grows to full height, but we must never

lose sight of our objective or tire in our pursuit of it.

The road may be long, but federal principles provide a goal, a direction in which free men can begin to think and act and, in the case of the United States, to lead.

Do Europeans want to meet in an Atlantic convention to explore the possibility of agreement upon Federal principles as a means of dealing with trans-Atlantic problems? Several answers can be given.

In 1960, the House passed a similar resolution, and the convention which was held in Paris was willingly attended by delegations from every NATO country. So we have that practical experience which leads me to believe that they will again willingly attend a similar convention.

In addition, over 200 European parliamentarians are members of two international organizations which promote Atlantic union. These parliamentarians can be expected to be enthusiastic.

Dr. Arthur Burns, of course, is in regular communication with central bankers from all of the European countries. He informs me that they will welcome such an Atlantic convention.

Finally, at a recent conference in Amsterdam many Europeans expressed the need for great cooperation with the United States. This prompted one U.S. delegate to the Amsterdam conference, W. Randolph Burgess, to comment that—

Passage of the Atlantic Union Resolution would be one form of demonstrating to official and public opinion in Europe that the U.S. Congress, far from being isolationist, is prepared to explore with its allies the possibility of moving towards more effective unity.

Mr. Burgess formerly was the U.S. Ambassador to NATO and is currently Vice Chairman of the Atlantic Council. He is an experienced and sensitive diplomat well in tune with European thinking. Following is the complete text of his letter to me outlining what happened at the Amsterdam conference:

APRIL 6, 1973.

DEAR MR. FINDLEY: This letter is in response to your request for my views as to European attitudes toward more effective Atlantic unity, perhaps ultimately based on federal principles, in the light of the Europe-America Conference at Amsterdam from which I have just returned.

The Conference was held under the auspices of the European Movement and naturally most of the European delegates were primarily interested in European unity. Nevertheless there was very wide recognition of the need for coordinated policies on both sides of the Atlantic to deal with common problems. The American delegation made very clear that it in no sense regarded Atlantic unity as a competitor of European unity but rather as complementary to it.

The Conference dealt with numerous specific problems in the fields of defense, political, economic and monetary affairs on some of which there were obviously wide differences of opinion, among Europeans as well as between Europeans and Americans. Speaker after speaker however stressed the pressing need to develop closer cooperation to deal with them.

There was very little discussion of any particular overall form of long-range unity, but there were proposals for more effective specific forms of cooperation such as giving the International Monetary Fund wider powers.

The Conference also recognized the need for, and advocated, a continuing trans-Atlantic dialogue "on all problems of substance and method concerning their relations." It urged that this dialogue take place between "the official organs of the countries concerned and of the European Community" and between private organizations concerned with public opinion. A copy of the final resolution adopted by the Conference is attached.

There was no discussion of federalism, either European or Atlantic, other than an exchange of views between two Americans, one of whom merely reported passage by the Senate of S.J. Res. 21 and the other maintaining that that Resolution in no way represented the sense of the Congress. I may say that the idea of possible Atlantic federation has never in the past been seriously considered in Europe, largely because of the widespread impression that the U.S. Congress would never agree to any far-reaching measures of unity.

While passage of one of these Resolutions now before our Congress would not be expected to lead to any early "Atlantic federation," that is not really the point. It would, in my opinion, be one form of demonstrating to official and public opinion in Europe that the U.S. Congress, far from being isolationist, is prepared to explore with its allies the possibility of moving towards more effective unity.

Naturally there will be some vocal opposition in European countries, as there is in Congress, to the proposed convention. It will come largely from those opposed to any form of close cooperation with the United States. It will be endorsed by our true friends in Europe, particularly if we continue to make clear that we regard progress toward Atlantic unity as complementary to rather than as competitive with progress toward European unity.

The development of effective unity must inevitably be a long process dependent upon concrete steps toward harmonization of policy and common action in matters of common concern, but it will be far easier to take them if they are recognized as steps toward a long-term objective.

I would add one further thought. It seemed to me that the meetings in Amsterdam of the Committee on economic and monetary problems, with which I was personally most concerned, attacted significantly more interest and concrete discussion than those concerned with security or political ones. The forthcoming negotiations on monetary and trade problems will be of great importance to this country and indications of Congressional recognition of the importance of closer Atlantic unity in all fields will be most helpful.

Sincerely yours,

W. RANDOLPH BURGESS.

The text of the resolution follows:

H.J. RES. 205

Joint resolution to create an Atlantic Union delegation

Whereas a more perfect union of the Atlantic community consistent with the Charter of the United Nations gives promise of strengthening common defense, while cutting its cost, providing a stable currency for world trade, facilitating commerce of all kinds, enhancing the welfare of the people of the members nations, and increasing their capacity to aid the people of developing nations: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) The Congress hereby creates an Atlantic Union delegation, composed of eighteen eminent citizens, and authorized to organize and participate in a convention made up of similar delegations from such North Atlantic Treaty parliamentary democracies as desire to join in the enterprise, and other parliamentary democracies the convention may invite, to explore the possibility of agreement on—

(a) a declaration that the goal of their peoples is to transform their present relationship into a more effective unity based on Federal principles;

(b) a timetable for the transition by stages to this goal; and

(c) a commission to facilitate advancement toward such stages.

(2) The convention's recommendations shall be submitted to the Congress.

(3) Not more than half of the delegation's members shall be from one political party.

(4) (a) Six of the delegates shall be appointed by the Speaker of the House of Representatives, after consultation with the House Committee on Foreign Affairs and the leadership, six by the President of the Senate, after consultation with the Senate Committee on Foreign Relations and the leadership, and six by the President of the United States.

(b) Vacancies shall not affect its powers and shall be filled in the same manner as the original selection.

(c) The delegation shall elect a Chairman and Vice Chairman from among its members.

(d) All members of the delegation shall be free from official instructions, and free to speak and vote individually in the convention.

(5) To promote the purposes set forth in section (1), the delegation is hereby authorized—

(a) to seek to arrange an international convention and such other meetings and conferences as it may deem necessary;

(b) to employ and fix the compensation of such temporary professional and clerical staff as it deems necessary: *Provided,* That the number shall not exceed ten: *And provided further,* That compensation shall not exceed the maximum rates authorized for committees of the Congress; and

(c) to pay not in excess of $100,000 toward such expenses as may be involved as a consequence of holding any meetings or conferences authorized by subparagraph (a) above.

(6) Members of the delegation, who shall serve without compensation, shall be reimbursed for, or shall be furnished, travel, subsistence, and other necessary expenses incurred by them in the performance of their duties under this joint resolution, upon vouchers approved by the Chairman of said delegation.

(7) Not to exceed $200,000 is hereby authorized to be appropriated to the Department of State to carry out the purposes of this resolution, payments to be made upon vouchers approved by the Chairman of the delegation subject to the laws, rules, and regulations applicable to the obligation and expenditure of appropriated funds. The delegation shall make semiannual reports to Congress accounting for all expenditures and such other information as it deems appropriate.

(8) The delegation shall cease to exist at the expiration of the three-year period beginning on the date of the approval of this resolution.

WAR POWERS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. DULSKI. Mr. Speaker, for more than 2 years I have been pressing for

legislative action to clarify the roles of Congress and the Chief Executive with respect to war powers.

I introduced appropriate legislation 2 years ago and introduced House Joint Resolution 71 on the opening day of the 93d Congress. I also have cosponsored legislation specifically barring reinvolvement in Indochina.

While we were immersed in the Vietnam war, there was hesitation upon the part of some to deal with this subject. We are now out of Vietnam and that no longer can be used as an excuse to delay action. In fact, the manner in which we got mixed up with Vietnam is clear evidence of the need to clarify the respective powers of the two arms of Government.

At the same time, while the ink is hardly dry on the cease-fire agreement, there is talk of possible further involvement if violations continue.

Mr. Speaker, time is of the essence, apparently, to deal now—not wait another day—with the matter of war powers.

On his point, I quite agree with the editorial position of the Buffalo, N.Y., Evening News in an April 5 editorial which I include as a part of my remarks:

TIME TO CLARIFY WAR POWER

Does President Nixon alone have the right to order renewed bombing in Vietnam to enforce the cease-fire? The controversy now surrounding that question in Washington strikingly illustrates the timeliness of an effort in Congress to clarify the roles of the President and Congress when the country goes to war.

The communique issued on the conclusion of the visit of South Vietnamese President Thieu with Mr. Nixon stated that serious violations of the peace agreement "would call for appropriately vigorous reactions." Defense Secretary Elliott Richardson went even further when he said recently that the United States would consider resumption of the bombing in Vietnam if the truce violations became too serious.

It is reassuring that Mr. Richardson did not think this would be necessary in the near future. Such a course—involving as it would the creation of new prisoners of war—would in fact be very hard for most Americans to swallow, after thinking they had just celebrated the completion of our withdrawal from the war. It would raise at once the question of whether it was an act necessarily related to the conclusion of the old war, or a response to a new provocation and thus a potential start-up of a new war. In either case, it would be a matter on which the President should certainly act in close consultation with Congress: and the fact that the administration even mentions the possibility points up the murky state of the constitutional issue.

A clear guideline that would help cut through this legal tangle is provided in a war-powers bill introduced earlier this year by Sen. Javits (R., N.Y.) with broad, bipartisan support. It would allow the President to commit troops in an emergency without advance consultation of Congress, but it would bar his continuing hostilities for more than 30 days without specific congressional approval.

The purpose of the bill is not to stake out any new congressional power, but to restore the role of Congress as seen by the Founding Fathers who explicitly declared the right to declare war should be reserved for Congress.

Sen. Javits' bill was designed to prevent new Vietnams, not to get us out of the old one. But now, with all our troops out of Vietnam, seems as good a time as any for a new war-powers rule-book to take effect. If anything occurs from now on, for example, which causes the President to feel it necessary to send American troops or air power back into direct combat, we see no good reason why such a response should not come under the 30-day rule of the bill.

We think the constitutional sharing of the war power should be cleared up in this way, so that any future conflict anywhere would be undertaken with our eyes open—with full presidential awareness at the ou set that full congressional participation and support would be needed for any prolonged use of American power in any foreign trouble spot. Having such a rule on the books should lessen the chance of creeping involvements and of the consequent divisiveness and bitterness the nation has experienced over Vietnam.

OPENING AMERICA'S DOOR

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. ROSENTHAL. Mr. Speaker, today I am introducing legislation which amends the Immigration and Nationality Act to make visas more accessible to immigrants from the Eastern Hemisphere. Nations most directly affected would be Germany, Great Britain, Ireland, and Poland.

The purpose of this bill is to correct an inequity which has existed since the enactment of the 1965 amendments to the Immigration and Nationality Act. The amendments of October 3, 1965, repealed the national origins quota concept as the system for admitting immigrants to the United States and substituted for it a one-figure ceiling on all Eastern Hemisphere immigration. This simply means that visas no longer would be allocated separately for each country of origin but that they would now be handled en masse for the Eastern Hemisphere on a first-come, first-served basis.

While the 1965 bill headed us toward a more just immigration policy, it did not complete the work because the Congress at that time dropped provisions in the committee-approved bill which would have insured that no former most-favored nation would suffer undue hardships during the transition period. These provisions included a 5-year phaseout period with a "pooling" of unused quota numbers to be reallocated in future years and Presidential authorization to reserve up to 10 percent for refugees and up to 30 percent for national security problems from the enlarged quota. The transition period was cut to 3 years, while the Presidential authority was deleted from the 1965 measure entirely.

Once enacted, severe repercussions became evident. Following the 3-year phaseout, which ended in 1968, backlogs in some countries' oversubscribed preferences remained. This means that there were more people who wanted visas than were able to obtain them. In former high quota nations, such as Ireland, this problem was acute. Immigration, here and elsewhere, was stopped to a mere trickle.

This bill provides the means to correct this situation. It will add 7,500 visas a year from each of these individual nations or 75 percent of their 1955–65 average of total immigrant visas issued—whichever is higher. Actual demand is not expected to exceed 35,000 immigrants a year from the Eastern Hemisphere. In fiscal year 1971, approximately 73,000 immigrants from the Eastern Hemisphere were admitted to the United States.

This legislation would suspend the labor certification requirement for 4 years. Although this would allow entry of persons who do not have jobs waiting for them, they must still be able to meet the qualification of guaranteeing economic stability, thus assuring that they will not become public charges.

Last year, the House passed an identical measure, only to see it die in a Senate committee during the closing days of the 92d Congress. I am hopeful, however, that the 93d Congress will act promptly to correct this injustice. Members in both Chambers are cognizant of this bill's urgency and of the public support behind it.

Therefore, I introduce this bill in the interest of removing the inequities left by the 1965 amendments as well as completing the work begun by our late colleague Bill Ryan. This measure, when passed, will stand as a tribute to this man whose legislative efforts were instrumental in providing a just solution to our immigration dilemma. By easing the backlog of immigrants and by admitting persons who previously were ineligible, Congress will have made great strides toward completing a fair and workable immigration policy.

COSTS SOAR, PRICES LAG

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. DERWINSKI. Mr. Speaker, a relatively new feature is the daily column by Bill Anderson which covers subjects of international, domestic, as well as Washington vantage points in the Chicago Tribune. In a very timely column of March 31, Mr. Anderson discusses, in a very thorough, objective fashion, the cost-price viewpoint of a farm wife. I consider this an especially pertinent column and, therefore, insert it into the RECORD:

COSTS SOAR, PRICES LAG: FARM WIFE

(By Bill Anderson)

WASHINGTON.—Mrs. Wilbert Zimmerlein, whose husband farms near LaMille, Ill., wrote to this column the other day to say, among other things, how much a tractor cost her husband in 1950. Her point was excellent; her timing was, too.

The morning her letter arrived, the Washington newspapers carried ads from the Consumers Supermarkets chain advising that it would close its stores today to protest high food prices and to support the consumer movement's April 1–7 meat boycott week.

President Nixon was so disturbed by the food situation that he used part of an other

wise triumphant speech marking the end of American involvement in the Viet Nam war to announce a ceiling on meat prices. The supermarket chain quickly cancelled its planned closing, but the boycott leaders said they would go ahead with their plans.

It can safely be assumed that Secretary of Agriculture Earl Butz and other White House advisers will be closely watching the ceiling's impact on farmers. They also will be gauging rural reaction to the move. That brings us to Mrs. Zimmerlein's tractor comments.

Noting the hue and cry over cost of food to the housewife, Mrs. Zimmerlein pleaded. "Now take a look at our costs. We purchased a new tractor in 1950 for $2,600. Today you can spend $10,000 to $20,000 (for the same tractor). In 1952 we purchased a new combine for $5,700. A new combine today costs $35,000 plus 5 percent sales tax."

She requested us to compare those spiraling cost figures with how much farmers were paid for the beef they raised, both in 1951 and in 1972. "In 1951 the average price farmers received for beef cattle was $29.69 per hundredweight," she wrote. "In 1972 [they received] $33.40 per hundredweight."

Mrs. Zimmerlein had some personal figures to offer as well. "In 1948 we received $2.48½ a bushel for corn. In February, 1972, we received $1.04 a bushel for part of our corn crop; the rest of our corn we sold in September for $1.22—less than half of what we received 24 years ago."

Stated quickly, Mrs. Zimmerlein's point is that farmers' income isn't much different today than it was two decades ago. But since farmers also are consumers their costs have gone up like those for everybody else.

A neighbor of the Zimmerleins, R. C. Coddington, recently became so unhappy about the beating which he believes farmers are taking that he allowed the local newspaper to publish his tax figures for 1947 and for 1971. Coddington's taxes have gone up 1,000 per cent since 1947, Mrs. Zimmerlein said.

She said that his taxes on 25 acres were $418.60 in 1947. In 1971 his bill was $4,123.96. In 1947 he sold his corn at $1.90 a bushel. In 1971 his corn went for $1.30 a bushel, Mrs. Zimmerlein said.

"Why are you [consumers] screaming so at the rising cost of food?" asks Mrs. Zimmerlein.

Perhaps one answer to her question was supplied by Calvin Beal, an Agriculture Department population expert. "In 1951, 11.2 per cent of the population derived its primary income from farming," he said. "By 1972 that figure had dropped way down to 4.2 per cent," Beal explained.

Thus, farmers find themselves pitted against 95.8 per cent of Americans when the housewife pushes her shopping cart down the aisle, and it isn't hard to guess who is going to get the most attention.

As an afterthought, when she had finished her letter, Mrs. Zimmerlein wrote across the top, "Please read this letter from a farmer's view on food prices." That's what we've tried to do.

It might be worthwhile also to quote from the full-page ad used by the Consumers Supermarkets chain in announcing its now-discarded plan to close. Markets have some common ground with Mrs. Zimmerlein because they also are blamed for today's soaring food costs. The chain's public relations experts put it this way:

"All fault doesn't lie with the farmer, any more than with labor. It's not the packer. Or the processor. Not the wholesaler. Or the supermarket. It's not any one of us. It's all of us. It's not anybody's fault. But it's everybody's problem. . . .

FOOD STAMPS FOR THERAPEUTIC COMMUNITIES

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. BADILLO. Mr. Speaker, I am pleased to reintroduce today for myself and the gentleman from Hawaii (Mr. MATSUNAGA), the gentlewoman from Washington (Mrs. HANSEN), and the gentleman from California (Mr. HAWKINS), a bill to amend the Food Stamp Act to extend its benefits to rehabilitation and treatment programs run by private, nonprofit organizations. A slightly different version of this bill was introduced by me in the last Congress and received bipartisan support.

Our society is paying a tremendous price because of drug addiction and drug abuse. We have learned, all too painfully, that addiction knows no neighborhood lines, no country or State boundaries, and no racial or ethnic distinctions. We see every day the toll the drug culture is exacting in ravaged lives and demoralized neighborhoods.

In my city of New York alone, the experts estimate that there are more than 100,000 addicts. About one-fifth of them are participating in publicly supported programs. But these programs are having a difficult time in making ends meet. Although much has been said lately about the necessity of freeing our society from the scourge of drug abuse and particular emphasis has been placed on the need to curtail traffic in drugs, our national commitment to a program of treatment and rehabilitation for those suffering from drug addiction leaves much to be desired. Funds are scarce and restrictions placed on them make it difficult even for State agencies to make full use of the moneys available. While this state of affairs is causing difficulties to all rehabilitation efforts, it is proving to be of particular hardship to the community-based programs. These are very hard-pressed for funds and, to add to their worries, frequently must divert hard-won administrative funds for the purpose of feeding their participants, many of whom simply cannot contribute toward their own support. Yet a large number of them have outstanding rehabilitation rates and their continuance and expansion would prove a boon to the Nation in eliminating and reducing addiction.

For such programs, and the National Institute of Mental Health estimates there are about 2,000 of them nationwide, this legislation would provide assistance by making it possible for them to furnish nutritious meals at moderate cost. Both residential and nonresidential type facilities would benefit since, while the main provision of the bill calls for a redefinition of the term "household" to include carefully defined therapeutic communities, it also follows addicts who are members of eligible households to use their stamps to purchase food prepared for them while they are participating in ambulatory programs.

Hearings are presently underway on the Food Stamp Act and for this reason this is an excellent time for us to take another look at this measure. I have been hearing from programs throughout the Nation who express support for and want additional information on this measure. I have that Members from both sides of the aisle will support it and thereby demonstrate their willingness to help those addicts who are anxious and willing to help themselves.

For the information of my colleagues, I am inserting here in the RECORD the text of the bill:

H.R. 6695

A bill to amend the Food Stamp Act of 1964 to provide food stamps for certain narcotics addicts and certain organizations and institutions conducting drug treatment and rehabilitation programs for narcotics addicts, and to authorize certain narcotics addicts to purchase meals with food stamps

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 3(e) of the Food Stamp Act of 1964 (7 U.S.C. 2012(e)) is amended—

(1) by striking out "or"; and

(2) by inserting before the period at the end thereof the following: ", or (3) any group of narcotics addicts who live together under the supervision of a private nonprofit organization or institution for the purpose of regular participation in a drug treatment and rehabilitation program".

(b) Section 3 of the Food Stamp Act of 1964 (7 U.S.C. 2012) is amended by adding at the end thereof the following new subsection:

"(n) The term 'drug addiction treatment and rehabilitation program' means any drug addiction treatment and rehabilitation program conducted by a private nonprofit organization or institution and (1) certified by any State or local government, or (2) approved pursuant to regulations prescribed by the Secretary of Health, Education, and Welfare."

(c) Section 5 of the Food Stamp Act of 1964 (7 U.S.C. 2014) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary shall establish uniform national standards of eligibility for households described in section 3(e)(3) of this Act."

(d) Section 5(c) of the Food Stamp Act of 1964 (7 U.S.C. 2014(c)) is amended by adding at the end thereof the following: "For the purposes of this section, the term 'able-bodied adult person' shall not include any narcotics addict who regularly participates, as a resident or nonresident, in any drug addiction treatment and rehabilitation program."

(e) Section 9 of the Food Stamp Act of 1964 (7 U.S.C. 2018) is amended by adding at the end thereof the following: "Regulations issued pursuant to this Act shall provide for the redemption, through approved wholesale food concerns or through banks, of coupons accepted by any drug treatment or rehabilitation program pursuant to section 10(i) of this Act."

(f) Section 10 of the Food Stamp Act of 1964 (7 U.S.C. 2019) is amended by inserting at the end thereof the following new subsection:

"(i) Members of an eligible household who are narcotics addicts and regularly participate in any drug addiction treatment and re-

habilitation program may use coupons issued to them to purchase food prepared for or served to them during the course of such program."

WARNER BROTHERS GOLDEN ANNIVERSARY

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. GOLDWATER. Mr. Speaker, this year marks the 50th anniversary of one of the most successful entertainment enterprises in the United States—Warner Brothers, located in the San Fernando Valley of California.

The accomplishments of Warner Brothers are many and distinguished, and I join with the entertainment world in saluting Warner Brothers on an excellent record in service to the American public.

Ted Ashley, chairman of the board of Warner Brothers, Inc., recently addressed himself to this auspicious occasion, and I would like to present his remarks for my colleagues interest:

WARNER BROTHERS GOLDEN ANNIVERARY

This half-century milestone is an event of importance not only to our company but to millions of people in our own country and in nations around the world, whose leisure-time needs and desires are constantly growing.

The Warner brothers were pioneers who saw the great opportunities made possible by motion pictures to bring vast numbers of people the entertainment and enlightment previously available only to the privileged few. For more than 15 years, they sought the ways and means to produce, distribute and exhibit films on a mass scale. Then, in 1923, they formed Warner Bros. Pictures, Inc., a company that was to gain world renown for its leadership in both the artistic and commercial aspects of films.

What distinguished Warner Bros. was its courage, its boldness, its restlessness, its unending search for new and better ways to entertain and enlighten. Always searching for new means of communication, the company encouraged every potential advance in technology that would improve and broaden the cultural product available to the public. The result was the breakthrough achievement that gave the screen a voice and gave the public "talking pictures." In its never-ending quest, the company, from an early date, engaged actively in recordings, music publishing, radio and, subsequently, television.

Over the years, the Warner name has been imprinted on many of the unforgettable works of the film and musical arts that have come to represent three generations of American life The list is enormous, stretching from "The Jazz Singer" to "Woodstock" and beyond. The works may vary in style and content but they never fail to reach out and touch millions of Americans and millions more around the world.

This Golden Anniversary Year provides us with a vantage point. We are able to look back with admiration at the achievements of so many artists, craftsmen and technicians whose combined efforts have brought the world so much to enjoy and to remember. We are able to look forward with excitement and anticipation to the remarkable new shape of the entertainment world to come.

That's why we hope that artists and audiences alike will join with our company in celebrating this Warner Bros. Golden Anniversary. We think that together we will make 1973, like 1923, a year to remember.

The Golden Anniversary celebration will take a variety of forms, the announcement stated. Included will be 50-year retrospectives in film, music, records and books; special film and music festivals of past and present offerings; observances of specific historic dates, such as the presentation of the first "talkie," and a look into the entertainment-communications future in cable-television and other technological developments.

Steven J. Ross, Chairman and chief executive officer of the parent, Warner Communications Inc., said all of the subsidiaries and divisions of the Company will participate in the celebration. Among them are Warner Bros. Inc. Films, Warner Bros. Television, Warner/Reprise Records, Atlantic Records, Elektra Records, Warner Bros. Music, Licensing Corporation of America, Warner Bros. Entertainment, Warner Cable Corp., Warner Paperback Library, Sterling Group, National Periodical Publications and Independent News Company.

Warner Bros. Pictures, Inc. was incorporated in the state of Delaware on April 4, 1923. The Warner brothers had entered the film business as early as 1906 with a nickelodeon in a remodeled store in New Castle, Pa. Subsequently, they distributed films in the East and Midwest. In 1917, they produced their first hit feature film, "My Four Years in Germany," and opened studios in Hollywood. But it was the formation of the 1923 corporation that marked the beginning of the Warner Bros. organization that has been doing business uninterruptedly for 50 years.

The first president of Warner Bros. Pictues, Inc. was Harry M. Warner. The firm's vice-presidents were his brothers, Albert, Samuel and Jack L. Of the four, only Jack survives. He sold his interest in the company in 1966.

During the past half-century, the company has gone through several major changes. In 1953, the assets of Warner Bros. Pictures, Inc. were sold to another Delaware corporation of the same name. In 1967, the company was acquired by Seven Arts, which, in turn, was acquired two years later by the corporation now called Warner Communications, Inc.

More than 1,500 motion pictures have been released by the Warner organization in the past 50 years. They include many milestones films, such as the first with sound, "Don Juan"; the first with speech, "The Jazz Singer"; the first "all-talking" film, "Lights of New York"; three Academy Award winners, "The Life of Emile Zola," "Casablanca" and "My Fair Lady" and many more that have left indelible impressions. Within the past two years, under its current leadership, the company has enjoyed a resurgence to the forefront of the film industry with such productions as "Woodstock," "Summer of '42," "Klute," "A Clockwork Orange," "Dirty Harry," "What's Up, Doc?", "Super Fly," "The Candidate" and "Deliverance."

Among Warner Bros. films scheduled for release in 1973 are "Jeremiah Johnson," starring Robert Redford; "The Train Robbers," starring John Wayne and Ann-Margret; "Steelyward Blues," starring Jane Fonda, Donald Sutherland and Peter Boyle; "The Thief Who Came to Dinner," starring Ryan O'Neal, Jacqueline Bisset and Warren Oates; "Class of '44," a sequel to "Summer of '42"; "Scarecrow" starring Cene Hackman and Al Pacino; "Super Fly II," starring Ron O'Neal; "Wednesday Morning" starring John Wayne and George Kennedy; "The Last of Sheila," starring Richard Benjamin, Dyan Cannon, James Coburn, Joan Hackett, James Mason, Ian McShane and Raquel Welch: "Blume in Love," starring George Segal and Susan Anspach; "The Mackintosh Man," starring Paul Newman, and "The Exorcist" starring Ellen Burstyn, Max von Sydow, Lee J. Cobb, Kitty Winn, Jason Miller and 12-year-old Linda Blair.

Because of its pioneering interest in sound, Warner Bros was early involved in the recording industry. At first, the company issued Vitaphone Records. In 1930, it acquired Brunswick Records. At one time, it was interested in Decca Records. But its greatest successes have come in the last 15 years, since the founding of Warner Bros. Records in 1958. Today the Warner Communications record labels include Warner Bros., Reprise, Atlantic, Atco, Cotillion, Asylum, Elektra and Nonsuch. The Warner-Elektra-Atlantic Distributing Corp., another Warner Communications subsidiary, now handles domestic distribution for all labels.

Artists now recording for the various Warner Communications labels include James Taylor, Aretha Franklin, Jethro Tull, Neil Young, Roberta Flack, Joni Mitchell, Led Zeppelin, America, Judy Collins, Carly Simon, Donny Hathaway and the Rolling Stones.

Warner Bros. Music, long a potent influence in contemporary music, is the largest music publishing company in the United States. Its huge roster of composers and lyricists ranges from Victor Herbert, Richard Rodgers, Oscar Hammerstein II, Cole Porter, George Gershwin and Leonard Bernstein to Bob Dylan, Peter, Paul and Mary, Van Morrison, John Sebastian, Elton John, Paul McCartney, John Lennon, and many more.

In television, as in radio before, the Warner organization is an active and growing force. With prime-time weekly series on both ABC–TV and NBC–TV, the company is the industry's second largest supplier of nighttime programs. Feature films distributed by Warner Bros. TV were chosen by CBS–TV to fill one-third of the "Late Movie" period opposite its talk-show rivals.

Warner Bros. also has popularized such cartoon characters as Bugs Bunny, The Road Runner, Wile E. Coyote and the rest who have been favorites of several generations around the world—on film, TV, through more than 500 products and, now, in live shows and at the Warner Bros. Jungle Habitat, the latest expansion in the company's efforts to provide total family entertainment.

PRESIDENT NIXON'S TREATMENT OF THE ELDERLY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mrs. CHISHOLM. Mr. Speaker, I wish to bring to your attention today the predicament of the elderly in our Nation. It is now apparent that the elderly must be added to the list of groups abandoned by the Nixon administration. My judgment is based on what I have seen the President do, not on what I have heard him say. The proposed increases in medicare cost-sharing, the suggested new regulations for social security services, and the threatened veto of the Older Americans Act amendments, are all indicative of the present administration's disregard for the needs of our senior citizens.

The present disregard for the elderly should hardly come as a surprise to anyone. If President Nixon ignored in 1972 the recommendations of the 1971 White House Conference on Aging, then it is not surprising that he is ignoring them again in 1973. If President Nixon never pursued any of his promises to the el-

derly during his past administration, then it should be no great shock that his second-term promises are also empty. And if President Nixon vetoed the much needed, and overwhelmingly desired, older Americans legislation in 1972, then we should hardly be amazed that he is threatening to veto it again in 1973. I bring this to your attention, Mr. Speaker, so that we can prepare ourselves for the resistance we are going to meet during the next 4 years.

The administration's fiscal 1974 budget presents an immediate crisis to senior citizens. One of the most serious cutbacks is the reduction in medicare coverage. This change would increase the medical expenses of 23 million aged and disabled Americans, according to the Senate Special Committee on Aging. Is this the group—the aged and the disabled—that we want to burden with an added load? Hardly. The medicare cutbacks desired by the President blatantly ignore the recommendations of the 1971 White House Conference on Aging which stressed the need for increased medical care at no extra cost to the elderly.

Under the current law, medicare beneficiaries pay $72 and nothing thereafter for their first 60 days in the hospital. Under President Nixon's proposal, though, the elderly would have to pay for the actual room and board costs for the first day of hospital care plus 10 percent of all subsequent charges. The New York City Office for the Aging did a study of "the impact of the President's proposed changes in medicare on out-of-pocket expenses for a typical hospital stay in New York City." The study showed that an average stay of 21 days in a voluntary hospital at $110 daily for room and board would cost a medicare patient $72 under present provisions. With the proposed changes, the same stay would cost the aged person $330—a 358-percent increase. The President's proposal is so totally insensitive to the great majority of senior citizens that it mocks his 1971 address to the White House Conference on Aging, in which he said:

> We need a new national attitude toward aging in this country—one which fully recognizes what America must do for its older citizens, and one which fully appreciates what our older citizens can do for America.

Nor does the President have any qualms about ignoring his campaign pledges to the elderly. During his campaign, he promised the elderly the chance to be independent and self-supporting to the greatest extent possible, but his proposed new regulations for social services, authorized by the Social Security Act, greatly limit the alternatives to institutional care available to the aged. By making the eligibility requirements more stringent and by reducing the Federal financial participation, the Nixon guidelines will severely reduce the opportunity for senior citizens to take care of themselves in their own homes. Recreation councils for the elderly, mental health services for the aging, senior citizens centers, companionship services, money management services, education programs, health and homemaker services, nutrition programs, transportation services, housing improvement programs, and referral services—these are only some of the services for the elderly that will cut back unless we stop the administration from enacting its new social services regulations.

Perhaps the most flagrant disregard for the wishes of the American people in this area, Mr. Speaker, has been the administration's attitude toward the older Americans legislation. In 1972, I joined 18 of my colleagues to cosponsor a bill to amend the Older Americans Act. This bill would have greatly expanded services to the elderly and greatly strengthened their position at the Federal level through administrative reorganization. This legislation had overwhelming support—it passed the Senate by 89 to 0 and the House by 351 to 3. As incredible as it seems, President Nixon vetoed the bill, and because we had adjourned for the session, the veto remained. I realize that the President's priorities are confused, but is it possible, Mr. Speaker, that the President interpreted his election victory as a mandate to ignore the nearly universal wishes of the American people?

Already this session the Older Americans Act Amendments have passed both Houses—this time by 82 to 9 and 329 to 69—and again the President has threatened a veto. But I am confident that my colleagues and I—we who are responsive to the people of this Nation—will override his veto, if that is the course the President takes.

Mr. Speaker, I have taken the time to air my views on this situation because it is imperative that we confront an undeniable fact: President Nixon has refused to accept his responsibility to our elderly. Therefore, it is up to us in Congress to fill that void, to accept that responsibility. If we are not to get leadership from the White House in this matter, then we must continue to provide our own.

THE FREEDOM TO VOTE

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. RANGEL. Mr. Speaker, in July, 1969 the Freedom To Vote Task Force was established by the Democratic National Committee. In November of 1970 the task force published its final report entitled "Registration and Voting in the States."

In considering proposals of voter registration reforms, I hope that my colleagues in Congress will carefully consider such reports as the one I now submit excerpts from:

REGISTRATION AND VOTING IN THE STATES

PREFACE

This is the second and final report of the Freedom to Vote Task Force. The Task Force was appointed in July, 1969, by Senator Fred R. Harris, then Chairman of the Democratic National Committee. The Task Force was charged with reviewing present barriers to voting and recommending ways to insure fuller participation of the electorate.

Members of the Task Force are:

Ramsey Clark, Chairman; former U.S. Attorney General.

Mildred Robbins, Vice Chairman; Honorary President, National Council of Women.

Francis J. Aluisi, Chairman of the Board, Prince Georges County Commissioners, Prince Georges County, Maryland.

Hannah D. Atkins, State Representative, Oklahoma.

H. S. Hank Brown, Texas AFL–CIO President.

Mary Lou Burg, Vice Chairman, Democratic National Committee; National Committeewoman, Wisconsin.

Hazel Talley Evans, National Committeewoman, Florida.

Lloyd Graham, National Committeeman, Washington.

Virginia Harris, National Committeewoman, Canal Zone.

U.S. Senator Daniel Inouye, Hawaii.

Mildred Jeffrey, National Committeewoman, Michigan.

Professor Doris Kearns, Harvard University.

J. C. Kennedy, Democratic State Chairman, Oklahoma.

J. R. Miller, Democratic State Chairman, Kentucky.

Clarence Mitchell, Jr., N.A.A.C.P., Baltimore, Maryland.

U.S. Representative John Moss, California.

Richard Neustadt, Jr., Graduate Student, Harvard University.

Rudy Ortiz, Democratic County Chairman, Bernalillo County, New Mexico.

Professor Nelson Polsby, University of California, Berkeley.

U.S. Representative Louis Stokes, Ohio.

Marjorie Thurman, National Committeewoman, Georgia.

J. D. Williams, Attorney, Washington, D.C.

William J. Crotty, Executive Director.

Barbara Hight, Research Coordinator.

Fleurette Le Bow, Research Staff.

Patricia Fogarty, Research Staff.

The first Task Force report, "That All May Vote," proposed:

A Universal Voter Enrollment Plan that provides for a door to door canvass of every residence in presidential elections years to enroll all eligible voters. The plan also includes a simplified means of absentee voting.

A National Election Commission to supervise the enrollment and to maintain complete and accurate records of all election returns, as well as all laws pertaining to election jurisdictions. There is no such agency at the present.

A National Election Holiday in order that all may have the opportunity to vote.

This report reviews state registration requirements and recommends a minimal set of qualifications applicable to each of the states.

The Task Force wishes to acknowledge with gratitude the strong support given its work by the Democratic National Committee and, in particular, its Chairman, Lawrence F. O'Brien.

INTRODUCTION

American government is based on the assumption that it represents the will of the people. Individuals elect their public officials and shape the broad outlines of governmental policy through the vote, the single most critical individual act in a democracy. Any devices that prohibit people from voting should be subjected to the most intensive, continuing scrutiny. They can be justified only by the most persuasive of arguments as to their need and the inability to find meaningful substitutes to accomplish the same objectives.

The more people that vote, the better able the government is to reflect their wishes and to satisfy their needs. All benefit. A truly representative democracy makes for a highly stable and vigorous nation.

Yet in a voting population of 120 million in 1968, only 73 million voted. The chief obstacle to the vote in 1968 as in previous elections years was the cumbersome registration demands made upon citizens. Those registered voted. Eighty-nine percent (89.4%) of the 82 million registered Americans cast their ballots in the 1968 presidential election. (See Table 1.)

The following reviews the evolution of registration systems, the requirements presently in effect and their effect on voter turnout, and presents the recommendations of the Task Force for a more reasonable approach to qualifying voters for elections.

BACKGROUND

The original justification for the introduction of registration requirements was the attempt to insure the integrity of elections. The intention was to free them from fraudulent manipulation.

A 1929 work on the subject, and the only major study to date, presented the rationale used to justify registration limitations. The author, Joseph Harris, noted that:

"Our elections have been marked by irregularities, slip-shod work, antiquated procedures, obsolete records, inaccuracies and many varieties of downright fraud. In only a few cities is the administration of elections conducted with a modicum of efficiency." (Joseph Harris, *Registration of Voters in the United States* (1929), pp. 3–4).

The answer to such abuses according to Harris and those of like mind was a registration system:

"The requirement that all voters shall be registered prior to the day of the election is one of the most important safeguards of the purity of the ballot box. It constitutes the very foundation upon which an honest election system must rest, and if properly administered, prevents many of the more serious frauds which have marked the conduct of elections in the past." (*Ibid.*)

Harris' argument is interesting from a number of perspectives. First, it gives the rationale for supporting registration limitations during the era of their greatest expansion, the mid to late nineteenth and early twentieth century. Second, it represents the thinking of civic reformers who felt, somewhat naively in retrospect, that such checks would purify the elections of many, if not most, of their objectionable features. Third, the statement suggests that registration systems were intended primarily for urban areas.

There were a number of reasons for the selectivity. In rural areas, election officials knew most of the voters and thus argued that there was no need for a prior listing of eligible citizens. The population concentrations in the urban areas, however, did not encourage any easy familiarity with all prospective voters, hence the need for a registration system.

Another factor was the maturation of the urban machine. The machine depended upon a controlled vote to maintain its position of power. Such a system encouraged abuse.

For example, in one Chicago precinct (20th Ward, 24th Precinct) during one primary election in 1926, the Citizens' Association of Chicago reported that the bogus votes outnumbered the valid ones. Of the 566 votes cast, 352 were described as fraudulent, that is, the ballot cast was not done so by a bona fide resident of the precinct. The argument could be made that the same officials who controlled the polls on election days, resulting in a fraudulent vote count, would control the registration procedures, thus insuring no fundamental changes. Nonetheless, those favoring registration emphasized such cases as these to argue the need for the pre-election listing of eligible voters.

Until this day, registration systems have been centered in cities and have spread only gradually to smaller towns and rural areas. Ohio, for example, has registration only in urban areas of 50,000 or more. A rural state North Dakota, that boasts of no city over 55,000 population, has no registration procedures at all. Alaska, a state of only 294,000 inhabitants, has relaxed registration procedures which, similar to many areas of sparse population, allows the registrar leeway in adding to the rolls at his discretion people he knows to be eligible to vote.

Registration procedures do have an effect on voting turnout. The U.S. Census publication shows that of the 32 percent of the electorate not claiming to vote in the 1968 elections, 72 percent were barred because of failure to meet registration qualifications. A study was made by Professor Stanley Kelley, Jr., and associates of Princeton University on registration and voting in the 104 largest cities in the United States during the 1960 presidential election. They studied the effect of socioeconomic factors (age, sex, race, education, income and length of residence); party competition; and registration requirements (residency and literacy tests, permanent or periodic registration systems, the time and place for registration, and the closing dates for registration) on voter participation. The study concluded that "registration requirements are a more effective deterrent to voting than anything that normally operates to deter citizens from voting once they have registered." (S. Kelley *et al.*, "Registration and Voting: Putting First Things First," *American Political Science Review* (1967), p. 362.) The authors found, for example, that better than three-fourths (or 80%) of the variations found between the number of people voting and those of voting age was accounted for by registration demands. There was almost a perfect correlation between the number of people registered and those voting; that is, on the average, for each percentage increase in registration between cities there was a percentage increase in voter turnout. The mean percentage of those of voting age who registered was 73.3 percent with a standard deviation of 14.3. The mean percentage of those registered who voted was 81.6 percent with a standard deviation of 11.7. As the authors noted, the latter set of figures was both higher and varied less than those between voting age population and those registering, thus supporting their contention that the critical hurdle to voting is registration. The authors therefore demonstrate an explicit relationship between registration and voting: for almost every new person registered, a new voter went to the polls. Also, the figures indicate that those registered vote in high numbers, with relatively little deviation from one city to the next.

In the midwest, some counties still have no registration requirements while others, usually the more urban ones, do. Consistently, the turnout is higher in the countries with no registration qualifications. For example, in Missouri the discrepancy in voter turnout between the urban counties (Jackson, St. Louis City, St. Louis County) with registration qualifications and the counties without registration, representing 80 percent of the state's land area, averages between 10 percent and 12 percent. The experience of Pennsylvania for the period between 1920 and 1936 and prior to the introduction of statewide registration procedures and of Ohio for the period 1932–1960, when a variety of practices were in effect ranging from no registration through a partial listing of qualifications to a full-fledged registration system, illustrates the depressing effect of those requirements on voter participation. For the Pennsylvania counties, there is a six percent to ten percent difference in turnout. The Ohio returns illustrate the same phenomena, a decline in the vote that correlates with the severity of the requirements.

* * * * *

REGISTRATION AND NONVOTING

The foregoing introduces state registration qualifications and provides some indication of their effects. In an attempt to establish the causes of non-voting and the groups within the population most seriously affected, the U.S. Bureau of the Census has analyzed the results of recent elections and notably that of 1968. In analyzing the 1968 vote, the Census reported that:

". . . higher voter participation was found among men, persons 45 to 65 years old, whites, people living outside the South, those with larger family incomes, and persons in white-collar occupations, particularly professionals and managers. Lower participation was more likely among women, persons under 35 years of age and to a lesser degree those 65 and older, Negroes, residents of the South, those of low educational level, those with small family incomes, and persons in unskilled occupations, such as laborers (both industrial and agricultural) and private household workers." (*Voting and Registration in the Election of 1968*, (1969), p. 1.)

In exploring the contribution of registration systems to non-voting the Census found that 67.8 percent of the total voting age population participated in the elections. Most impressively, of all those who claimed to be registered, a striking 91 percent (91.2%) also claimed to have voted.

The Census report is based on a person's response as to whether he voted or registered and thus, by the Census' own admission, overestimates both voting and registration. The figures should be valid as to relative trends and proportional relationships. If this is the case, then the earlier contention that registration systems provide the greatest hurdle to voting has substantial merit.

The 27 million people not registered were asked why they had failed to take this initial step to qualify themselves to participate in elections. The largest group, 53 percent (53.3%) said they were not interested in either politics, the election or political processes more generally; ten percent (9.9%) reported that they did not register because they were not citizens; eleven percent (11.2%) did not meet residency requirements; thirteen percent (13.4%) were barred from registering because of illness, lack of transportation, inability to take time off from work, and related reasons; ten percent (9.5%) gave other reasons for not registering but ones that the interviewers were not able to place in the major categorizations provided; and three percent (2.6%) either did not know why they did not register or the interviewer reported no reasons.

Residency qualifications were given as a reason for not qualifying with increasing frequency as one climbed the educational ladder; for example, approximately 16 times as many people with five years or more of college offered this explanation than did those with nine years or less of total schooling. Disinterest was given as a reason for not registered proportionately more often by those with the least education, declining in importance with the formal educational achievements of the respondents. Residency was a greater barrier to younger potential voters than to those middle-aged or older. Six percent more blacks offered election disinterest or physical barriers to registration as major reasons for their failure to enroll than did whites. The latter reason was of even greater importance for Negro families, averaging nine percent of the norm for all groups.

Overall, the evidence indicates that a reasonable set of limited registration requirements, coupled with a universal enrollment system, would greatly increase voter turnout, bringing into the electorate groups badly in need of representation, while at the same time making allowance for those who would normally vote but are excluded by physical inconvenience from registering.

Professor Andrews' study mentioned earlier adds an interesting perspective to this analysis. Andrews made a detailed analysis of registration and voting in the 1960 election. He estimates that legal re-

strictions on the vote disqualified approximately 15 million people from participation. In addition, another eight million did not vote because of problems in getting to the polls, traveling, or the like. These factors result in the elimination of between 20 and 25 million people from the electorate. Of those remaining in what he refers to as the "eligible, able" electorate, 83.2 percent voted.

If these figures or those of the U.S. Census are close to being accurate, a modification of registration procedures would have two major results: a) it would substantially increase the number of eligible voters; and b) it would stimulate a considerably higher voter turnout.

REVOLVING AROUND COPERNICUS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. DULSKI. Mr. Speaker, this past weekend saw the opening at the Smithsonian Institution of an interesting exhibit in connection with the commemoration of the 500th birthday anniversary of the renowned Polish scientist, Nicolaus Copernicus.

The exhibit was opened 2 weeks in advance of the U.S. observance of Nicolaus Copernicus Week. The reasoning was sound—in order to give more people a chance to see the Polish treasurers of Copernicus' day which have been loaned to the Smithsonian.

The Smithsonian and the National Academy of Sciences are going all-out to mark the anniversary of Copernicus. His theory is the theme of the scientific seminar being conducted by the Smithsonian for scientists from all over the world.

The seminar begins on April 23, the opening day of Nicolaus Copernicus Week. On the same day, the U.S. Postal Service will hold its first day of issue ceremony for its Copernicus stamp. The ceremony will be at the Smithsonian.

At a preview of the Copernicus exhibit Friday evening, Robert A. Brooks, assistant secretary of the Smithsonian, presided and introduced Silvio Bedini, deputy director of the National Museum of History and Technology.

Also participating were: Witold Trampczynski, Polish Ambassador to the United States; Dr. Karol Estreicher, professor of history at the University of Krakow in Poland and Edward J. Piszek, founder of the Copernicus Society of America.

Mr. Speaker, a reporter for the Washington Post has written an excellent review of the Copernican exhibit, the text of which I include with my remarks:

REVOLVING AROUND COPERNICUS

(By Henry Mitchell)

After modestly moving the sun and rerouting the planets, Copernicus died in his bed amid requiems with a copy of his incredible book in his hands.

Today an exhibition opens at the Museum of History and Technology commemorating the 500th anniversary of the great astronomer's birth (in a Polish town of scant consequence) and honoring his 70-year life during which the world was ushered from the astrology of the Middle Ages to the astronomy of the Renaissance. His masterpiece "De Revolutionibus" set the sun in the center of our planetary system, and persuaded the earth to revolve on its own axis about the sun once a year.

So neat was the reasoning that the sun has not moved since, in a manner of speaking, and so quietly was the great book issued that it was 80 years after publication before the Christian church awoke to ban it. (The Roman Catholic Church removed it from the list of banned books as recently as 1830).

Copernicus was not the first man to believe the sun, not the earth, was the center of the solar system, but by the time of his birth the Church had frozen false science into a unarguable mold in order to fit its notions of truth.

The exhibit dazzles the eye with gilt bronze astronomical instruments from Krakow—these were sent there in 1494 while Copernicus was a student. They had been used before then by Martin Bulica, court astrologer to the king at Buda (a copy of the great "Nurnberg Chronicle" published in 1493 with its hundreds of famous woodcuts is open to a double-page view of the city of Budapest).

ARABIC ASTROLABE

The exhibit also includes a remarkable Arabic astrolabe from Cordoba which predates Copernicus—a useful reminder that Arabic mathematicians, physicians and astronomers did much to preserve Greek thought and develop it during the centuries when Europe cared little for science.

A treasure from Krakow (which also sent along a couple of maces used by its university officials in the 15th and 16th centuries) is the gilt bronze Jagellonian Globe (about 1510, though it is not known if Copernicus ever saw it) which is an amazing, complicated clock inside an armillary sphere. The gilt globe is a map of the earth indicating America vaguely, but then Columbus had barely finished discovering it.

Besides the exhibit, the Smithsonian Institution will hold a symposium later in the month, consisting of various papers by scholars on the general theme of the nature of scientific discovery.

Last night there was a reception for guests of the Smithsonian enlivened by 15th-century dances.

These were guaranteed authentic by Dr. Ingrid Brainard, who teaches 15th-century court dances as an avocation ("I don't charge for lessons, and I eat, as you put it, thanks to my husband, who is professor of musicology at Brandeis").

FIFTEENTH CENTURY CHOREOGRAPHY

She has unearthed 15th-century choreography guides, along with contemporary music, and six amateur dancers from Cambridge plus five musicians (all puristically genuine in everything they do) came down with only their air fare paid. They all have jobs and one of them is proud to be a blue-collar fellow. Dr. Brainard made the costumes (all correct in every respect, she reassured the press). The instruments were shawns, recorder, vielle, lute and krummhorn.

"If I saw that picture in a paper," said Dr. Brainard severely as photographer was grouping the artists, "I'd say now that's a newspaper picture. No court dancer would dream of dancing *behind* a musician. No musician would dream of sitting on the floor. They had them in a little box." There being no boxes handy at the Smithsonian, however . . .

The exhibits, which were shown last month in Paris, The Copernican Society arranged the show here, and it will travel on to Detroit and Chicago.

FACSIMILE OF "THE FACT"

On hand yesterday was Dr. Karol Estreicher, professor of history of art at Krakow (the fifth generation of his family to hold a chair at the university) who pointed out a facsimile of "De Revolutionibus," open to the page in which Copernicus shows the sun, not the earth, at the center of the universe. This is one of a university press facsimile of 2,000 copies. You'd have to be the sun itself to get the original out of Poland.

Copernicus, through his work ran into trouble with the Church, was himself a priest, a canon at the cathedral in Frombork where he was buried. Smithsonian magazine, which has run two articles on the astronomer, is reprinting several thousand copies of them.

While the Germans claim Copernicus, the Poles can prove he was born in a Polish town, Torun, was educated in the capital and was canon in a Polish cathedral.

The Italians are keenly aware he spent 10 years studying in Italy (Greek was introduced in the curriculum of Padua the year he left to study there) and Latin was, of course, his intellectual language.

It seems especially pointless, in the case of a Renaissance man, to argue over such things.

As Dr. Estreicher observed in the Smithsonian's magazine: "He was a typical modern man of science. He had no real care for politics. He was timid—even weak—with the weakness of a man who wants to be alone and not to be involved. Not brutal. Not seeking influence and power. There are not many people like this."

WINSTON CHURCHILL AND ATLANTIC UNION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 9, 1973

Mr. FINDLEY. Mr. Speaker, today is the 10th anniversary of a unique event. On that day, in 1963, the President of the United States signed a bill, which had been passed by both Houses of Congress, conferring honorary U.S. citizenship on a foreigner. This honor, accorded to Sir Winston Churchill, was one which the Congress has never bestowed before or since.

Although by birth one-half American, and 100-percent British in the finest British tradition, Winston Churchill believed deeply in the unity of the Atlantic community. He once told a friend who lives in Washington:

We will hang together or we'll hang separately. Indeed, there is nothing we cannot do together, if we have the will.

This reminds me of a July 4 speech President Kennedy delivered at Constitution Hall in Philadelphia in which he said:

Acting on our own by ourselves, we cannot establish justice throughout the world. We cannot insure its domestic tranquility, or provide for its common defense or promote its general welfare, or secure the blessings of liberty to ourselves and our posterity. But joined with other free nations, we can do all this and more . . . and ultimately we can help achieve a world of law and free choice, banishing the world of war and coercion.

President Nixon rightly stated in 1967:

It is fitting that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic nations.

And less than a month ago he reaffirmed his support for Atlantic union in a letter to me stating:

I want you to know that my longstanding position on the concept which you are seeking to achieve through this resolution has not changed.

The Atlantic union resolution has now passed the Senate and is before the House of Representatives. President Nixon has told me he will sign it if it reaches his desk. It is not an overstatement to say that the fate of the Western World, and the liberty of its peoples, may well depend upon the unity of the Atlantic community for which Churchill, Kennedy, and Nixon have worked so long.

SENATE—*Tuesday, April 10, 1973*

The Senate met at 12 o'clock meridian and was called to order by Hon. WILLIAM D. HATHAWAY, a Senator from the State of Maine.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, by whose providence our forefathers brought forth this Nation, conceived in liberty and dedicated to equal justice for all, vouchsafe the same spirit to Thy servants in this place that they may strive for that better world and that more perfect order which is yet to be. Forgive all that blemishes our personal lives. Pardon whatever corrupts our common life or obstructs the coming of Thy kingdom. May our small successes prompt larger undertakings for human betterment.

O Lord, make us to know the constancy of Thy presence, to be aware of the certainty of Thy judgment, to give primacy to prayer and to worship as we work. Guide us by Thy higher wisdom and bring us to the end of this day with our hearts at peace with Thee.

Through Jesus Christ, our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 10, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WILLIAM D. HATHAWAY, a Senator from the State of Maine, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HATHAWAY thereupon took the chair as Acting President pro tempore.

EXECUTIVE MESSAGES RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 6, 1973, the Secretary of the Senate, on April 9, 1973, received the following messages from the President of the United States.

REPORT ON OPERATIONS OF THE INTERNATIONAL COFFEE AGREEMENT IN 1972—MESSAGE FROM THE PRESIDENT

A message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance. The message is as follows:

To the Congress of the United States:

In accordance with the International Coffee Agreement Act, as extended and amended, I transmit herewith the annual report on the operations of the International Coffee Agreement in 1972.

RICHARD NIXON.

THE WHITE HOUSE, *April 9, 1973.*

REPORT OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT

A message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations. The message is as follows:

To the Congress of the United States:

Pursuant to the Arms Control and Disarmament Act as amended (P.L. 87–297), I herewith transmit the Annual Report of the United States Arms Control and Disarmament Agency.

The year covered by this report has been the most rewarding in the 12-year history of the agency. Agreements reached with the Soviet Union in the Strategic Arms Limitation Talks testify to the determination of this Administration to move away from the dangers and burdens of unrestrained arms competition and toward a stable and constructive international relationship.

The negotiations have resulted not in concessions by the two parties, one to the other, but in mutual arrangements to insure mutual security. For the first time, the United States and the Soviet Union have taken substantial steps in concert to reduce the threat of nuclear war. The current round of SALT negotiations will concentrate on achieving a definitive treaty on the limitation of offensive weapons systems.

The past year has also seen continued progress in other areas of arms control.

Four years after the initial NATO proposal, positive planning has begun for a conference on Mutual and Balanced Force Reductions in Central Europe. The Convention banning biological weapons and calling for the destruction of existing stockpiles was opened for signature on April 10, 1972. At the Conference of the Committee on Disarmament in Geneva, the problems associated with control of chemical warfare through international law were subjected to patient and careful examination. The number of nations adhering to the Nonproliferation Treaty has now reached 76 and successful negotiations on safeguard arrangements have paved the way for ratification by key European countries.

Much has been accomplished, but much remains to be done. With the beginning of my second term in office, I rededicate my Administration to the goal of bringing the instruments of warfare under effective and verifiable control.

RICHARD M. NIXON.

THE WHITE HOUSE, *April 9, 1973.*

EXECUTIVE MESSAGES REFERRED

Under authority of the order of the Senate of April 6, 1973, the Secretary of the Senate, on April 9, 1973, received messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on April 9, 1973, are printed at the end of the Senate proceedings of today.)

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of April 6, 1973, Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported favorably, without amendment, on April 6, 1973, the joint resolution (S.J. Res. 45) to provide for the erection of a memorial to those who served in the Armed Forces of the United States in the Vietnam war, and submitted a report (No. 93–107) thereon, which was printed.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 6, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Speaker had appointed Mr. Howard as a member of the Franklin Delano Roosevelt Memorial Commission, to fill the existing vacancy thereon.

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

H.R. 342. An act to authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel; and

H.R. 4586. An act to incorporate in the District of Columbia the National Inconvenienced Sportsmen's Association.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 342. An act to authorize the District of Columbia to enter into the Interstate